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Michael Laing Chief Executive

14th November 2007

Dear Councillor,

I hereby give you Notice that a Meeting of the **DEVELOPMENT CONTROL COMMITTEE** will be held in the **COUNCIL CHAMBER, CIVIC CENTRE, CROOK** on **THURSDAY 22nd NOVEMBER 2007** at **6.00 P.M.**

AGENDA

	Page No.
1. Apologies for absence	
2. To consider development control application 3/2007/0704 – Proposed dormer bungalow and garage at land adjacent to South Acre, Oakenshaw for Mr. N. Anderson.	1 - 7
3. To consider development control application 3/2007/0626 – Remedial works, widening and resurfacing of existing access road at access to Willington Cricket Club, Manor Road, Willington for Mr. A Ruggles, Charles Church North East (Retrospective).	8 - 11
4. To consider development control application 3/2007/0728 – Application for amendments to plots 13-19 inclusive in order for the scheme to be built out at plots 13-19 inclusive St Annes Drive, Wolsingham for Beechwood Homes.	12 - 20
5. To consider development control application 3/2007/0606 – Fish farm and temporary residential accommodation – vary condition no. 4 on planning permission ref: no. 3/2005/0553 to allow the temporary accommodation to remain on site for a period of 3 years following the implementation of the planning permission at land south of Derwent Bridge, Rogers Hill, Edmundbyers, Consett for Mr. Linney, c/o Ward Hadaway.	21 - 30
6. To consider development control application 3/2007/0754 – Proposed conservatory at 5 Brancepeth Terrace, Willington for Councillor Buckham.	31 - 34
7. To consider development control application 3/2007/0722 – Wooden in-fills in previously approved wall on north west elevation	35 - 39

(retrospective) at Lovesome Cottage, Oakenshaw, Crook for Mr. and Mrs. Wilson.

8. To consider development control application 3/2007/0690 – 40 - 47
Proposed detached house and garage at land to the rear of 72 Lydgate Lane, Wolsingham for Mr. and Mrs. Findlay.
9. To consider development control application 3/2007/0631 – 32 48 - 57
apartments and 10 terraced houses (6 no. 3 bed and 4 no. 2 bed), new hard and soft landscaping and associated car parking. 39 spaces in total including 4 disabled. Houses are for social housing group at land at St. Andrew's Road and Morland Street, Bishop Auckland for Mr. Attari, A A Construction.
10. To consider development control application 3/2007/0667 – 58 - 66
Demolition of factory units and erection of mix of two and a half storeys and three and a half storeys apartments and conversion of Bedford Lodge to create 119 dwellings at former B B H Windings Limited, South Church Road, Bishop Auckland for Mandale Commercial Limited.
11. To consider development control application 3/2007/0668 – 67 - 84
Demolition of factory units and erection of mix of two and a half storeys and three and a half storeys apartments and conversion of Bedford Lodge to create 119 dwellings at former B B H Windings Limited, South Church Road, Bishop Auckland for Mandale Commercial Limited.
12. To consider development control application 3/2007/0650 – 85 - 91
Demolition of existing church and manse and construction of twelve three storey flats at St. Andrews United Reform Church, Victoria Street, Crook for Mr. Radgwick, Hammer Services Limited.
13. To consider development control application 3/2007/0703 – 92 - 95
Erection of 1.8 metre high timber palisade security fencing including 1 timber pedestrian gate to match adjacent properties at 11 Kirkstall Walk, West Auckland for Wear Valley District Council.
14. To consider a proposal to create a new benefice of Merrington. 96
15. To consider such other items of business which, by reason of special circumstances so specified the Chairman of the meeting is of the opinion should be considered as a matter of urgency.

Yours faithfully

A handwritten signature in black ink that reads "Michael Laing". The signature is written in a cursive, flowing style.

Chief Executive

Members of this Committee: Councillors Anderson, Bowser, Buckham, Mrs Burn, Mrs Douthwaite, Gale, Grogan, Jopling, Kay, Kingston, Laurie, Mrs Lee, Lethbridge, Mairs, Mowbray, Mews, Murphy*, Perkins, Seabury*, Taylor, Des Wilson and Zair.

*ex-officio, non-voting capacity.

Chair: Councillor Grogan

Deputy Chair: Councillor Mews

TO: All other Members of the Council for information
Management Team

DEVELOPMENT CONTROL COMMITTEE

22nd NOVEMBER 2007

Report of the Strategic Director for Environment and Regeneration

PART 1 – APPLICATION FOR DECISION

3/2007/0704 - PROPOSED DORMER BUNGALOW AND GARAGE AT LAND ADJACENT TO SOUTH ACRE, OAKENSHAW FOR MR. N. ANDERSON – 28.09.2007

description of site and proposals

1. This application has been reported to the Development Control Committee as it represents a departure from the Councils' adopted policy on the local interpretation of Policy 3 of the North East Regional Spatial Strategy.
2. Planning permission is requested for the erection of a detached dormer bungalow. The proposed property would comprise a lounge, kitchen, dining room, family room, study and a garden room to the ground floor, with three bedrooms at the first floor. The overall footprint of the proposed property would measure 12.4 metres in length by 10.5 metres in width, and would measure 7.3 metres in height. The proposed dwelling would have 2 dormer windows to the front elevation and 3 dormer windows to the rear elevation. A forecourt and driveway would be incorporated to the front of the property with a garden to the rear. It is proposed that 1.8 metres high gates with a 1.2 metre high stone wall would mark the front boundary of the site.
3. A detached garage would be located approximately 2 metres from the southern half of the dwelling and would measure 6 metres in width, 7 metres in length and 5 metres to the highest point.
4. A 1.8 metre high close boarded fence is proposed to mark the northern, western and southern boundaries of the application site.
5. The application site is a flat grassed rectangular plot of land with an offshoot providing access to the east, with access gained via an unadopted track. The site boundaries are defined by conifer hedging, fencing and on the western boundary redundant buildings. To the west lie open fields, to the south is Meadows End, a detached dwelling on South Acre. To the east of the site lies a plot of land with outline approval for 3 No. dwellings, with one recently constructed (22 South Acre).

planning history

6. The following planning history is considered relevant to this planning application:.

- 3/2004/0437 Residential Development (Outline) Withdrawn 19.07.2004
- 3/2004/0604 Erection of Two Dwellings (Outline) Approved 17.12.2004
- 3/2004/0568 Erection of Two Dwellings Withdrawn 19.09.2005
- 3/2005/0817 Erection of Two Dwellings Approved 24.11.2005

planning policies

7. The following policies of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007 are relevant in the consideration of this application:

- GD1 General Development Criteria
- H3 Distribution of development
- H24 Residential Design Criteria
- T1 Highways (General Policy)

Also of relevance: Submission Draft Regional Spatial Strategy (RSS).

consultations

8. CDE&TS (Highways): No objections subject to the access being constructed in accordance with Section 184(3) of the Highways Act 1980.
9. Northumbrian Water: No objection.

officer analysis

10. The key issues for consideration are:

- Principle of Development
- Residential Amenity
- Design
- Access

principle of development

11. The application site is located within the settlement limits for development for Oakenshaw. The proposal accords with policy H3 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
12. It is accepted that Oakenshaw is not an urban area and does not strictly comply to the sequential approach process found in the RSS. However it is noted that there is an existing planning permission for two dwellings (3/2005/0817) on this site. Given that there is an existing permission on this

site, and that the site falls within the settlement boundaries of Oakenshaw, the principle of development is considered acceptable in this instance.

residential amenity

13. The submitted plans show that no windows would be inserted to the north western elevation, and a small window to a utility room and side entrance would be inserted to the south eastern elevation of the proposal. The nearest dwellings are as follows: School House to the north, Meadows End to the south and the site adjoining to the east which contains two dwellings (22 and 26 South Acre). Given the design and siting of the proposal, and that no windows to habitable rooms would be inserted to the northwestern or southeastern elevations, occupiers of School House and Meadows End would not suffer any loss of privacy as a result of this proposal. The dwelling to the northeast of the proposed dwelling, 26 South Acre, would be located approximately 22 metres from the proposed dwelling; however this dwelling would not directly face the proposed dwelling. The dwelling at 22 South Acre faces the house at Meadows End and not the application site. The proposal meets the guidance contained in policy H24 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
14. The submitted plans show that the proposed dwelling would have a rear garden depth of approximately 11 metres. This exceeds the 10 metre requirement set out in policy H24 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
15. Conditions are recommended withdrawing permitted development rights in order to safeguard visual and residential amenities.

design

16. The proposed dwelling, although large, is considered acceptable in terms of design and scale given the existing mix of housing styles to neighbouring plots. The design is modern, and would not have an adverse visual impact on the surrounding area. The proposal accords with policies GD1 and H24 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

access

17. In reference to the 2005 approval, the officer report states that "*Access would be taken from the unadopted unmade access track currently used by those in School House and School Row. This access track connects to the adopted highway via a route between The Old Colliery Inn and Lovesome Hill House.*

Therefore, the site does not extend to meet the adopted public highway. Nevertheless, the red line site boundary now extends to the unmade access track. This access track, which passes between Lovesome Hill House and the Old Colliery, is shown on the 1890's series O.S. map and on all subsequent O.S. maps. It has, therefore, been in existence for over 100 years.

The application site therefore now abuts a 'highway' (though not an adopted highway). For this reason it is considered that it would be difficult to substantiate a refusal for the reason that the site does not abut an adopted highway. While there are concerns about the access visibility from DCC (the local highways authority) they do not consider that a refusal on visibility grounds could be substantiated. In addition, this appears to be the last area of undeveloped land, within the settlement boundary, in this part of Oakenshaw. This proposal will not, therefore, create a precedent."

18. The current proposal would have access onto the unmade access track used by the occupiers of School House and School Row. As such it is considered that the proposal accords with policies GD1 and T1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007

objections/observations

19. The occupiers of surrounding properties have been notified in writing and a site notice has also been posted. The application has also been advertised in the press.
20. No letters of objection/ observation have been received.

conclusion and reasons for approval

1. It is accepted that Oakenshaw is not an urban area and therefore the proposal does not strictly comply with the sequential approach process found in the Regional Spatial Strategy. However it is noted that there is an existing planning permission for two dwellings (3/2005/0817) on this site. Given that there is an existing permission on this site, and that the site falls within the settlement boundaries of Oakenshaw, the principle of development is considered acceptable in this instance, and the proposal accords with policies GD1 and H3 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
2. The proposed dwelling would provide sufficient levels of private amenity space to the occupiers of the dwelling, and would not cause any loss of privacy to occupiers of neighbouring dwellings. The proposal accords with policies GD1 and H24 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
3. The proposed dwelling is of a modern design and would not have an adverse visual impact on the surrounding area. The proposal accords with policies GD1 and H24 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
4. It is considered that given the comments from the County Highways Engineer, the proposed access to the site is satisfactory, and would not present a danger to users of the highway. The proposal accords with policies GD1 and T1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

RECOMMENDED

That planning permission be **APPROVED** subject to the following conditions and reasons;

conditions

1. No development shall take place until samples of the materials to be used in the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
2. Development shall not begin until details of the surface treatment and construction of all hardsurfaced areas have been submitted to and approved in writing by the local planning authority, and the dwelling shall not be occupied until that work has been carried out in accordance with the approved details.
3. Notwithstanding the provisions of Article 3 and Classes A, B, C, and E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 et seq none of the categories of development described therein shall be carried out on the site without an application for planning permission having been first made to and approved in writing by the local planning authority.
4. Notwithstanding the provisions of Article 3 and Class A of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 et seq no additional openings shall be formed in the dwelling and detached garage hereby approved.
5. Development shall not begin until details of the existing and proposed site levels and the finished floor levels of the proposed dwelling and detached garage and those of existing neighbouring dwelling houses shall be submitted to and approved in writing by the local planning authority ;and the works shall be completed in accordance with the approved details.
6. No development shall commence until the exact location of the proposed dwelling and detached garage have been pegged out on site for inspection and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
7. The detached garage hereby approved shall not be used other than for the accomodation of private motor vehicles for purposed incidental to the enjoyment of the dwellinghouse; no trade or business shall be carried out therein.

reasons

1. To ensure that the external appearance of the development will not be detrimental to the visual amenities of the area. In accordance with policies H24 and GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

2. To achieve a satisfactory standard of development. In accordance with policies GD1, H24 and T1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
3. The local planning authority wishes to control future development in the interests of visual and residential amenities. In accordance with policies H24 and GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
4. To safeguard the privacy of adjacent residents. In accordance with policies GD1 and H24 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
5. To secure a satisfactory standard of development and, in particular, to protect the adjacent residents from overlooking or other loss of amenity. In accordance with policies H24 and GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
6. For the avoidance of doubt. In accordance with policies GD1 and H24 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
7. To safeguard the occupiers of adjacent premises from undue noise, traffic generation or other loss of amenity arising from the use of the proposed garage for trade or business purposes. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

background information

Application files, WVDLP, as amended by Saved and Expired Policies September 2007, RSS.

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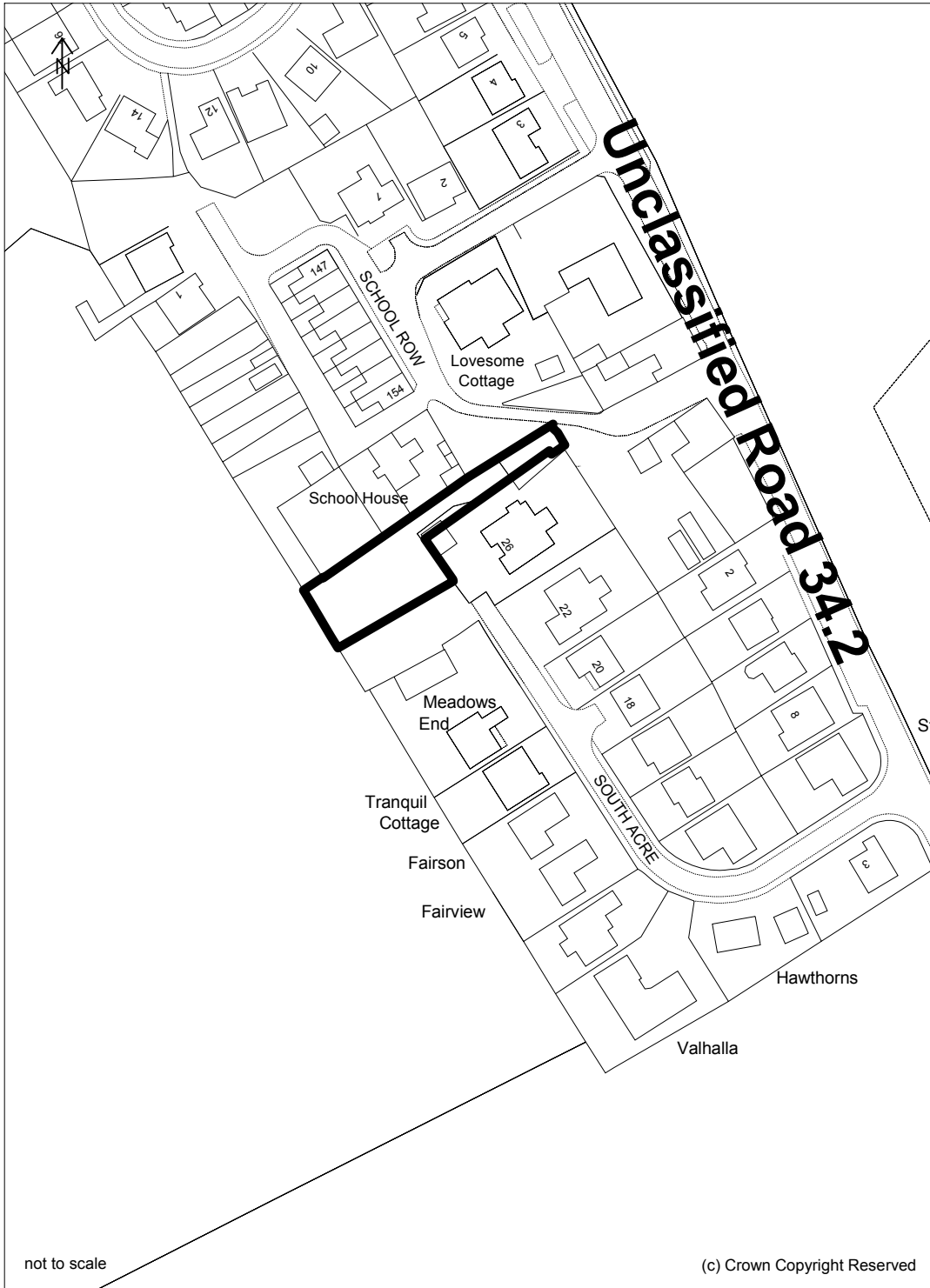
Officer responsible for the report

Robert Hope
 Strategic Director for Environment and Regeneration
 Ext 264

Author of the report

Adam Williamson
 Planning Officer
 Ext 495

3/2007/0704 - PROPOSED DORMER BUNGALOW AND GARAGE AT LAND ADJACENT TO SOUTH ACRE, OAKENSHAW FOR MR. N. ANDERSON – 28.09.2007



DEVELOPMENT CONTROL COMMITTEE

22ND NOVEMBER 2007

Report of the Strategic Director for Environment and Regeneration

PART 1 – APPLICATION FOR DECISION

3/2007/0626 - REMEDIAL WORKS, WIDENING AND RESURFACING OF EXISTING ACCESS ROAD AT ACCESS TO WILLINGTON CRICKET CLUB MANOR ROAD, WILLINGTON FOR MR. A. RUGGLES, CHARLES CHURCH NORTH EAST (RETROSPECTIVE) – 15.09.2007

description of site and proposals

1. Councillor Buckham has asked that the application be referred to the Development Control Committee for decision in the interest of public concern.
2. Retrospective planning permission is requested for the widening and resurfacing of the access road to Willington Cricket Club, which takes access from Manor Road. The access now measures 3.8 metres in width and approximately 84 metres in length.
3. The access also carries public footpath number 58 as shown on the County Public Rights of Way map.
4. To the west of the application site is the former Riding Hall Carpets site where planning permission has been granted for 210 dwellings, whilst to the east of the site is dense planting and the rear of the dwellings on Rectory Gardens. The access road has street lighting, and a low hedge marking the eastern boundary of the road.

planning history

5. There is no planning history relevant to the determination of this application.

planning policies

6. The following policies of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007 are relevant in the consideration of this application:
 - GD1 General Development Criteria
 - T1 Highways (General Policy)

consultations

7. CDE&TS (Highways): The access road is private but carries a Public Right of Way (footpath 58). I raise no highways objection.
8. Public Rights of Way Officer: I have no objections as long as the footpath is not obstructed by parked cars.

officer analysis

9. The key issues for consideration are

- Visual Impact
- Highway Safety

visual impact

10. The improved surfacing of the access road has increased the visual amenity of the surrounding area, and has improved the street scene. The materials used for the surface of the road are in keeping with the surrounding area in terms of colour and texture, and the road now provides a safer access to the Cricket Club.

11. The proposal accords with policies GD1 and T1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

highway safety

12. It is considered that the upgrading of the access road provides much improved access to the Willington Cricket Club for pedestrians and disabled users, as well as increasing the quality of the road for vehicular traffic. It is considered that the scheme has not been to the detriment of highway safety.

13. The proposal accords with the policies GD1 and T1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

objections/observations

14. The occupiers of neighbouring properties have been notified in writing and a site notice has also been posted.
15. No letters of objection/ observation have been received.

conclusion and reasons for approval

1. The upgrading of the access road has resulted in a visually improved street scene to Manor Road.
2. The works have provided a safer access to the Cricket Club.
3. The upgrading of the access has increased the ease of access for pedestrians and disabled users, as well as increasing the quality of the road for vehicular traffic.

4. The proposal accords with policies GD1 and T1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

RECOMMENDED

That planning permission be **GRANTED**.

Informative

A condition restricting that no cars obstruct the footpath would not be enforceable as the road is private. However, as the road carries a public right of way, the owner of the road is legally responsible for ensuring that the public right of way is not obstructed under Section 130 of the Highways Act 1980.

background information

Application file, WVDLP as amended by Saved and Expired Policies September 2007.

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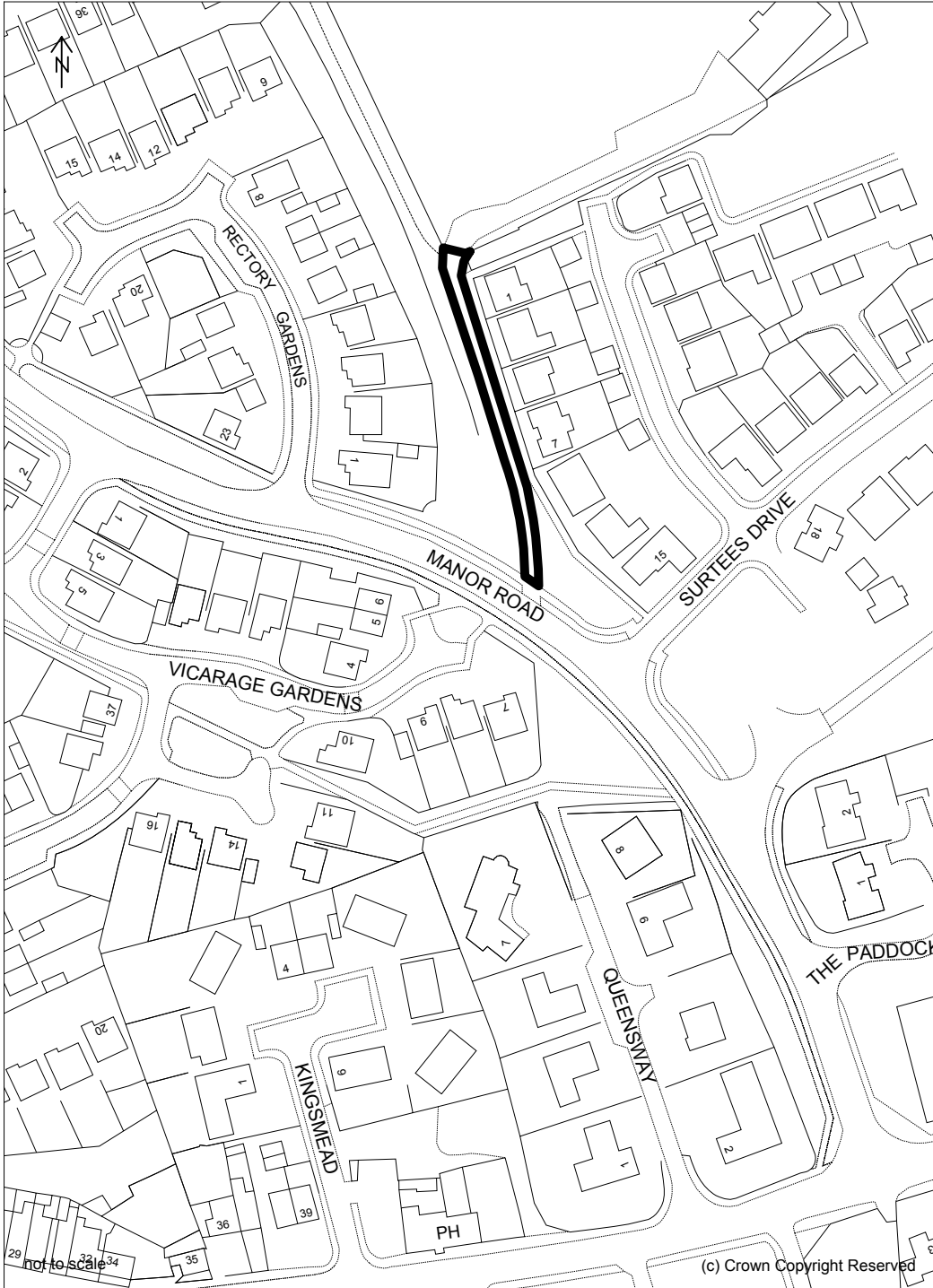
Officer responsible for the report

Robert Hope
Strategic Director for Environment and Regeneration
Ext 264

Author of the report

Adam Williamson
Planning Officer
Ext 495

3/2007/0626 - REMEDIAL WORKS, WIDENING AND RESURFACING OF EXISTING ACCESS ROAD AT ACCESS TO WILLINGTON CRICKET CLUB MANOR ROAD, WILLINGTON FOR MR. A. RUGGLES, CHARLES CHURCH NORTH EAST (RETROSPECTIVE) – 15.09.2007



DEVELOPMENT CONTROL COMMITTEE

22nd NOVEMBER 2007

Report of the Strategic Director for Environment and Regeneration

PART 1 – APPLICATION FOR DECISION

**3/2007/0728 - APPLICATION FOR AMENDMENTS TO PLOTS 13 -19 INCLUSIVE
IN ORDER FOR THE SCHEME TO BE BUILT OUT AT PLOTS 13-19 INCLUSIVE
ST ANNES DRIVE, WOLSINGHAM FOR BEECHWOOD HOMES -11.10.2007**

description of site and proposals

1. Consent is sought for amendments to plots 13-19 at 22 St. Anne's Drive, Wolsingham. This application is reported to Committee as the original planning permission for the development of the St Anne's site attracted more than three unresolved planning objections.
2. Planning permission has previously been granted for development of 34 new build homes and conversion of existing school building into 10 apartments at St. Annes Convent High School, Angate Square, Wolsingham. The original application was approved on 27th April 2004.
3. The proposed amendments relate to 7 dwellings to the north of the site which have been redesigned. The dwellings have had to be redesigned to conform with Building Regulations. All of the dwellings would be built in the same location as previously approved. The original application was approved for drawings scaled at 1:200 with condition 21 (a) stating that no development shall take place until full working drawings at a scale of 1:50 showing elevations and floor plans have been submitted to and approved in writing by the local planning authority. The original 1:200 drawings were not drawn in accordance with Building Regulations. The stairs in a number of the dwellings did not provide enough headroom. This led to these properties having to be redesigned with a marginal height increase. There would also be some height increase due to unexpected undulations in the land. The original plans showed the site to be flat. The site in fact slopes upwards from Angate Street. There is a margin of error between plans scaled 1:50 and plans scaled 1:200. This accounts further for the proposed increased height of some of the buildings. The height increases range from 0.8 metres to 1.2 metres. Only one of the dwellings would be increased by 1.2 metres. In some cases the internal layout of the dwellings have had to be altered to be both practical and in accordance with Building Regulations. This has led to some windows needing to be altered or moved. The dwellings cannot be built as per the original plans as they would not conform to current Building Regulations.

4. The application site is contained within the settlement limits of Wolsingham and occupies a prominent position within the Wolsingham Conservation Area. The site is bounded to the north by Demense Mill picnic area. To the south of the site is the Church of St. Thomas of Canterbury, a grade II listed building and associated dwellings. To the east of the application site are plots 22-25, which are now complete, with a number of the dwellings currently occupied. To the west of the site are plots 9-12 which are currently under construction.

planning history

5. The planning history relating to the site is set out below:

- | | | |
|---------------|---|---------------------|
| • 3/1974/0268 | Classroom Extension | Approved 15.08.1974 |
| • 3/1974/0306 | Science lab | Approved 07.08.1974 |
| • 3/1977/0764 | 3 Classrooms and Toilets | Approved 30.12.1977 |
| • 3/1979/0623 | Raise Height of Buildings | Approved 24.10.1979 |
| • 3/2003/0973 | Development of 34 New Build Homes and Conversion of Existing School Building into 10 Apartments | Approved 27.04.2004 |

planning policies

6. The following policies of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007 are relevant in the consideration of this application:

- BE4 Setting of a Listed Building
- BE5 Conservation Areas
- BE6 New Development and Alterations in Conservation Areas
- GD1 General Development Criteria
- H24 Residential Design Criteria
- H3 Distribution of Development
- T1 Highways – General Policy

Government Advice on new residential developments set out in PPS3 'Housing' is also directly relevant to this proposal. Also relevant is PPG15 "Planning and the Historic Environment", County Durham Local Transport Plan 2 and the draft RSS.

consultations

7. Wolsingham Parish Council: No response.
8. DCC Design and Conservation Officer has made the following comments:
- The scheme as submitted is broadly in line with my discussions and reflects the original design ethos which was to provide a development which portrayed an extension of the original Wolsingham vernacular.

- Subject to the imposition of appropriate conditions to control materials, windows and finishes etc. I am satisfied that the development will make a positive contribution to the area and will preserve the character and appearance of the conservation area.

9. DCC Highways Section: No objections.

10. DCC Arboricultural Officer surveyed all of the trees on and around the site on 15th June 2007. This phase of the development does not affect any of the trees on or around the site.

officer analysis

11. The key issues for consideration are:

- Principle of Development
- Impact on Conservation Area
- Impact on the Setting of a Listed Building
- Access/Parking
- Design/Layout
- Trees

principle of development

12. The principle of development has already been established by virtue of the extant planning approval. The application site is a brownfield site contained within the defined settlement limits for Wolsingham. It was previously a school and is not allocated for any specific purpose. The site is well located close to the centre of the village, within easy walking distance of all the existing village services and facilities. By virtue of the location of the site and the existing planning history, the proposal is considered acceptable in principle and can be supported by policies GD1 and H3 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007 and PPS3 'Housing'

impact on conservation area

13. The site is located within Wolsingham Conservation Area and therefore the development must preserve or enhance the character of the area, use materials which are appropriate to the conservation area and reflect the vernacular style of the locality.

14. The original permission ref (3/2003/0973) which included permission for plots 13-19 established the design criteria for the development through careful control over construction materials, window designs, surface materials and design features of the properties. The new proposals are considered to satisfy these design criteria. Indeed the substitution of house types would deliver an overall improved scheme. The designs of the dwellings are in keeping with the conservation area in accordance with policies BE4, BE5 and BE6 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007 and PPG15 'Planning and the Historic Environment'.

impact on the setting of a listed building

15. It has already been established through the previous application for the St. Anne's site that the development would benefit the setting of the Church of St. Thomas of Canterbury; a grade II listed building, through the quality of the townscape that would be created. The revised proposals would also achieve the same benefits and are acceptable in relation to policy BE4 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007 and PPG15 'Planning and the Historic Environment'

access/parking

16. The access arrangements throughout the site would not be significantly affected by the proposed amendments to plots 13-19. Durham County Council Highways Section raised no objections to the original proposal. The access to the proposed development is considered to accord with policies GD1 and T1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007 and the County Durham Local Transport Plan 2.

design

17. The amendments include the proposed increase in height of a number of the dwellings which ranges between 0.8 metres and 1.2 metres. Only one of the dwellings would be increased in height by 1.2 metres. Changes have been made to the design of a number of the elevations. The construction materials should be controlled through conditions. Pre-application discussions were entered into before the submission of this phase of the development. A number of amendments were requested to the design of the dwellings to improve their visual appearance. These have been incorporated into the scheme. The changes to the scale and design of the dwellings are considered acceptable in relation to existing properties, the streetscene, the conservation area and the setting of the grade II listed building Church of St. Thomas of Canterbury. The proposed development is considered acceptable in relation to policies BE4, BE5, BE6, GD1 and H24 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007 and PPG15 'Planning and the Historic Environment'.

trees

18. No trees on or around the site would be affected as a result of this stage of the development. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007 and PPG15 "Planning and the Historic Environment".

objections/observations

19. The application has been advertised on site, in the local press and neighbouring properties have been notified individually in writing about the proposals. No observations have been received.

conclusion and reasons for approval

1. It is considered that the proposed amendments to plots 13-19 would improve the overall quality of the previously approved scheme. The development would be in keeping with the surrounding conservation area and would not harm the setting of the grade II listed building Church of St. Thomas of Canterbury or any of the trees on or around the site. The proposals are therefore considered to accord with policies BE4, BE5, BE6, GD1, T1, H3 and H24 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007 and PPG15.

RECOMMENDED

That planning permission be **APPROVED** subject to the following conditions and reasons;

conditions

1. Before the occupation of the dwellings hereby approved takes place details of the storage of refuse shall be submitted to and approved in writing by the local planning authority and the development shall be carried out in accordance with the approved details.
2. Notwithstanding the details included on the approved plans, the following design requirements shall be incorporated into the proposed scheme:-
 - a. all windows shall be timber, painted white, double hung vertically sliding sash in accordance with the approved plans;
 - b. all windows shall be recessed 90mm from the face of the building;
 - c. exposed stone or artstone cills and lintels shall be used below and above all window openings;
 - d. all external walls shall be formed using random, coursed natural stone with pointing to match;
 - e. all external doors shall be natural timber doors;
 - f. exposed stone or artstone lintels shall be used above all external door openings;
 - g. the roof coverings shall be natural slate;
 - h. all rainwater goods shall be black;
 - i. all rooflights shall be conservation flush-fit lights finished in black with a central glazing bar;
 - j. no fascia or barge boards shall be affixed to the buildings.
3. Within 3 months of the date of this permission, details of the existing and proposed site levels and the finished floor levels of the proposed dwellings and those of existing neighbouring buildings and land shall be submitted to the local planning authority for approval in writing by the local planning authority; and the works shall be completed in accordance with the approved details before the houses hereby approved are occupied.

4. All planting, seeding or turfing comprised in the details of landscaping approved under application 3/2003/0973 shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed, severely damaged or become seriously diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.
5. The existing trees, hedges and shrubs on the site shall be retained and shall not be felled, lopped or topped without the prior written consent of the local planning authority. Any trees, hedges and shrubs removed without such consent or which die or become seriously damaged or diseased shall be replaced in the first available planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.
6. Before the dwellings hereby approved are first occupied details of the height, siting, appearance and construction of all means of enclosure to be erected upon the site shall be submitted to and approved in writing by the local planning authority, and the works shall be carried out in accordance with such approved details.
7. Before the dwellings hereby approved are first occupied details of the proposed estate roads, footways and footpaths, turning spaces and driveways where applicable between the dwellings and the existing highway, shall be submitted to and approved in writing by the local planning authority. They shall be properly consolidated and surfaced to the satisfaction of the local planning authority. The footways and footpaths between any dwelling and the existing highway shall be completed within three months from the date of occupation of the dwelling, or such longer period as may be agreed in writing by the local planning authority.
8. The garaging, hardstandings and car parking relating to the dwellings shall be used and maintained in such a manner as to ensure their availability at all times for the standing and garaging of private motor vehicles.
9. No building or construction activities shall be carried out on the site on any Sunday or Bank Holiday or outside the hours of 8 a.m. and 6 p.m. on any other day.
10. Notwithstanding the provisions of Article 3 and Classes A, B, C, D, E, F, G and H of Part 1 and Classes A, B, C of Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 et seq none of the categories of development described therein shall be carried out on any of the dwellings without an application for planning permission having been first made to and approved in writing by the local planning authority.

11. Before the houses hereby approved are occupied the arrangements for dealing with surface and foul water discharges from the site shall be implemented in accordance with the approved details submitted to the local planning authority in a letter dated 4th January 2005.
12. Within 3 months of the date of this permission details of the lighting columns shall be submitted to the local planning authority for approval in writing by the local planning authority and the works shall be carried out in accordance with the approved details before the houses hereby approved are occupied.

reasons

1. To enable the local planning authority to retain control over the provision of facilities for storage of refuse; to secure a satisfactory standard of development and in the interests of road safety. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
2. For the avoidance of doubt and to maintain the character of the building. In accordance with policies GD1 and BE6 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
3. To ensure that the existing ground and landscape conditions are protected from undue disturbance. In accordance with policies GD1 and BE9 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
4. To ensure the implementation of the approved landscape scheme within a reasonable time. In accordance with policies GD1 and BE9 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
5. In the interests of the visual appearance of the area. In accordance with policies GD1 and BE9 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
6. To achieve a satisfactory form of development. In accordance with policies GD1 and BE9 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
7. In the interests of highway safety and the amenities of the occupiers of the proposed residential development. In accordance with policies GD1 and T1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
8. In the interests of road safety; to ensure that an adequate supply of off-street private car parking is maintained. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

9. In the interests of traffic safety and to safeguard the amenity of the surrounding area. In accordance with policies GD1 and T1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
10. The local planning authority wishes to control future development in order to protect the character of the host buildings and their setting, and to safeguard residential amenity. In accordance with policies GD1 and BE6 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
11. To safeguard against flooding and to ensure a satisfactory means of disposal. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
12. To achieve a satisfactory and acceptable form of development. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

background information

Application files, WVDLP as amended by the Saved and Expired Policies September 2007, PPS3, PPG15, County Durham Local Transport Plan 2, draft RSS.

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explanation				

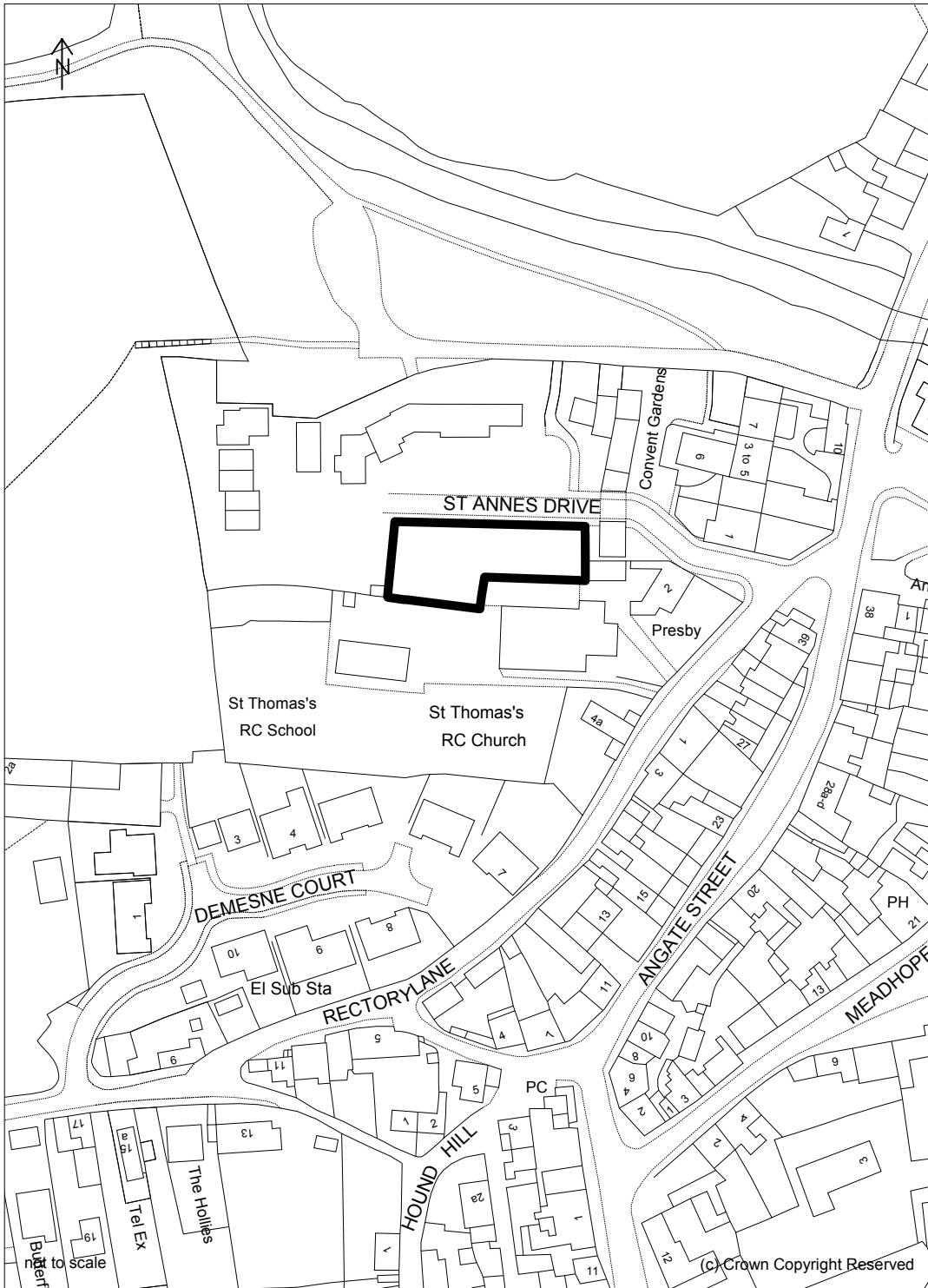
Officer responsible for the report

Robert Hope
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 Ext 264

Author of the report

Sinead Folan
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3/2007/0728 - APPLICATION FOR AMENDMENTS TO PLOTS 13-19 INCLUSIVE IN ORDER FOR THE SCHEME TO BE BUILT OUT AT PLOTS 13-19 INCLUSIVE ST ANNES DRIVE, WOLSINGHAM FOR BEECHWOOD HOMES -11.10.2007



DEVELOPMENT CONTROL COMMITTEE

22nd NOVEMBER 2007

Report of the Strategic Director for Environment and Regeneration

PART 1 – APPLICATION FOR DECISION

3/2007/0606 - FISH FARM AND TEMPORARY RESIDENTIAL ACCOMMODATION - VARY CONDITION NO. 4 ON PLANNING PERMISSION REF: NO. 3/2005/0553 TO ALLOW THE TEMPORARY ACCOMMODATION TO REMAIN ON SITE FOR A PERIOD OF 3 YEARS FOLLOWING THE IMPLEMENTATION OF THE PLANNING PERMISSION AT LAND SOUTH OF DERWENT BRIDGE ROGERS HILL, EDMUNDBYERS, CONSETT FOR MR. LINNEY, C/O WARD HADAWAY-21.08.2007

description of site and proposals

1. The application site comprises of agricultural land with a site area of approximately 6 hectares located within the North Pennines Areas of Outstanding Natural Beauty (AONB). There is an existing agricultural building to the south of the application site which is characterised by pasture and is relatively open with a number of mature trees.
2. To the north of the site is the B6278, from which access to the existing site is taken. The eastern boundary of the site is delineated by the tree-lined Burnhope Burn, which also forms the district boundary. Adjacent to the site is Burnhope Burn Wood, a County Wildlife Site (CWS). Burnhope Burn Site of Special Scientific Interest is to the east site and Derwent Reservoir is approximately 400m away to the west.
3. Members may recall that planning permission was granted for a fish farm and temporary residential accommodation (ref: 3/2005/0553) in September 2005. This application gave consent for the creation of 6 No. trout farm ponds, a hatchery within the existing farm building, and amended access, an 8750m² trout lake and temporary residential accommodation.
4. Condition 4 of the planning permission states that:

The temporary wooden accommodation hereby approved shall be removed on or before 1st September 2008 and the land restored to its former condition on or before 1st October 2008 in accordance with a scheme of work to be submitted to and approved by the local planning authority.

5. This application seeks planning permission to vary condition 4 of planning permission 3/2005/0553 to the following:

The temporary wooden accommodation hereby approved shall be provided on site for occupation before the fish farm is first brought into use. The temporary accommodation shall be removed from the site within a period of three years following the date it is first brought onto the site and within one month of the removal of the temporary wooden accommodation the land shall be restored to its former condition in accordance with a scheme of works to be submitted to and approved in writing by the local planning authority

6. Condition 5 of planning permission 3/2005/0553 also required details of the size, design and external appearance of the temporary residential accommodation to be submitted to and approved in writing prior to the commencement of development. This information was presented to Committee on 13th October 2005 and discharged in writing on 14th October 2007.

planning history

7. The following planning history is considered relevant to this planning application:

- | | | |
|---------------|---|--------------------|
| • 3/2003/0390 | Proposed Trout Farm, Growing Ponds, Lake and Temporary Accommodation | Refused 11.03.04 |
| • 3/2004/0656 | Proposed Fish Farm at Edmundbyers | Approved 29.09.04 |
| • 3/2005/0553 | Fish Farm and Temporary Residential Accommodation | Approved 02.09.05 |
| • 3/2005/0164 | Fish Farm and Temporary Residential Accommodation | Approved 22.04.05 |
| • 3/2003/0390 | Proposed Trout Farm, Growing Ponds, Lake and Temporary Accommodation | Refused 11.03.04 |
| • 3/2002/0181 | Trout Farm, Shop, Car Park, Shooting Range, Lake, Dwelling, Timber Chalets (9 No.) and Associated Works | Withdrawn 26.11.02 |

planning policies

8. The following policies of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007 are relevant in the consideration of this application:

- BE17 Areas of Archaeological Interest
- ENV1 Protection of the Countryside
- ENV10 Sites of Special Scientific Interest
- ENV11 Site of Nature Conservation Importance and Local Nature Reserves

- ENV2 The North Pennines Area of Outstanding Natural Beauty
- GD1 General Development Criteria
- T1 Highways - General Policy

Government advice relevant to the proposals is set out in PPS7: Sustainable Development in Rural Areas and PPS9: Biodiversity and Geological Conservation.

consultations

9. Tynedale Council: No comments received.
10. Derwentside District Council: No objections.
11. Durham County Council Landscape: No comments to make.
12. Durham County Council Archaeology: No objections.
13. Durham County Council Traffic Section: No objection.
14. Environment Agency: No objections.
15. WVDC Design and Conservation Officer: No objection.
16. WVDC Forward Plans: No objection.

officer analysis

17. The key issues for consideration are:
 - Principle of Development
 - Suitability of the Proposed Variation of Condition

principle of development.
18. Planning permission was granted for a fish farm and temporary residential accommodation (ref: 3/2005/0553) in September 2005. This application gave consent for the creation of 6 No. trout farm ponds, a hatchery within the existing farm building, and amended access, a 8750m² trout lake and temporary residential accommodation.
19. Since this grant of planning permission, there has not been a significant change in local or national planning policy and it is therefore considered that the principle of the fish farm and residential accommodation has already been established under planning permission 3/2005/0553. This previous application explored fully the functional need for residential accommodation on the site and it is therefore not appropriate to re-visit the principle of development.

suitability of the proposed variation of condition

20. The current planning permission gives consent for temporary residential accommodation to be on the site for a period of three years. This period of time commenced from the date that the planning permission was issued and therefore if accommodation were now brought onto the site it would need to be removed by 1st September 2008.
21. The planning permission for the overall development is valid for a period of five years and therefore can be implemented at any time up to 1st September 2010. It is therefore considered appropriate that the provision of the temporary accommodation is tied in to the commencement of the use and that the residential element should be available for three years following the commencement of the fish farm use.
22. In the circumstances that the residential accommodation is considered to be essential to the operation of the fish farm, the proposed condition is appropriately worded to ensure that this is provided before the fish farm is first brought into use. The proposed condition also ensures that the temporary accommodation is removed at the end of the three year period and the land restored in accordance with a scheme of works to be agreed.

objections/observations

23. The application has been advertised on the site and in the local press. The occupiers of properties in the area have been notified in writing. Three letters have been received making observations on the proposals and two letters of objection.
24. A summary of the objections and observations is given below:
 - a) Escaped trout could cause problems with the wild trout sanctuary in the upper reaches of the river Derwent.
 - b) Disease may enter the river.
 - c) Proposal may impact on water levels.
 - d) Pollution/fish soil may enter the river.
 - e) Permanent accommodation may be applied for at the end of 3 years and building may be turned into a house.
 - f) There are houses available locally.
 - g) Site is used for parties and motorbike events leading to excessive noise.
 - h) Previous conditions should be applied to this proposal.
 - i) Temporary accommodation should be dismantled after 3 year period.
 - j) The site is an eyesore.
 - k) Use has not yet been developed and site is for sale.

response to objections

25. In response to these observations, the following comments are made:
- a) This application does not address the principle of the fish farm which has already been established under planning permission 3/2005/0553.
 - b) This application does not address the principle of the fish farm which has already been established under planning permission 3/2005/0553.
 - c) This application does not address the principle of the fish farm which has already been established under planning permission 3/2005/0553.
 - d) This application does not address the principle of the fish farm which has already been established under planning permission 3/2005/0553. In addition details of the procedures for dealing with the containment and prevention of run-off into the burn are required to be submitted to and approved in writing by the local planning authority by condition 7.
 - e) This application does not preclude an application at a future date for permanent residential accommodation on the site, however any such application would be considered on its own merits.
 - f) This application does not address the principle of the fish farm or residential accommodation which has already been established under planning permission 3/2005/0553 where it was considered that the functional need for accommodation on the site had been demonstrated.
 - g) This application does not consider alternative uses for the site and any unauthorised uses would need to be investigated by an enforcement officer.
 - h) It is suggested that all previous conditions are re-applied.
 - i) The proposed condition does require the temporary accommodation to be removed from the site and the land restored.
 - j) The local planning authority cannot require any particular planning permission to be implemented. Any untidy land issues would need to be investigated by an enforcement officer.
 - k) The local planning authority cannot require any particular planning permission to be implemented. The planning permission is not personal to any individual and therefore the site could be sold and the fish farm operated by another party.

conclusion and reasons for approval

1. The principle of the fish farm and residential accommodation essential to the operation of the fish farm has already been established under planning permission 3/2005/0553 and is considered to be in accordance with the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007 and PPS7.
2. The proposed variation to condition 4 does not extend the length of time that the accommodation can remain on the site, but ties in the implementation of the temporary accommodation with the commencement of the use of the site. The variation of the condition is acceptable and in accordance with the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007 and PPS7.

RECOMMENDED

That condition 4 of planning permission 3/2005/0553 be varied subject to the following conditions and reasons;

conditions

1. Before the occupation of the residential accommodation hereby approved the construction works to form the business use shall be completed. The residential accommodation hereby approved shall be occupied no earlier than the date on which the business use is commenced.
2. The occupation of the dwelling hereby approved shall be limited to a person solely or mainly working, or last working, in the locality in agriculture or in forestry, or a widow or widower of such a person, and to any resident dependants.
3. The temporary wooden accommodation hereby approved shall be provided on site for occupation before the fish farm is first brought into use. The temporary accommodation shall be removed from the site within a period of three years following the date it is first brought onto the site and within one month of the removal of the temporary wooden accommodation the land shall be restored to its former condition in accordance with a scheme of works to be submitted to and approved in writing by the local planning authority.
4. A checking survey shall be carried out just prior to the construction works, consistent with the delivery of the work as carried out within the method statement. This will assess whether any disturbance to other holts would occur, then a DEFRA licence would be needed before construction operations commence.
5. A buffer zone of at least 10m shall be maintained between the burn and the construction areas. A fence shall be erected around the site/buffer zone in accordance with details to be submitted to and approved in writing by the local planning authority, prior to the commencement of any works, in order to prevent accidental entry into a buffer zone. Access into this area shall be kept to a minimum, with contractors suitably briefed before commencement of the works.
6. At no time shall plant and hazardous substances/materials be stored close to the buffer zone.
7. No development shall take place until details of the procedures for dealing with the containment and prevention of run-off into the burn of hazardous substances/materials have been submitted to and approved in writing by the local planning authority. Thereafter, the development shall not be carried out other than in complete accordance with the approved details.
8. Prior to the commencement of any works, procedures for dealing with accidental spillages of any such substances/materials must be in place, details of which shall be first submitted to and approved in writing by the local planning authority and thereafter implemented if any spillages occur.

9. Wherever possible, any lighting used shall be directed away from the burn. Construction work and associated lighting shall cease at nightfall.
10. All construction work shall take place between the hours of 8.00am and 18.00pm.
11. The uses hereby approved shall not commence until the existing vehicular access has been stopped up and its use premanently abandoned concurrently with the provision of the new access hereby approved being first brought into use.
12. No development shall take place until details of the proposed access to a scale no less than scale 1:50 have been submitted to and approved in writing by the local planning authority. Thereafter the development shall not be carried out other than in complete accordance with the approved details.
13. No development shall take place until the applicant has secured the implementation of an agreed phased programme of archaeological works to include assessment, evaluation, and where appropriate, mitigation, in accordance with a written scheme of investigation. This shall be submitted to and approved in writing by the local planning authority prior to the commencement of development.
14. Before the development hereby approved is commenced a scheme of landscaping shall be submitted to and approved in writing by the local planning authority [which shall include 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].
15. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the comencement of use of the ponds, are severely damaged or become seriously diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.
16. Before the development hereby approved is commenced details of the height, siting, appearance and construction of all means of enclosure to be erected upon the site shall be submitted to and approved in writing by the local planning authority, and the works shall be carried out in accordance with such approved details before the use hereby approved is commenced.
17. Development shall not begin until details of the surface treatment and construction of all hardsurfaced areas (including any access tracks) have been submitted to and approved in writing by the local planning authority and the development shall be carried out in accordance with the approved details.
18. There shall be no storage in the open on the site of goods, materials, equipment, vehicles or waste except in areas which may be first approved in writin by the local planning authority.

19. No external lighting shall be installed at the site without the prior written agreement of the local planning authority.

reasons

1. The local planning authority would not be prepared to permit a residential unit on this site unconnected with the use of the land or neighbouring land for agricultural purposes. In accordance with Policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007, and PPS7: Sustainable Development in Rural Areas.
2. The local planning authority would not be prepared to permit a residential unit on this site unconnected with the use of the land or neighbouring land for agricultural purposes. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007 and PPS7: Sustainable Development in Rural Areas.
3. The temporary wooden accommodation, by reason of its design and materials is not considered suitable for permanent retention. In accordance with policies GD1 and ENV2 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
4. To safeguard protected species on site. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007 and PPS9: Biodiversity and Geological Conservation.
5. To safeguard protected species on site. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007 and PPS9: Biodiversity and Geological Conservation.
6. To safeguard protected species on site. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007 and PPS9: Biodiversity and Geological Conservation.
7. To safeguard protected species on site. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007 and PPS9: Biodiversity and Geological Conservation.
8. To safeguard protected species on site. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007 and PPS9: Biodiversity and Geological Conservation.
9. To safeguard protected species on site. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007 and PPS9: Biodiversity and Geological Conservation.
10. To safeguard protected species on site. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007 and PPS9: Biodiversity and Geological Conservation.
11. In the interests of highway safety. In accordance with policies GD1 and T1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

12. In the interests of highway safety. In accordance with policies GD1 and T1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
13. To safeguard the archaeological interest of the site. In accordance with policies GD1 and BE17 of the Wear Valley District Local Plan and amended by Saved Policies September 2007.
14. To enable the local planning authority to retain control over the landscaping of the site to secure a satisfactory standard of development and protection of existing trees and hedgerows. In accordance with policies GD1 and ENV2 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
15. To ensure the implementation of the approved landscape scheme within a reasonable time. In accordance with policies GD1 and ENV2 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
16. To achieve a satisfactory form of development. In accordance with policies GD1 and ENV2 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
17. To achieve a satisfactory form of development. In accordance with policies GD1 and ENV2 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
18. In the interests of visual amenity. In accordance with policies GD1 and ENV2 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
19. In the interests of visual amenity. In accordance with policies GD1 and ENV2 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

background information

Application files, WVDLP as amended by Saved and Expired Policies September 200, PPS7, PPS9.

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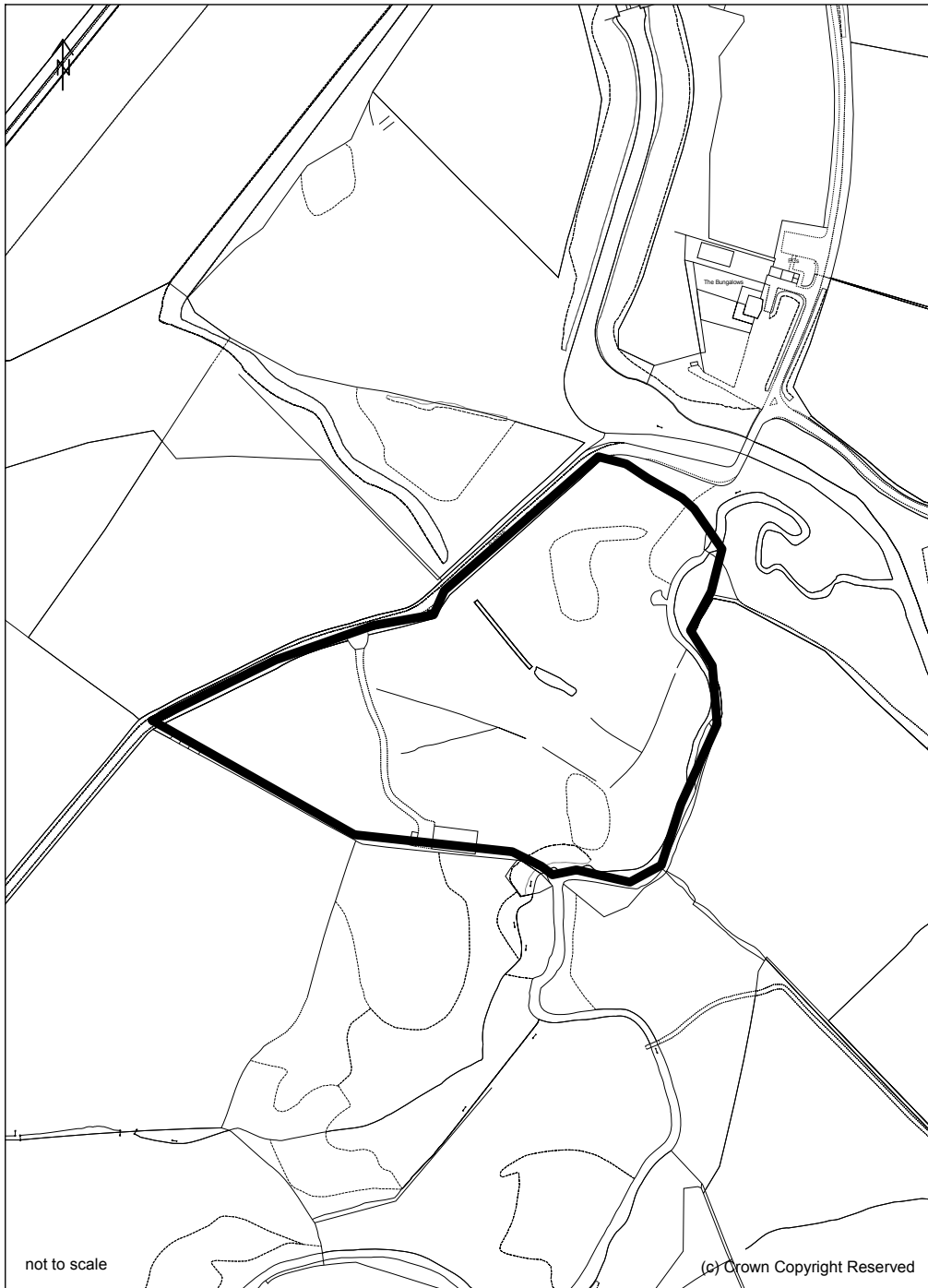
Officer responsible for the report

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 Ext 264

Author of the report

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3/2007/0606 - FISH FARM AND TEMPORARY RESIDENTIAL ACCOMMODATION - VARY CONDITION NO. 4 ON PLANNING PERMISSION REF: NO. 3/2005/0553 TO ALLOW THE TEMPORARY ACCOMMODATION TO REMAIN ON SITE FOR A PERIOD OF 3 YEARS FOLLOWING THE IMPLEMENTATION OF THE PLANNING PERMISSION AT LAND SOUTH OF DERWENT BRIDGE ROGERS HILL, EDMUNDBYERS, CONSETT FOR MR. LINNEY, C/O WARD HADAWAY- 21.08.2007



DEVELOPMENT CONTROL COMMITTEE

22nd NOVEMBER 2007

Report of the Strategic Director for Environment and Regeneration

PART 1 – APPLICATION FOR DECISION

3/2007/0754- PROPOSED CONSERVATORY AT 5 BRANCEPETH TERRACE, WILLINGTON FOR COUNCILLOR BUCKHAM – 09.10.2007

description of site and proposals

1. This application has been reported to Committee as the applicant is a member of the Development Control Committee.
2. Planning permission is requested for the erection of a conservatory to the rear of the above property. The proposed conservatory would measure 4 metres in length, 3.3 metres in width, and 4.1 metres to the highest point. The proposed conservatory would have a monopitch roof, and would be constructed from reclaimed bricks which would match the host dwelling, and the frame would be constructed from oak.
3. The application site consists of a mid terraced property located on Brancepeth Terrace, Willington. The conservatory would be positioned on the northwestern elevation of the dwelling, and would be attached to the existing two storey extension. The existing single storey extension to the rear of the property would be demolished as part of the scheme. The rear yard is enclosed by a 2 metres high brick wall. There are neighbouring adjoining dwellings to the east and west of the application site.

planning history

4. None.

planning policies

5. The following policies of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007 are relevant in the consideration of this application:
 - GD1 General Development Criteria
 - H25 Residential Extensions
 - FPG5 Alterations and Extensions Guidelines

consultations

6. None.

officer analysis

7. The key issues for consideration in relation to this development are as follows:

- Principle of Development
- Visual Amenity
- Impact on Neighbouring Dwellings

principle of development

8. The application site is situated within the settlement limits for Willington as identified within the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007. The property is within a residential area of Willington. The scheme complies with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

visual amenity

9. The proposed extension would be in keeping with the host property and the surrounding area in terms of scale, design and materials. The proposed extension would be located to the rear and would not be clearly visible from the rear street scene. There would be 50% of the amenity area to the rear of the dwelling retained after the construction of the development. The proposed extension would not have a harmful visual impact on the host property and would not be visually detrimental to the surrounding area. The proposal accords with policies GD1, H25 and FPG5 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

impact on neighbouring dwellings

10. The proposed conservatory would be screened from neighbouring dwellings by the existing 2 metres high wall to the rear of the property. Therefore the occupiers of neighbouring dwellings would not suffer any overbearing or overshadowing effects, or loss of privacy as a result of the proposed development. The proposal accords with policies GD1, H25 and FPG5 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

objections/observations

11. Occupiers of the surrounding properties have been notified in writing and a site notice was also posted.
12. No observations have been received.

conclusion

1. The proposal is acceptable in relation to policies GD1, H25 and FPG5 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007 as it:
 1. Would be acceptable in principle in this location.
 2. Would be in keeping with the host property and the surrounding area in terms of scale, design and materials.
 3. Would not cause any overbearing or overshadowing effects on the occupiers of adjacent dwellings.
 4. Would not result in loss of privacy to neighbouring occupiers.

RECOMMENDED

That planning permission be **GRANTED** subject to the following condition and reason;

condition

1. No development shall take place until samples of all materials to be used in the construction of the external surfaces of the extension have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

reason

1. To ensure the satisfactory appearance of the completed development. In accordance with policies GD1, H25 and FPG5 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

background information

Application file, WVDLP as amended by Saved and Expired Policies September 2007.

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Officer responsible for the report
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**3/2007/0754 - PROPOSED CONSERVATORY AT 5 BRANCEPETH TERRACE,
WILLINGTON FOR COUNCILLOR BUCKHAM – 09.10.2007**



DEVELOPMENT CONTROL COMMITTEE

22nd NOVEMBER 2007

Report of the Strategic Director for Environment and Regeneration

PART 1 – APPLICATION FOR DECISION

3/2007/0722 - WOODEN IN-FILLS IN PREVIOUSLY APPROVED WALL ON NORTH WEST ELEVATION (RETROSPECTIVE) AT LOVESOME COTTAGE, OAKENSHAW, CROOK FOR MR. AND MRS. WILSON - 22.09.2007

description of site and proposals

1. This application seeks planning permission for the retention of wooden infill panels to the boundary wall approved as part of planning application 3/2007/0482 which some Members may recall was considered by Committee on 2nd August 2007.
2. The infill panels are located to the south western boundary of the property, giving privacy to the rear garden. The infill panels terminate approximately halfway along the south western boundary and the approved wall of approximately 1.2m in height continues around to the frontage of the dwelling.
3. The wooden panels measure 0.9m at the highest point, arching down to approximately 0.35m where the panel meets the piers of the existing wall.
4. To the north the application site adjoins the adopted highway Acorn Drive. To the south and west, the site adjoins School Row which is considered as a highway for the purposes of this application but has not been adopted by Durham County Council, the highway authority.
5. Built development in the vicinity varies in character and form. To the north and north west are recently constructed two-storey dwellings. To the west there is a terrace of dwellings on School Row and to the south west is School House, a large detached dwelling.

planning history

6. The following planning history is recorded on the site:
 - 3/1998/0456 Residential Development Approved 21.10.98
(Outline)
 - 3/2004/0258 Residential (Outline) Approved 25.05.04
 - 3/2004/1053 3 Bedroom Bungalow Approved 18.02.05
 - 3/2007/0482 Amendments to 3-Bed Bungalow approved 03.08.07
Style Dwelling

planning policies

7. The following policies of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007 are relevant in the consideration of this application:
- T1 Highways – General Policy
 - GD1 General Development Criteria

consultations

8. Durham County Council Highways: No objections.

officer analysis

9. The key issues for consideration are:

- Design and Visual Impact
- Highway Safety

design and visual impact

10. It is considered that the infill panels are in keeping with the character of the area and proportionate to the existing boundary wall and other boundary treatments in the vicinity. The application is therefore in accordance with policy GD1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

highway safety

11. The infill panels are not considered to unduly impact on highway safety and the Highways Officer has confirmed that he has no objections. The application is therefore in accordance with policies GD1 and T1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

objections/observations

12. The application has been advertised on site and neighbours have been notified in writing of the proposal. Three letters have been received objecting to the application. The comments can be summarised as follows:
- a) the height is not appropriate and out of keeping
 - b) problems of visibility
 - c) loss of view
 - d) work has already been carried out
 - e) issues between applicant and neighbours
 - f) blocking of footpath
 - g) no need for the infills

response to objections

13. The following comments are made in response to the issues raised:
- a) The height and design of the infill panels are considered to be appropriate to the character of the area and proportionate to the existing boundary wall.
 - b) The Durham County Council Highways Officer has confirmed that he has no objection to the increase in height of the wall by way of the infill panels.
 - c) Not a material planning consideration.
 - d) Noted, however this application has been submitted to regularise the work undertaken.
 - e) Not a material planning consideration.
 - f) The infill panels are not a new boundary treatment but an extension of the previously approved wall. There are various issues with the ownership of School Row, rights of access and blocking of the road however these are not a matter to be considered under this application and are being investigated by the County Council Highways Officer and Wear Valley District Council Enforcement Officer.
 - g) The applicant has expressed that the infill panels are required to improve the privacy in the rear garden. The issue of privacy was also raised by neighbours when considering the previous planning applications.

conclusion and reasons for approval

1. It is considered that the infill panels are in keeping with the character of the area and proportionate to the existing boundary wall. The application is therefore in accordance with policy GD1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
2. The infill panels are not considered to unduly impact on highway safety and are therefore in accordance with policies GD1 and T1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

RECOMMENDED

That planning permission be **GRANTED**.

background information

Application files, WVDLP.

PS code

13

number of days to Committee

62

target achieved

No

explanation – Workload and Committee cycles

Officer responsible for the report

Robert Hope

Strategic Director for Environment and Regeneration

Ext 264

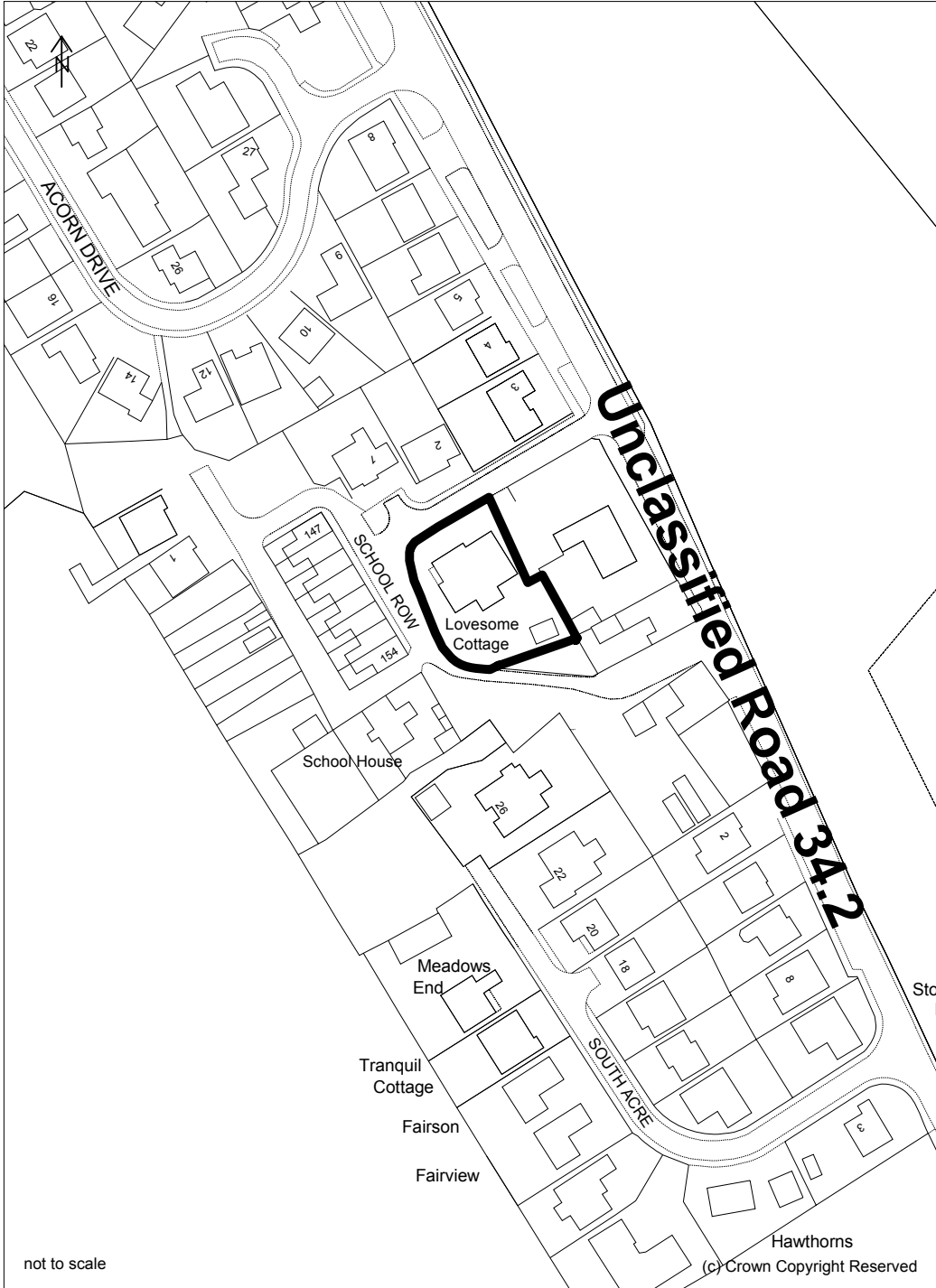
Author of the report

Sarah Eldridge

Principal Planning Officer

Ext 267

3/2007/0722 - WOODEN IN-FILLS IN PREVIOUSLY APPROVED WALL ON NORTH WEST ELEVATION (RETROSPECTIVE) AT LOVESOME COTTAGE, OAKENSHAW, CROOK FOR MR. AND MRS. WILSON - 22.09.2007



DEVELOPMENT CONTROL COMMITTEE

22nd NOVEMBER 2007

Report of the Strategic Director for Environment and Regeneration

PART 1 – APPLICATION FOR DECISION

3/2007/0690 - PROPOSED DETACHED HOUSE AND GARAGE AT LAND TO THE REAR OF 72 LYDGATE LANE, WOLSINGHAM FOR MR. AND MRS. FINDLAY - 11.09.2007

description of site and proposals

1. Planning permission is sought for the construction of a single dwelling to the rear of No. 72 Lydgate Lane in Wolsingham. The proposed dwelling would have an overall foot print of 15.6 metres by 13.4 metres. It would be 4.7 metres to eaves height and 8 metres to ridge level. The property would incorporate three bedrooms, a bathroom and a study room at first floor level with a kitchen, living room, guest bedroom and a sun room at ground floor level. A double garage would be attached to the side of the proposed property.
2. The application site comprises of the existing garden area for No. 72 Lydgate Lane, in Wolsingham. There are residential properties located to the west situated beyond the highway. Residential properties No. 72 and 74 Lydgate Lane are located to the south of the application site with a commercial building directly to the east. Agricultural fields are directly north of the site. The application site is on a slope with a number of mature trees scattered within the site. The site is located directly adjacent to the boundary of Wolsingham Conservation Area.
3. The majority of the application site is located within the limits of development for Wolsingham as defined by policy H3 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007. The proposed garden area for the proposal and a two metre section of the proposed building would be situated beyond the limits of development.
4. The application is to be determined at the Development Control Committee as part of the site is outside the settlement limits of development and the application is therefore classed as a departure from the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

planning history

5. No planning history.

planning policies

6. The following policies of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007 are relevant in the consideration of this application:
 - GD1 General Development Criteria
 - H24 Residential Design Criteria
 - H3 Distribution of Development
 - T1 Highways - General Policy

Also of relevance: Regional Spatial Strategy (RSS).

consultations

7. Durham County Council (Highways Authority): No objections.
8. Durham County Council (Design/Conservation): The application seeks consent for the erection of a single dwelling on a sloping site slightly outside the boundary of Wolsingham Conservation Area. The site is relatively concealed by virtue of its location and mature vegetation on the site. On this basis the impact of the development on the character and appearance of the area and its setting would be somewhat reduced. The scale and design of the dwelling are sympathetic to the site and wider design and architectural influences in the area. Conditions have been suggested to control details of design and materials and landscaping. Subject to the careful control of these conditions no objection is raised on design and conservation grounds in relation to this application.
9. The officer doubts that it would be viable to retain the large mature tree closest to the proposed development and comments on the potential nuisance this tree may cause in the longer term to any future residents. The level of protection which is retained to control the removal of this tree should be considered at this point.
10. Parish Council: No comments.
11. Northumbrian Water: No objections.
12. Environment Agency: No objections.

officer analysis

13. The key issues for consideration are:
 - Principle of Development
 - Residential Amenity
 - Visual Impact
 - Highway Issues

principle of development

14. The boundary of the limits to development for Wolsingham runs through the application site. The majority of the proposed dwelling would be situated within the limits to development. Approximately a two metres section of the proposed dwelling and the proposed garden area would be located beyond the limits of development. It is noted that the site is currently utilised as garden area for No. 72 Lydgate Lane. Although part of the site is set beyond the settlement boundary, the actual use of the land is not to be altered and would remain as a residential use. The existing boundary of the site would not be changed. The proposal would not compromise the aims of policy H3 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007. The proposed site is situated within Wolsingham which is considered to be an urban area and therefore the proposed property would be in a sustainable location. The proposal accords with policy 3 of the emerging RSS.

residential amenity

15. The proposed property would be situated, at the nearest points, 21 metres from No. 72 Lydgate Lane. This property is the nearest residential building to the proposed dwelling. A 21 metre separation distance between these properties is considered sufficient to achieve an adequate level of privacy for the occupiers of the properties. The residential amenity of neighbouring occupiers would not be compromised in terms of loss of privacy. Given the size of the existing garden of No. 72 there is adequate space to provide sufficient levels of private and useable amenity space for both the proposed property and the existing dwelling of No. 72 Lydgate Lane. Due to the position and orientation of the proposed property in relation to the neighbouring dwellings, it is considered that there would be no overbearing or overshadowing effects created which would be to the detriment of neighbouring occupiers.
16. The proposed development would not have an adverse impact on the residential amenities of existing and future occupiers of the proposed property and neighbouring dwellings. The proposal is in accordance with the aims of policies GD1 and H24 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

visual impact

17. This application seeks consent for the erection of a two storey dwelling within the current garden space of 72 Lydgate Lane. The site is located directly adjacent to the boundary of Wolsingham Conservation Area and as such the impact of the proposal on the character and appearance of the area and primarily its setting should be of primary concern in the determination of this application. The site is relatively concealed by virtue of its location and mature vegetation on the site. On this basis the impact of the development on the character and appearance of the area and its setting would be somewhat reduced. The scale and design of the dwelling are sympathetic to the site and wider design and architectural influences in the area. The Design and

Conservation Officer has recommended conditions which would be included with the permission.

18. It is noted that there is a number of mature trees situated on the site, of which many significantly contribute to the landscape of the area. Whilst it is accepted that some of the trees would have to be removed in order for the property to be built, many of the trees particularly on the west boundary would have to be retained in order to maintain the attractiveness of the area. A landscaping condition is recommended which would have to indicate which trees are to be removed and which ones are to be retained.
19. The proposed development would not have an adverse impact on the scenic qualities of the surrounding area and would not detract from the visual appearance of the street scene. The proposal is in accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

highway issues

20. Durham County Council Highways Authority have not objected to the proposed development. A double garage is proposed and sufficient driveway space would be provided for off street parking. A small single storey building would be demolished to improve the access to the site which is to be taken from Lydgate Lane. The proposed development would not have an adverse impact on highway safety. The proposal satisfies policies GD1 and T1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

objections/observations

21. Occupiers of the surrounding properties have been notified in writing and a site notice was posted and a notice was posted in the local press. One letter of support has been received.

conclusion and reasons for approval

1. Although part of the site is located beyond the settlement limits of Wolsingham, the site is historically defined as residential garden area, therefore the use of the land would not be altered. The boundaries of the site are not to be changed therefore the principle of development is considered acceptable in this instance. Wolsingham is an urban area and the proposed development would be located within a sustainable location. The proposed development would not compromise the aims of policy H3 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007. The proposal accords with policy 3 of the Regional Spatial Strategy.
2. The proposed development would not have an adverse impact on the residential amenities of existing and future occupiers of the proposed property and neighbouring dwellings. The proposal is in accordance with the aims of policies GD1 and H24 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

3. The site is screened from the main street scene and the design of the proposed property would not detract from the appearance of the surrounding buildings. The mature trees particularly on the west boundary which contribute to the appearance of the area would be retained. The proposed development would not have a detrimental impact on the appearance of the neighbouring buildings and would not have an adverse impact on the visual amenity of the surrounding area. The proposal is in accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
4. There is sufficient parking within the curtilage of the site and the access to Lydgate Lane is to be improved. Durham County Council Highways Authority have not objected to the proposal. The proposed development would not have an adverse impact on highway safety. The proposal accords with policies GD1 and T1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

RECOMMENDED

That planning permission be **GRANTED** subject to the following conditions and reasons;

conditions

1. Notwithstanding the details included on the approved plans, the following design requirements shall be incorporated into the proposed scheme:-
 - a) all windows shall be timber with a painted finish, double hung sliding sash; the exact specifications for which shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved specifications;
 - b) all windows shall be recessed 100 mm from the face of the building the exact specifications for which shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved specifications;
 - c) a sample panel of stonework shall be made up on site for inspection by and written approval shall be obtained from the local planning authority prior to construction works commencing. The external walls shall be built in accordance with the approved panel;
 - d) the exact specifications of the roof covering shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved specifications;
 - e) all rainwater goods shall be cast iron and mounted on rise and fall gutter spikes;
 - f) no fascia or barge boards shall be affixed to the building.

2. Development shall not begin until details of the surface treatment and construction of all hardsurfaced areas have been submitted to and approved in writing by the local planning authority, and the dwellings shall not be occupied until that work has been carried out in accordance with the approved details.
3. Before the development hereby approved is commenced a scheme of landscaping shall be submitted to and approved in writing by the local planning authority which shall include 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. For the avoidance of doubt the trees on the west boundary of the site shall be retained.
4. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed, are severely damaged or become seriously diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.
5. Before the development hereby approved is commenced details of the height, siting, appearance and construction of all means of enclosure to be erected upon the site shall be submitted to and approved in writing by the local planning authority, and the works shall be carried out in accordance with such approved details before the building hereby approved is occupied.

reasons

1. For the avoidance of doubt and to ensure a satisfactory external appearance of the development. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
2. To achieve a satisfactory standard of development. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
3. To ensure the satisfactory appearance of the completed development. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
4. To ensure the implementation of the approved landscape scheme within a reasonable time. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
5. To achieve a satisfactory standard of development. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

background information

Application files, WVDLP as amended by Saved and Expired Policies September 2007, RSS.

PS code

6

number of days to Committee

63

target achieved

No

explanation - First available Committee.

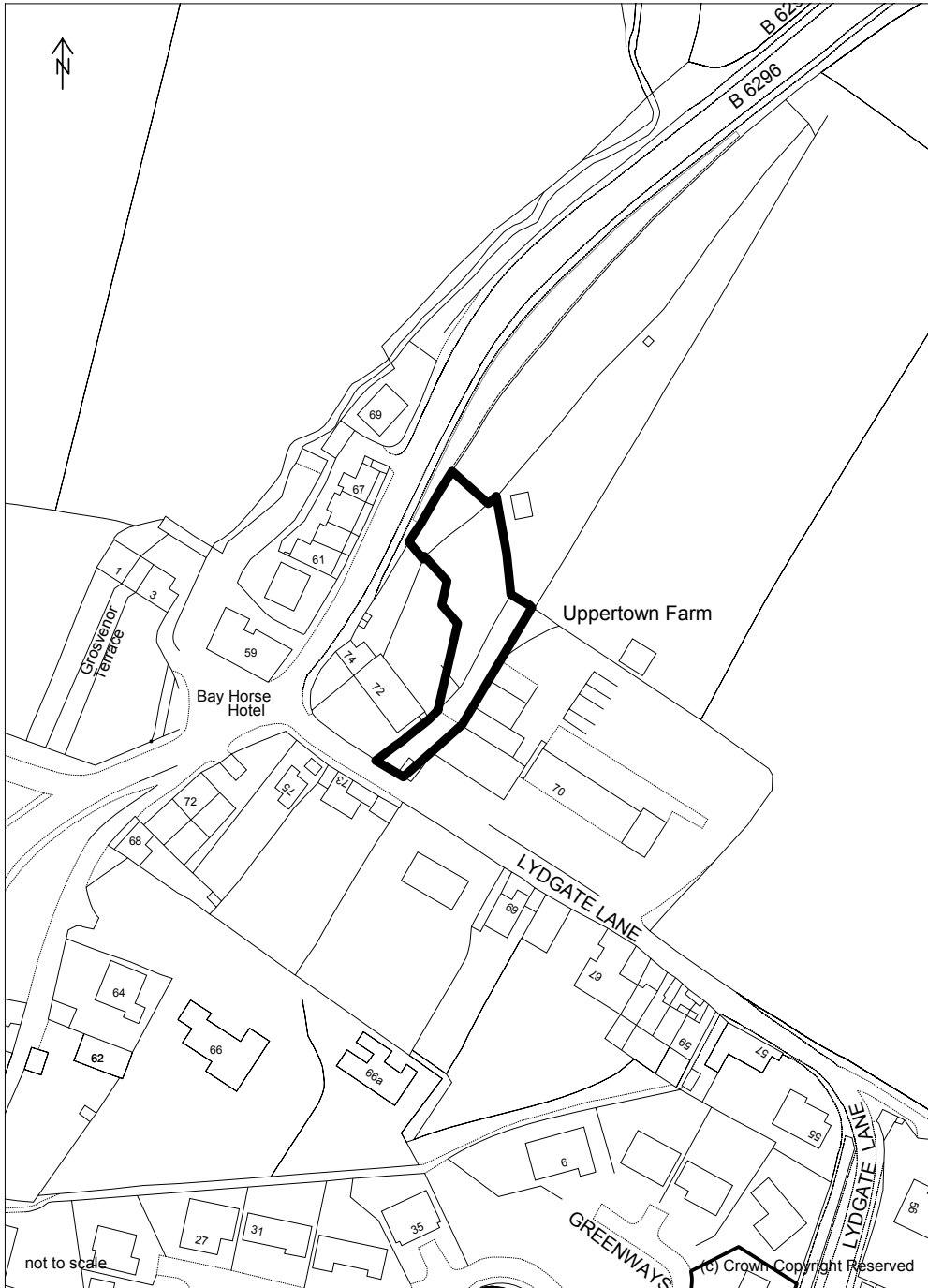
Officer responsible for the report

Robert Hope
Strategic Director for Environment and Regeneration
Ext 264

Author of the report

Chris Baxter
Senior Planning Officer
Ext 441

3/2007/0690 - PROPOSED DETACHED HOUSE AND GARAGE AT LAND TO THE REAR OF 72 LYDGATE LANE, WOLSINGHAM FOR MR. AND MRS. FINDLAY -11.09.2007



DEVELOPMENT CONTROL COMMITTEE

22nd NOVEMBER 2007

Report of the Strategic Director for Environment and Regeneration

PART 1 – APPLICATION FOR DECISION

3/2007/0631- 32 APARTMENTS AND 10 TERRACED HOUSES (6 NO. 3 BED AND 4 NO. 2 BED) NEW HARD AND SOFT LANDSCAPING AND ASSOCIATED CAR PARKING. 39 SPACES IN TOTAL INCLUDING 4 DISABLED. HOUSES ARE FOR SOCIAL HOUSING GROUP AT LAND AT ST. ANDREW'S ROAD AND MORLAND STREET, BISHOP AUCKLAND FOR MR. ATTARI, A A CONSTRUCTION - 17.08.2007

description of site and proposals

1. The application site comprises a triangular shaped piece of land measuring approximately 0.5ha. The site is located towards the eastern end of Morland Street.
2. To the north and east of the site are a bus depot and T A Centre as well as other commercial buildings. West of the site are terraced dwellings on Low Melbourne Street. South of the site is St Andrews Road, beyond which are the residential dwellings of Bedford Court. The site has been cleared and is considered as brownfield land.
3. The application is made by AA Construction although the end user has been identified as Three Rivers Housing Association.
4. Members may recall that outline planning permission has previously been granted for residential development of 32 apartments and 10 dwellings on the site (application reference 3/2006/0894), with all matters reserved for future consideration. This application is submitted as a full planning application as there has been a slight variation to the red line application site boundary.
5. The scheme seeks planning permission for 32 apartments located in two blocks to the north and east of the site. The apartment blocks would be four storeys in height. To the west of the site would be a terrace of 10 No. 2 and 3 bedroom dwellings fronting into the development site. The proposed dwellings would be two storeys in height. Located centrally within the site would be a parking area.

planning history

6. The relevant planning history of the site is as follows:
- 3/2000/0050 Outline Residential Development Approved 15.03.00
 - 3/2003/1068 Outline Residential Development Approved 29.04.03
 - 3/2006/0894 Outline Application for Erection of 32 Apartments and 10 Dwellings Approved 02.02.07

planning policies

7. The following policies of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007 are relevant in the consideration of this application:
- H3 Distribution of Development
 - H15 Affordable Housing
 - H24 Residential Design Criteria
 - GD1 General Development Criteria
 - T1 Highways - General Policy
 - RL5 Sport and Recreation Target

Also relevant is the emerging Regional Spatial Strategy, PPS3: Housing and PPG13: Transport.

consultations

8. CDE&TS (Highways): Object to the application as per previous objection to application 3/2006/0894 as access roads do not meet standards for the layout of new streets.
9. Northumbrian Water: No objections.
10. Environment Agency: No objections.

officer analysis

11. The key issues for consideration are:
- Principle of Development
 - Residential Amenity
 - Highway Safety
 - Off Site Play/Recreation
 - Design

principle of development

12. The site comprises previously developed land located within the limits to development for Bishop Auckland as defined by the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007. The site is in a sustainable location and would be considered sequentially preferable in accordance with the Council's interpretation of Policy 3 of the emerging RSS. It should also be noted that there is an extant outline planning permission for the residential development of the site.
13. The principle of development is considered to be in accordance with Policy H3 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

residential amenity

14. The scheme proposes a development density of approximately 64 dwellings per hectare. This density is considered to be appropriate in view of the site's location and in accordance with PPS3, and is as previously approved under outline planning permission 3/2006/0894.
15. Policy H24 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007 seeks to maintain a 21m window to window distance in order to secure adequate privacy for the occupiers. The proposal achieves only 15m between the existing dwellings on Low Melbourne Street and the proposed terraced units and 17m between the proposed terraced dwellings and the proposed northern block of apartments. In view of the existing roads/footpaths and the relationship of the proposed dwellings to the communal parking/amenity areas, it is not considered that the proximities outlined above would unacceptably compromise the privacy of occupiers. Indeed to achieve the density levels outlined in PPS3 for town centre locations, the privacy distances identified in policy H24 cannot be met.
16. The application proposes that the terraced dwellings would have rear private gardens of approximately 7m. The apartments would benefit from substantial communal amenity areas. The proposed private amenity space is less than identified by policy H24 (10m) however the proposed dwellings are akin in scale to traditional terraced properties which characteristically would have only a small yard as private amenity space. In the circumstances, and in view of the sustainable location, the proposed level of amenity space is considered appropriate.
17. It is noted that the bus station is in close proximity and this does operate at unsocial hours. However, it is considered that appropriate landscaping, boundary treatments and fenestration treatment would provide appropriate noise attenuation.
18. On balance the proposal is considered to broadly comply with policies GD1 and H24 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007 and it is considered that appropriate levels of amenity would be secured for both future occupants of the proposed development and also occupiers of the existing surrounding properties.

highway safety

19. The area currently suffers from a degree of traffic congestion mainly due to on street parking generated by nearby land uses. The highways officer has raised objections regarding the appropriateness of the access roads however it is understood that the actual site access is considered to be satisfactory in terms of current visibility standards. Indeed it is difficult to see how an alternative point of access would be achieved into the site. Further comments in respect of this have been sought from the highways officer and it is suggested that full details of the construction of the access are required by way of a condition.
20. Parking within the site would be provided at a ratio of 0.97 spaces per apartment in a communal parking area with on-site parking provided for each of the dwellings. In view of the location close to bus routes to many destinations, this overall ratio of parking is considered to be appropriate and in accordance with PPS3 and PPG13. The proposal satisfies policies GD1 and T1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

off site play/recreation

21. Given that the site is to be developed for a Registered Social Landlord, it is not considered appropriate to seek contributions for off-site play and recreation. Furthermore it should be noted that no provision was made in this respect when considering application 3/2006/0894.

design

22. The design and overall layout of the site is considered as an appropriate interface between the more substantial bus depot and TA buildings, and the more modest terraced dwellings on Low Melbourne Street.
23. The proposed buildings are appropriate in scale to the character of the site and surrounding area. It is noted that there is a change in levels across the site, most markedly towards St Andrews Road which is set significantly lower. In view of this level change and the location of the buildings, it is not considered that the development would appear prominent. It is suggested that further information in respect of the existing levels and proposed slab and ground levels is required by way of condition.
24. The massing of both the proposed dwellings and apartments would be broken by variations in materials, height and depth. The overall result is a development which is visually cohesive but does not appear overbearing or out of scale.

25. The materials palette for the development comprises buff brick, white render and larch timber cladding with a concrete roof tile. The proposed combination of materials would give the development a contemporary feel and it is considered that this approach, whilst being different, would not be at odds with the varying styles of design and materials in the locality. It is suggested that, notwithstanding the details submitted, samples of the external materials should be submitted for approval by way of condition.
26. The design of the development is considered to be appropriate to the locality and in accordance with policies GD1 and H24 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

objections/observations

27. The occupiers of the surrounding properties have been notified in writing and a site notice has been posted. The application has also been advertised in the local press.
28. Two letters of observation have been received. The comments are summarised as follows:
 - a) Not enough parking within the site.
 - b) Access onto Morland Street is not very good.
 - c) Disruption from the bus depot.

response to objections

29. In response to the observations, I would make the following comments:
 - a) In view of the location close to bus routes to many destinations, this overall ratio of parking is considered to be appropriate.
 - b) it is understood that the actual site access is considered to be satisfactory in terms of current visibility standards. Further comments in respect of this have been sought from the highways officer and it is suggested that full details of the construction of the access are required by way of a condition.
 - c) It is noted that the bus station is in close proximity and this does operate at unsocial hours. However, it is considered that appropriate landscaping, boundary treatments and fenestration treatment would provide satisfactory noise attenuation.

conclusion and reasons for approval

1. The site comprises brownfield land in a sustainable location and is considered sequentially preferable in accordance with the Council's interpretation of Policy 3 of the emerging RSS. The principle of development is considered to be in accordance with Policy H3 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

2. On balance the proposal is considered to broadly comply with Policies GD1 and H24 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007 and it is considered that appropriate levels of amenity would be secured for both future occupants of the proposed development and also occupiers of the existing surrounding properties.
3. In view of the location close to bus routes to many destinations, the overall ratio of parking is considered to be appropriate and in accordance with PPS3 and PPG13 and subject to the provision of further details regarding the construction of the access, it is not considered that the proposals would have an undue impact on highway safety. The proposal satisfies policies GD1 and T1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
4. The design of the development is considered to be appropriate to the locality and in accordance with policies GD1 and H24 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

RECOMMENDED

That planning permission be **GRANTED** subject to the following conditions and reasons;

conditions

1. The development hereby approved shall not be commenced until a detailed scheme for the insulation of the interiors of the proposed dwellings from noise from the bus depot to the north of the site has been submitted to and approved in writing by the local planning authority. All works which form part of this scheme shall be completed before any of the dwellings hereby approved are first occupied.
2. The development hereby approved shall contain an element of affordable housing, details of which shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. The development shall thereafter be implemented and managed in accordance with the approved details.
3. Before the development hereby approved is commenced, details of the refuse store shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be implemented in accordance with the approved details.
4. Notwithstanding the submitted information, prior to the commencement of development samples of all materials to be used in the construction of the external surfaces of the buildings shall be submitted to and approved in writing by the local planning authority and the external surfaces shall be constructed in accordance with the approved details.

5. Before the development hereby approved is commenced details of the surface treatment and construction of all hardsurfaced areas shall be submitted to and approved in writing by the local planning authority and the development shall be carried out in accordance with the approved details.
6. Before the development hereby approved is commenced, detailed drawings showing the existing and proposed site levels and the finished floor levels of the proposed new buildings and those of neighbouring dwellings shall be submitted to and approved in writing by the local planning authority and the works shall be completed entirely in accordance with any subsequently approved submission.
7. Before the development hereby approved is commenced a scheme of landscaping shall be submitted to and approved in writing by the local planning authority which shall include 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.
8. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development whichever is the sooner, and any trees or plants which within a period of five years from the completion of the development die, are removed, are severely damaged or become seriously diseased shall be replaced in the next planting season with others of similar size and species unless the local planning authority gives written consent to any variation.
9. Before the development hereby approved is commenced details of the height, siting, appearance and construction of all means of enclosure to be erected upon the site shall be submitted to and approved in writing by the local planning authority and the works shall be carried out in accordance with the approved details before the buildings hereby approved are first occupied.
10. The hardstandings and car parking shown on the approved plans shall be provided before any of the dwellings hereby approved are first occupied and thereafter used and maintained in such a manner as to ensure their availability at all times for the standing of private motor vehicles.
11. Before the development hereby approved is commenced details of the means of vehicular access, including the layout, construction and sight lines to be provided, shall be submitted to and approved in writing by the local planning authority, and before the buildings hereby approved are first occupied the subsequently approved details of access shall be implemented in accordance with the approved details.
12. Development shall not commence until a scheme to deal with contamination, which shall include an investigation and assessment to identify the extent of contamination and the measures to be taken to avoid risk to the public, the buildings and the environment when the site is developed, has been implemented and a verification statement produced by a suitably qualified person has been submitted to the local planning authority.

reasons

1. In the interests of the residential amenity of the occupiers of the dwellings and in accordance with policies GD1 and H24 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
2. To ensure that some provision is made for disadvantaged groups in accordance with policy H15 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
3. To secure a satisfactory standard of development in accordance with policies GD1 and H24 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
4. To secure a satisfactory standard of development in accordance with policies GD1 and H24 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
5. To secure a satisfactory standard of development in accordance with policies GD1 and H24 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
6. To ensure a satisfactory standard of development and to ensure that the development is not unduly prominent within the surrounding landscape. In accordance with policies GD1 and H24 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
7. To secure the satisfactory appearance of the completed development in accordance with policies GD1 and H24 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
8. To ensure the implementation of the approved landscape scheme within a reasonable time. In accordance with policies GD1 and H24 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
9. To secure a satisfactory standard of development in accordance with policies GD1 and H24 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
10. In the interests of road safety; to ensure that an adequate supply of off-street private car parking is maintained. In accordance with Policy GD1 and T1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
11. In the interests of highway safety. In accordance with Policy GD1 and T1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
12. To protect the environment and to ensure the remediated site is reclaimed to an appropriate standard. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

background information

Application files, WVDLP, as amended by the Saved and Expired Policies September 2007, PPS3, PPG15.

PS code

1

number of days to Committee

98

target achieved

No

explanation - Workload and Committee cycles.

Officer responsible for the report

Robert Hope
Strategic Director for Environment and Regeneration
Ext 264

Author of the report

Sarah Eldridge
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Ext 267

3/2007/0631- 32 APARTMENTS AND 10 TERRACED HOUSES (6 NO. 3 BED AND 4 NO. 2 BED) NEW HARD AND SOFT LANDSCAPING AND ASSOCIATED CAR PARKING. 39 SPACES IN TOTAL INCLUDING 4 DISABLED. HOUSES ARE FOR SOCIAL HOUSING GROUP AT LAND AT ST. ANDREW'S ROAD AND MORLAND STREET, BISHOP AUCKLAND FOR MR. ATTARI, A A CONSTRUCTION -17.08.2007



DEVELOPMENT CONTROL COMMITTEE

22ND NOVEMBER 2007

Report of the Strategic Director for Environment and Regeneration

PART 1 – APPLICATION FOR DECISION

3/2007/0667- DEMOLITION OF FACTORY UNITS AND ERECTION OF MIX OF TWO AND A HALF STOREYS AND THREE AND A HALF STOREYS APARTMENTS AND CONVERSION OF BEDFORD LODGE TO CREATE 119 DWELLINGS AT FORMER B B H WINDINGS LIMITED, SOUTH CHURCH ROAD, BISHOP AUCKLAND FOR MANDALE COMMERCIAL LIMITED – 01.09.2007

description of site and proposals

1. Listed Building Consent is requested for the conversion of Bedford Lodge, a Grade II Listed Building, situated within the former BBH Windings site to the east of South Church Road in Bishop Auckland. The proposal is for the building to be converted into four residential units. There are no extensions proposed with the conversion. The Lodge was surrounded by industrial buildings and used to be utilised as office accommodation. The industrial buildings have recently been demolished. The site is bounded to the south by an existing railway line, to the west by South Church Road, to the east by the River Gaunless and a cemetery, and to the north by Salisbury Place, a street of established residential properties.
2. Bedford Lodge is currently in a derelict state which has been subject to vandalism and several fires. This Listed Building Consent application is part of a larger development, proposed in planning application 3/2007/0668, which proposes residential apartment blocks. The apartment blocks would be of a two and half storeys, and three and a half storeys design and would be positioned along the boundaries of the site. This application is reported at Item 11 on the agenda.

planning history

3. The application site has been the subject of a Planning Inquiry following refusal of planning permission to use the site for retail purposes (Class A1) (ref: 3/2002/0413). The Planning Inspector dismissed the appeal. Other than the interest in the site for retail purposes, the following planning history is considered relevant to the consideration of this application:

- | | | |
|---------------|--|----------------------|
| • 3/2004/0601 | Outline Application for Residential Purposes | Approved 17.09.2004 |
| • 3/2007/0013 | Reserved Matters | Withdrawn 27.03.2007 |

- | | | |
|---|---|----------------------------|
| <ul style="list-style-type: none"> • 3/2007/0277 | <p>Application for 98
Residential Units
Reserved Matters
Application for 88
Residential Units</p> | <p>Approved 02.07.2007</p> |
|---|---|----------------------------|

planning policies

4. The following policies of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007 are relevant in the consideration of this application:

- BE4 Setting of a Listed Building
- GD1 General Development Criteria
- H24 Residential Design Criteria
- T1 Highways - General Policy

Also of relevance: Planning Policy Statement 9: Biodiversity and Geological Conservation (PPS9), Planning Policy Guidance 15: Planning and the Historic Environment.

consultations

5. WVDC (Public Protection): No comments relating to the Listed Building.
7. Durham County Council (Highways Authority): Objections have been made however amended plans have been submitted and a response is awaited from the Highways Officer.
8. Durham County Council (Design/Conservation): No comments.
9. Durham County Council (Public Rights of Way): Please be aware that footpath 37 runs adjacent to the east boundary of the south and should not be blocked at any time.
10. Durham County Council (Archaeologist): The following comments are made;
11. The site requires a building recording condition in order to ensure that the Grade II Listed Bedford Lodge is subject to a Level 2 building recording prior to conversion. The following condition is recommended:

Building recording Condition:

No site works shall be undertaken until the implementation of an appropriate programme of building recording/analysis has been agreed in writing with the local planning authority, in accordance with a written scheme of investigation. This should be submitted by the applicant and approved by the Planning Authority.

Reason:

The building is of architectural/historical significance and the specified works are required to record features of interest, inform works and mitigate impact.

A separate condition relating to a programme of archaeological works including evaluation and any possible mitigation which may arise due to the former in order to ascertain if the development will negatively impact on potential archaeological remains.

Phased archaeological works type Condition:

No development shall take place until the applicant has secured the implementation of an agreed phased programme of archaeological works to include evaluation, and where appropriate, mitigation, in accordance with a written scheme of investigation. This should be submitted by the applicant and approved by the Planning Authority.

Reason:

The site is in an area of high archaeological potential.

12. Network Rail: No objections.
13. Ancient Monument Society: No response.
14. Company for British Architecture: No response.
15. Georgian Group: Full report on file. Comments summarised below.
16. The Georgian Group wish to strongly urge that in order to protect the setting and architectural significance of Bedford Lodge, the proposed housing development requires amendment. The proposed properties either side of Bedford Lodge should be removed. The reduction in the height of the apartment blocks should also be achieved.
17. Society for Protected Ancient Buildings: No response.
18. Victorian Society: No response.
19. Twentieth Century Society: No response.
20. English Heritage: Full report on file. Response summarised below:

Insufficient information has been submitted to provide a full understanding of the proposal and its impact on the significance of the site. A full set of clearly annotated drawings should be sought in order to reveal the precise nature and extent of the proposed works.
21. Weardale Railways Ltd: No response.
22. Northumbrian Water: No response.

23. Environment Agency: No response.
24. Architectural Liaison Officer Police: No objections.
25. Chamber of Trade: No response.
26. Bishop Auckland Town Manager: No response.
27. Durham Bat Group: The factory buildings may house Common Pipistrelle roosts and Bedford Lodge has the potential to house a range of bat species. A recent and relevant bat survey should be produced before a decision on this application is made.
28. Natural England: Based on the bat survey submitted, Natural England advises that the Local Planning Authority should secure relevant measures to conserve protected species by way of conditions, where mitigation or enhancement is proposed.

officer analysis

29. The key issues for consideration are:

- Principle of Development
- Residential Amenity
- Listed Building – Impact Upon Design, Appearance and Setting
- Impact Upon Protected Species
- Parking provision

principle of development

30. This Listed Building Consent application is accompanied by application 3/2007/0668 for the residential development of the BBH Windings site which holds Bedford Lodge. Listed Building consent has previously been granted permission through application 3/2007/0040. The application site falls within the settlement limits to development for Bishop Auckland as allocated on the Proposal Maps of the Wear Valley District Local Plan. The proposed conversion of the Listed Building is considered acceptable in principle as it would be part of the residential development for the BBH Windings site. The proposal also brings a redundant building back into use. The proposal accords with policy H3 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

residential amenity

31. The proposed outlook from the listed building would be windows to habitable rooms facing the front (north) and rear (south) of the building. The separation distances between the existing neighbouring properties to the north and the proposed apartments would be over 21 metres. This separation is sufficient to provide adequate levels of privacy for residential occupiers. Sufficient garden amenity area would be provided for the Listed Building for the enjoyment of all residents of Bedford Lodge.

32. The proposed development would not have an adverse impact on the residential amenities of the occupiers of existing neighbouring properties and the prospective occupiers of the proposed dwellings would have a satisfactory standard of residential amenity. The proposed development accords with the aims of policies GD1 and H24 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

listed building – impact upon design, appearance and setting

33. It is noted that Bedford Lodge, a Grade II Listed building, is situated amongst the proposed residential development of the BBH Windings site. It is important that the setting of the listed building and the special historical character of Bedford Lodge are not adversely affected by the proposed residential development. While it is acknowledged that Bedford Lodge is currently in a dilapidated state, it has to be recognised that the Lodge is a listed building and any development surrounding it would have to be sensitively positioned not to impact on the setting of the listed building.
34. English Heritage have commented, stating that it is not possible to judge the full impact of the conversion of Bedford Lodge as no existing plans or elevations have been submitted. The agent for the application has indicated that a full survey of the Listed Building was not obtainable at the time of submitting the application due to the safety aspects involved with the building. As previously stated, the Lodge has been a victim of several fires and the structural safeness of the building is not secure. The agent has agreed to a condition requiring a full set of clearly annotated drawings to be provided by a qualified surveyor prior to any works on the site.
35. It has to be recognised that Bedford Lodge has been in a dilapidated state for a number of years. The Lodge has been subject to several fires and there is no roof with very few internal features remaining. The building has been left to fall into disrepair. The development of the BBH Windings site is seen as an excellent opportunity to revitalise and renovate the Grade II Listed Building. The developers of the BBH Windings site have agreed to retain, restore and renovate the Listed Building in order to bring the structure back into use. The proposal is to restore the external appearance to its original appearance by utilising the existing openings. There are no extensions proposed for the Listed Building.
36. It is noted that Bedford Lodge was set against the industrial buildings with units built right up against the Lodge. The removal of these industrial buildings provide a much enhanced setting to the Listed Building. Given the existing redundant state of the Listed Building it is considered that the proposal would significantly add to the visual appearance of Bedford Lodge.
37. It is considered that the proposed conversion of the dilapidated Bedford Lodge, a Grade II Listed Building, would not compromise the setting and appearance of the Listed Building. The proposal accords with the aims of policies GD1 and BE4 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007 and PPG15.

impact upon protected species

38. Durham Bat Group have commented on the application stating that Bedford Lodge has the potential to house bat roosts and also the potential to house roosts in the industrial buildings. The industrial buildings have been demolished from the site. An ecology report has been provided which examines the impact on bats and it concludes that there is a low risk of bats within the building with a medium risk of bats in the trees. A methodology statement is proposed for dealing with the presence of bats during building works. Natural England have responded advising that the Local Planning Authority should secure relevant measures to conserve protected species by way of conditions, where mitigation or enhancement is proposed. A condition is recommended for the methodology statement to be adhered to. It is considered that the proposal would not be contrary to guidance contained within PPS9.

parking provision

39. The Durham County Council Highways Officer has raised objections to the access to the site and the internal arrangements. The Highways Officer has had meetings with the architect to overcome the concerns he had regarding the access and internal layout. Amended plans have been submitted to the Highways Officer for further consultation. On the date of this report being produced, a response to the amended plans had not been received from the Highways Officer.

objections/observations

40. The application has been advertised on site, in the local press and neighbouring properties have been notified individually.
41. No observations have been received.

conclusion and reasons for approval

1. The Listed Building Consent application is for a conversion of an existing building which is currently in a dilapidated state. The proposed conversion of the Listed Building is part of a larger application for the residential development of the BBH Windings site. The application site falls within the settlement limits to development for Bishop Auckland as allocated on the Proposal Maps of the Wear Valley District Local Plan. The principle of development is supported by policy H3 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
2. The proposed conversion of Bedford Lodge provides adequate separation distance between existing and proposed neighbouring properties to ensure adequate levels of privacy. There is sufficient amenity space provided for the enjoyment of the occupiers. The proposed development would not have an adverse impact on the residential amenities of the occupiers of existing neighbouring properties and the prospective occupiers of the proposed dwellings would have a satisfactory standard of residential amenity. The proposed development accords with the aims of policies GD1 and H24 of the

3. Bedford Lodge is a Grade II Listed Building and it is important that the setting of the listed building and the special historical character of Bedford Lodge are not adversely affected by the proposed residential conversion. Bedford Lodge has been in a dilapidated state for a number of years and has been a victim of several fires which has left the building gutted with no roof. The residential development of the BBH Windings site has given an excellent opportunity to revitalise and bring back into use Bedford Lodge. The appearance and setting of the Lodge would be significantly improved. Previously industrial buildings were built up against the Lodge. It is considered that the proposed conversion of the dilapidated Bedford Lodge, a Grade II Listed Building, would not compromise the setting and appearance of the Listed Building. The proposal accords with the aims of policies GD1 and BE4 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007, and PPG15.
4. An ecology report has been provided which examines the impact on bats and it concludes that there is a low risk of bats within the building with a medium risk of bats in the trees. A methodology statement is proposed for dealing with the presence of bats during building works. A condition is recommended for the methodology statement to be adhered to. It is considered that the proposal would not be contrary to guidance contained within PPS9.

RECOMMENDED

That Listed Building Consent be **GRANTED** subject to the following conditions and reasons;

conditions

1. Before the commencement of building or construction works on Bedford Lodge, a full set of clearly annotated drawings detailing existing and proposed floor plans, sections, elevations, details of replacement features and all interventions into original building fabric including a supporting schedule of work, shall be provided by a suitably qualified surveyor and shall be submitted to and agreed in writing by the local planning authority.
2. No site works shall be undertaken until the implementation of an appropriate programme of building recording/analysis has been agreed in writing with the local planning authority, in accordance with a written scheme of investigation.
3. No development shall take place until the applicant has secured the implementation of a phased programme of archaeological works, in accordance with the details that shall be first submitted to and approved in writing by the local planning authority. The programme of works shall include evaluation, and where appropriate, mitigation proposals, in accordance with a written scheme of investigation.

4. No development shall take place on Bedford Lodge unless in accordance with the method statement detailed in Appendix 1 and 2 of the 'An Extended Phase 1 and Protected Species Survey of The Former BBH Windings, Bishop Auckland' - E3 Ecology Ltd.

reasons

1. To ensure a satisfactory development. In accordance with policies GD1 and BE4 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
2. Bedford Lodge is of architectural/historical significance and the specified works are required to record features of interest, inform works and mitigate impact. In accordance with policies GD1 and BE4 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
3. Bedford Lodge is of architectural/historical significance and the specified works are required to record features of interest, inform works and mitigate impact. In accordance with policies GD1 and BE4 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
4. To conserve protected species and their habitat. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

background information

Application files, WVDLP, as amended by Saved and Expired Policies September 2007, PPS9, PPG15.

PS code	15		
number of days to Committee	82	target achieved	No
explanation - First available Committee to accompany the full planning application 3/2007/0668 for the residential development of the BBH Windings site.			

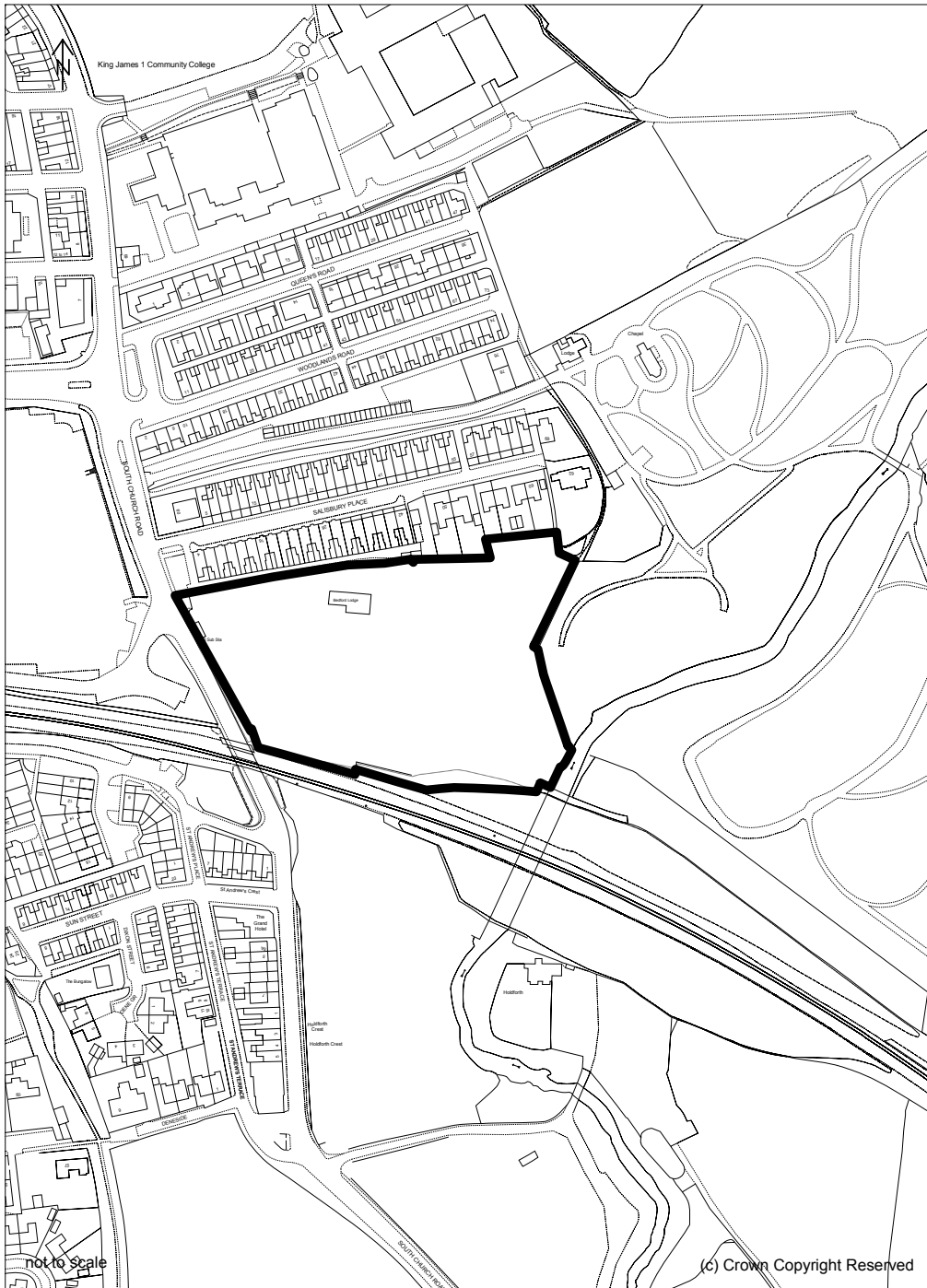
Officer responsible for the report

Robert Hope
 Strategic Director for Environment and Regeneration
 Ext 264

Author of the report

Chris Baxter
 Senior Planning Officer
 Ext 441

3/2007/0667- DEMOLITION OF FACTORY UNITS AND ERECTION OF MIX OF TWO AND A HALF STOREYS AND THREE AND A HALF STOREYS APARTMENTS AND CONVERSION OF BEDFORD LODGE TO CREATE 119 DWELLINGS AT FORMER B B H WINDINGS LIMITED, SOUTH CHURCH ROAD, BISHOP AUCKLAND FOR MANDALE COMMERCIAL LIMITED – 01.09.2007



DEVELOPMENT CONTROL COMMITTEE

22nd NOVEMBER 2007

Report of the Strategic Director for Environment and Regeneration

PART 1 – APPLICATION FOR DECISION

3/2007/0668- DEMOLITION OF FACTORY UNITS AND ERECTION OF MIX OF TWO AND A HALF STOREYS AND THREE AND A HALF STOREYS APARTMENTS AND CONVERSION OF BEDFORD LODGE TO CREATE 119 DWELLINGS AT FORMER B B H WINDINGS LIMITED, SOUTH CHURCH ROAD, BISHOP AUCKLAND FOR MANDALE COMMERCIAL LIMITED – 01.09.2007

description of site and proposals

1. This application seeks planning permission for residential development on the former BBH Windings site to the east of South Church Road in Bishop Auckland. The site is bounded to the south by an existing railway line, to the west by South Church Road, to the east by the River Gaunless and a cemetery, and to the north by Salisbury Place, a street of established residential properties.
2. The proposed development is for 119 No. apartments which would be split into five separate apartment blocks and Bedford Lodge. There would be a range of apartments, including 1 bedroom, 2 bedroom and 3 bedroom apartment units. The apartments also range in height from 2.5 storeys to 3.5 storeys. The apartment blocks show steps in the roof line and breaks in the elevations. There is amenity space and parking proposed within the centre of the application site.
3. In addition to the above the site contains Bedford Lodge, a Grade II Listed Building. Bedford Lodge is currently in a derelict state which has been subject to vandalism and several fires. Planning permission is sought for Bedford Lodge to be restored and converted into apartments. A listed building consent application (Ref: 3/2007/0667) has also been submitted and the listed building consent application is to be considered in conjunction with this planning application (Agenda Item 10).
4. In terms of its relationship with the Wear Valley District Local Plan, the application site is situated within the defined settlement limits of Bishop Auckland. The majority of the site has no allocation but was last used for industrial purposes. A small part of the south east corner of the site forms part of the Open Spaces within the Built-up areas allocation (Policy BE14). The majority of the application site is previously-developed land.

planning history

5. The application site has been the subject of a Planning Inquiry following refusal of planning permission to use the site for retail purposes (Class A1) (ref: 3/2002/0413). The Planning Inspector dismissed the appeal. Other than the interest in the site for retail purposes, the following planning history is considered relevant to the consideration of this application:

- 3/2004/0601 Outline Application for Residential Purposes Approved 17.09.2004
- 3/2007/0013 Reserved Matters Application for 98 Residential Units Withdrawn 27.03.2007
- 3/2007/0277 Reserved Matters Application for 88 Residential Units Approved 02.07.2007

planning policies

5. The following policies of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007 are relevant in the consideration of this application:

- BE14 Open Spaces within Built-up Areas
- BE4 Setting of a Listed Building
- FPG1 Highway Design Standards for New Development
- GD1 General Development Criteria
- H22 Community Benefit
- H24 Residential Design Criteria
- H3 Distribution of Development
- T1 Highways - General Policy
- RL5 Sport and Recreation Target

Also of relevance are: Regional Spatial Strategy (RSS), Planning Policy Statement 3: Housing (PPS3), Planning Policy Guidance 15: Planning and the Historic Environment (PPG15), Planning Policy Statement 9: Biodiversity and Geological Conservation (PPS9). Planning Policy Statement 1 Supplement: Planning and Climate Change. Planning Policy Statement 22: Renewable Energy (PPS22).

consultations

6. WVDC (Environmental Health): There are existing residential properties close to the former industrial site. There is therefore the potential for nuisance and disturbance to the occupiers of these properties throughout the demolition, site remediation and preparation and the construction phases of the proposed development. Consideration therefore should be given to the imposition of suitable planning controls that may be appropriate for protecting existing residents particularly from noise, dust and smoke emissions during the demolition, site remediation and preparation and construction phases of the development.

7. Such controls could include:
- A prohibition of the burning of waste materials on site;
 - The provision of suitable and sufficient on-site/off-site dust suppression methods and techniques e.g. water bowsers, wheel washers etc ;
 - The imposition of conditions relating to days and times of construction/engineering activities e.g. All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Council, shall be carried out only between the hours of 07.30 hrs and 19.30 hrs on Mondays to Fridays and between the hours of 08.00 hrs and 13.00 hrs on Saturdays and at no time on Sundays and Bank Holidays;
 - A requirement relating to the submission to the Council of information concerning the use of noisy plant, machinery and methods of working etc that might give rise to complaint, prior to the works taking place; and
 - All plant and machinery in use shall be properly silenced where possible and maintained in accordance with the manufacturer's instructions.
8. It is recommended that the applicants be encouraged to liaise with Public Protection services and be encouraged to make application for 'prior consent' under section 61 of the Control of Pollution Act 1974 for noise control purposes during the demolition and construction phases of the development.
9. Durham County Council (Highways Authority): Objections have been made however amended plans have been submitted and a response is awaited from the Highways Officer.
10. Durham County Council (Design/Conservation): No comments.
11. Durham County Council (Public Rights of Way): Please be aware that footpath 37 runs adjacent to the east boundary of the south and should not be blocked at any time.
12. Durham County Council (Archaeologist): The following comments are made;
13. The site requires a building recording condition in order to ensure that the Grade II Bedford Lodge is subject to a Level 2 building recording prior to conversion. The following condition is recommended:
- Building recording Condition:
14. No site works shall be undertaken until the implementation of an appropriate programme of building recording/analysis has been agreed in writing with the local planning authority, in accordance with a written scheme of investigation. This should be submitted by the applicant and approved by the Planning Authority.
- Reason:
15. The building is of architectural/historical significance and the specified works are required to record features of interest, inform works and mitigate impact.

16. A separate condition relating to a programme of archaeological works including evaluation and any possible mitigation which may arise due to the former in order to ascertain if the development will negatively impact on potential archaeological remains.

Phased archaeological works type Condition:

17. No development shall take place until the applicant has secured the implementation of an agreed phased programme of archaeological works to include evaluation, and where appropriate, mitigation, in accordance with a written scheme of investigation. This should be submitted by the applicant and approved by the Planning Authority.

Reason:

18. The site is in an area of high archaeological potential.
19. Durham County Council (Forestry): No comments.
17. Durham County Council (Ecologist): Recommends that a bat survey should be carried out at the appropriate time of year, covering the buildings and any trees to be felled.
18. Town Council: No comments.
19. Ancient Monuments Society: No comments.
20. British Architecture: No comments.
21. Society Protect Ancient Buildings: No comments.
22. Victorian Society: No comments.
23. Twentieth Century Society: No comments.
24. Network Rail: Full report on file. No objection in principle however due to the close proximity to the operational railway, conditions are required.
25. English Heritage: No objections to the residential development however further information is required for the works to the listed building.
26. Weardale Railways Ltd: No comments.
27. Northumbrian Water: No comments.
28. Environment Agency: Further information has been requested, which the agent has provided. A response is awaited. A Flood Risk Assessment had been submitted with the previous planning application 3/2007/0277. The Environment Agency had not objected to this subject to the imposition of the following condition:

29. No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works have been approved by the local planning authority. Such scheme shall be implemented before the construction of impermeable surfaces draining to the system unless otherwise agreed in writing by the local planning authority.

Reason:

30. To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.
31. Police Architectural Liaison Officer: Full report on file. The Architectural Liaison Officer states that the development should be attractive, safe and designed and built to a high quality. Advice has been offered under the following headings: entrance to development, landscaping, perimeter and dwelling boundaries, street lighting, natural surveillance, public access, car parking, and intruder alarms.
32. Ancient Woodlands: No comments.
33. Bishop Auckland Town Manager: No comments.
34. Bishop Auckland Chamber of Trade: No comments.
35. The Georgian Group: Full report on file. Comments summarised below.
36. The Georgian Group wish to strongly urge that in order to protect the setting and architectural significance of Bedford Lodge, the proposed housing development requires amendment. The proposed properties either side of Bedford Lodge should be removed. The reduction in the height of the apartment blocks should also be achieved.
37. Durham Bat Group: The factory buildings may house Common Pipistrelle roosts and Bedford Lodge has the potential to house a range of bat species. A recent and relevant bat survey should be produced before a decision on this application is made.
38. Natural England: Based on the bat survey submitted, Natural England advises that the Local Planning Authority should secure relevant measures to conserve protected species by way of conditions, where mitigation or enhancement is proposed.
39. Durham County Council (Arboricultural Officer): The County Arboricultural Officer has responded and made comment on the Arboricultural Survey submitted with the application with regard to the three TPO trees on the north boundary.

Tree 1 - Broad Leaved Lime

40. A specimen over mature tree of good shape with well balanced crown. There is evidence of dead wood within the crown, the root plate has been damaged.
41. Recommendation is to retain the TPO tree and to prune to clean out and open crown.

Tree 2 - Common Ash

42. A specimen over mature tree of good shape with well balanced crown. There is evidence of dead wood within the crown, the root plate has been damaged.
43. Recommendation is to retain the TPO tree and to prune to clean out and open crown.

Tree 3 - Common Ash

44. A large tree with heavy scaffolding limb towards the proposed development.

Recommendations:

1. Retain TPO tree.
2. Prune to reduce weight of limb to the west of 50% or remove off by the main bole.
3. Reduce height by 20%.
4. Reduce weight of limb to south by 50%.
5. Reduce weight of limb to east by one third.
6. Dead wood remainder of crown.

officer analysis

45. The key issues for consideration are:
 - Principle of Development
 - Design and Visual Impact
 - Access, Layout and Parking Provision
 - Residential Amenity
 - Listed Building
 - Protected Open space
 - Density
 - Community Benefit
 - Impact upon Protected Species
 - Sustainability and Renewable Energy

principle of development

46. The application site falls within the settlement limits to development for Bishop Auckland as allocated on the Proposal Maps of the Wear Valley District Local Plan. There are extant planning permissions on this site which can still be developed therefore the principle of development has been established on this site through previous planning permissions. The principle of development is supported by policy H3 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007. In any event, the site is predominantly brownfield land and located within the 'urban area' of Bishop Auckland which satisfies the sequential search as agreed by Members at the Regeneration Committee on 2nd April 2007.

design and visual impact

47. The proposed apartment blocks are to be positioned around the boundaries of the application site. There would be a combination of two and half storeys and three and half storeys buildings. The three and half storeys apartment blocks would be mainly positioned on the southern area of the site. The residential properties in the area are mainly of a two storey design. The proposed buildings would be layered in with the existing street scene, which has the two and half storeys apartments adjacent to the existing two storeys properties rising up to the three and half storeys apartments which would be further away from the existing properties. Whilst it is accepted that the apartments are large, it is considered that they would not appear intrusive within the surrounding streetscape, given that the larger apartment blocks would be situated well within the site away from the main highway (South Church Road). Although the apartment blocks would be highly visible from the surrounding area, it is considered that the height of the apartments would not create overbearing and overshadowing impacts within the street scene of the surrounding area.
48. The design of the apartment blocks offer an interesting appearance, showing steps in the roof lines and breaks within the elevations of the buildings. Dormer style windows would be introduced along with different size windows and 'Juliet' style balconies. The proposed style of the apartment blocks offers an interesting outlook to the buildings which would give an attractive and unique appearance to the surrounding area.
49. Given the above, it is considered that the proposed development in terms of design and visual impact would not have an adverse impact on the visual amenity of the surrounding street scene. The proposal accords with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

access, layout and parking provision

50. The Durham County Council Highways Officer has raised objections to the access to the site and the internal arrangements. The Highways Officer has had meetings with the architect to overcome the concerns he had regarding the access and internal layout. Amended plans have been submitted to the Highways Officer for further consultation. On the date of this report being produced, a response to the amended plans had not been received from the Highways Officer.

residential amenity

51. There are existing properties to the north of the proposed development. The layout has been designed to respect the privacy and outlook of existing and future occupiers. The minimum separation requirements set out in policy H24 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007 have been met with regards to neighbouring properties.

52. The internal relationships between the properties have been assessed and are considered to generally accord with the minimum standards set out in policy H24. It is acknowledged that some of the separation distances are slightly less than stated in policy H24 however it is considered acceptable to relax the separation distances in this instance as it would not harm the residential amenities of existing occupiers. There is sufficient communal amenity area situated within the site to accommodate the proposed apartments and therefore the proposal is in accordance with policy H24 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
53. The proposed development would not have an adverse impact on the residential amenities of the occupiers of existing neighbouring properties and the prospective occupiers of the proposed dwellings would have a satisfactory standard of residential amenity. The proposed development does not conflict with the aims of policies GD1 and H24 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

listed building

54. It is noted that Bedford Lodge, a Grade II Listed building, is situated amongst the proposed development. It is important that the setting of the listed building and the special historical character of Bedford Lodge are not adversely affected by the proposed residential development. Whilst it is acknowledged that Bedford Lodge is currently in a dilapidated state, it has to be recognised that the Lodge is a listed building and any development surrounding it would have to be sensitively positioned not to impact on the setting of the listed building. English Heritage have commented that it is not possible to judge the full impact of the conversion of Bedford Lodge as no existing plans or elevations have been submitted. The conversion of Bedford Lodge into four separate apartments is considered acceptable in principle and the details of the conversion will be assessed in the listed building consent application.
55. The Georgian Group have commented that although they have no objections to the development in principle, there are concerns regarding the impact the development would have on Bedford Lodge. In the previous application 3/2007/0277 it was considered that the proposed properties either side of Bedford Lodge would be too close to the listed building. There were also concerns over the bulk and height of the apartment blocks and it was considered that these apartments would not be subservient to the listed building and would dominate the Lodge. The previous planning application 3/2007/0277, which can still be implemented, showed dwellings positioned around Bedford Lodge. This application does not show any dwellings to be situated around Bedford Lodge. The proposed apartment blocks would be situated along the boundaries of the site which offers a large amount of space around Bedford Lodge which is to be utilised as amenity area and parking which would be landscaped. It is accepted that the apartment blocks would be larger in height and bulk than Bedford Lodge, however it is considered that the space to be provided around the Lodge would create a better setting for the listed building which outweighs the impact of the apartment blocks being larger than the Lodge.

56. It is recognised that Bedford Lodge is currently in a dilapidated state and has been for a number of years. The Lodge has been set against the industrial buildings with units built right up against the Lodge. The development of this site is an excellent opportunity to revitalise and renovate the Grade II Listed Building. It is considered that the proposed development would not compromise the setting and appearance of Bedford Lodge, a Grade II Listed Building. The proposal is in accordance with the aims of policies GD1 and BE4 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007, and PPG15.

protected open space

57. It is noted that the south east corner of the application site is allocated as Open Spaces within Built-up Areas. Policy BE14 states that open spaces which contribute to the character and amenity of the area will be protected against development. The proposed scheme would not involve development on any of the land allocated as open space within built-up areas. The proposal is not contrary to policy BE14 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

density

58. This application proposes 119 residential units which calculates to a density of 66 units per hectare. There is a large amount of amenity space to be provided within the site. The proposed density is considered acceptable in this instance given all the residential units would be provided within apartment blocks. The proposal is in accordance with the guidance contained within PPS3.

community benefit

59. Proposal H22 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007 states that the Council will seek to negotiate with the developer a contribution, where appropriate, to the provision and subsequent maintenance of related social, community and/or recreational facilities in the locality. It is considered that a financial contribution towards the improvement and maintenance of existing recreational facilities in the locality is required in this instance. In relation to the area of the site, a contribution of £54,000 would be required. This contribution would discharge the requirements of policies H22 and RL5 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

impact upon protected species

60. Durham Bat Group have commented on the application stating that Bedford Lodge has the potential to house bat roosts and also the potential to house roosts in the industrial buildings. The industrial buildings have been demolished from the site. An ecology report has been provided which examines the impact on bats and it concludes that there is a low risk of bats within the building with a medium risk of bats in the trees. A methodology statement is proposed for dealing with the presence of bats during building works. Natural England have responded advising that the Local Planning Authority should secure relevant measures to conserve protected species by way of conditions, where mitigation or enhancement is proposed. A condition

is recommended for the methodology statement to be adhered to. It is considered that the proposal would not be contrary to guidance contained within PPS9.

sustainability and renewable energy

61. PPS1, including the Climate Change Supplement, PPS3 and PPS22 all place an emphasis on achieving sustainable development. Climate change is high on the agenda and the government's recent Energy White Paper has given a statutory requirement to reduce carbon emissions and promote renewable energy and energy efficiency measures in new development. Given that the domestic dwelling stock currently accounts for around 27% of all CO2 emissions, the Government expects housing developers to meet their responsibilities in cutting household emissions. Accordingly, the Government now expects local authorities to implement prescriptive 'Merton Rule' policies to achieve targets ranging from 10% to 30% for on-site renewable energy production. This has been reflected in policies 39 and 40 of the Regional Spatial Strategy (RSS) which requires all major developments to achieve at least 10% of energy supply from renewable resources. This can be through a number of options appropriate to the site.
62. A condition is therefore considered to be appropriate in this case to require details to demonstrate how energy efficiency is being addressed and show the on-site measures to produce a minimum of 10% of the total energy requirements of the development by renewable energy sources. This would be in accordance with policies 39 and 40 of the Regional Spatial Strategy (RSS), and fully consistent with the key planning objectives of PPS1 and the Climate Change Supplement, PPS3 and PPS22.

objections/observations

63. The application has been advertised on site, in the local press and neighbouring properties have been notified individually.
64. No observations have been received.

conclusion and reasons for approval

1. The application site falls within the settlement limits to development for Bishop Auckland as allocated on the Proposal Maps of the Wear Valley District Local Plan. There are extant planning permissions on this site which can still be developed therefore the principle of development has been established on this site through previous planning permissions. The principle of development is supported by policy H3 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

2. Although the apartment blocks would be highly visible from the surrounding area, it is considered that the height of the apartments would not be intrusive to the surrounding area and would not create overbearing and overshadowing impacts within the street scene. The proposed style of the apartment blocks offers an interesting outlook to the buildings which gives an attractive and unique appearance to the surrounding area. The proposal would not have a detrimental effect on the appearance of adjacent properties and would not have an adverse impact on the visual amenity of the surrounding streetscene. The proposal accords with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
3. The existing properties to the north would not be compromised by the development in terms of loss of privacy or overbearing/overshadowing impacts. The internal relationships between the properties are considered to generally accord with the minimum standards set out in policy H24. Sufficient amounts of communal amenity space would be provided within the site for the occupiers of the proposed apartments. The proposed development would not have an adverse impact on the residential amenities of the occupiers of existing neighbouring properties and the prospective occupiers of the proposed dwellings would have a satisfactory standard of residential amenity. The proposed development accords with the aims of policies GD1 and H24 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
4. Bedford Lodge, a Grade II Listed building, is situated amongst the proposed development. The conversion of Bedford Lodge into four separate apartments is considered acceptable the principle and the details of the conversion will be assessed in the listed building consent application. Bedford Lodge is currently in a dilapidated state and the development of this site is seen as an excellent opportunity to revitalise and renovate the Grade II Listed Building and improve its existing setting. It is considered that the proposed development would not compromise the setting and appearance of Bedford Lodge, a Grade II Listed Building. The proposal is in accordance with the aims of policies GD1 and BE4 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007 and PPG15.
5. It is noted that the south east corner of the application site is allocated as Open Spaces within Built-up Areas. Policy BE14 states that open spaces which contribute to the character and amenity of the area will be protected against development. The proposed scheme would not involve development on any of the land allocated as open space within built-up areas. The proposal is not contrary to policy BE14 of the Wear Valley District Local Plan.
6. The proposed residential development provides a residential density of 66 units per hectare. The proposed density is considered acceptable in this application as the majority of the residential units are to be provided within the apartment blocks with sufficient amounts of amenity space provided within the application site. The proposal accords with the guidance set out in PPS3.

7. A financial contribution of £54,000 would be received from the developer towards the provision and subsequent maintenance of related social, community and/or recreational facilities in the locality. The proposal would satisfy the requirements of policies H22 and RL5 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

RECOMMENDED

That, subject to the completion of a Section 106 Agreement undertaking to pay a contribution of £54,000 for the provision and maintenance of related social, community and/or recreational facilities in the locality, planning permission be **GRANTED** subject to the following conditions and reasons;

conditions

1. No development shall take place until samples of all materials to be used in the construction of the external surfaces of the buildings have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
3. Development shall not begin until details of the surface treatment and construction of all hardsurfaced areas have been submitted to and approved in writing by the local planning authority, and the dwellings shall not be occupied until that work has been carried out in accordance with the approved details.
4. Development shall not begin until details of the existing and proposed site levels and the finished floor levels of the proposed dwellings and those of existing neighbouring dwelling houses have been submitted to and approved in writing by the local planning authority; and the works shall be completed in accordance with the approved details.
5. Before the development hereby approved is commenced a scheme of landscaping shall be submitted to and approved in writing by the local planning authority.
6. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed, are severely damaged or become seriously diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.
7. All trees on the north boundary, under Tree Preservation Orders, shall be protected for the duration of construction operations by appropriate protective fencing minimum of 1 metre in height. Protection to trees shall be positioned around the crown spread to prevent any access, disturbance or contamination within the rooting zone.

8. Before the development hereby approved is commenced details of the height, siting, appearance and construction of all means of enclosure to be erected upon the site shall be submitted to and approved in writing by the local planning authority, and the works shall be carried out in accordance with such approved details before the buildings hereby approved are first occupied.
9. Before the development hereby approved is commenced a management scheme for the trees on the site shall be submitted to and approved in writing by the local planning authority, which scheme shall be prepared by an arboriculturist and shall:
 - (i) give details of the size, spread of crown and general condition of each tree;
 - (ii) specify the proposed measures to be taken for each tree; and
 - (iii) indicate when these measures are to be implemented.

The management scheme shall be carried out in accordance with the agreed details.

11. Before the development hereby approved is commenced details showing the full engineering layout of the internal roads shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
12. Before the development hereby approved is commenced wheel washing equipment shall be provided at all egress points. The equipment installed shall be of the grid type to ensure that once the bottom of the vehicle is cleansed of mud, etc. this mud, etc. is not trailed onto the public carriageway. The wheelwashing equipment shall be used on all vehicles leaving the site during the period of construction works.
13. At no time whatsoever shall any waste material, goods, merchandise or any article of any description be burnt on the site.
14. No activities shall be carried out on the site outside the hours of 07.30 a.m. and 19.30 p.m. on Mondays to Fridays and outside the hours of 08.00 a.m. and 13.00 p.m. on Sundays and Bank Holidays.
16. Before the development hereby approved is commenced details of the arrangements for dealing with surface and foul water discharges from the site shall be submitted to and approved in writing by the local planning authority and the works that are subsequently approved shall be implemented before use of the buildings hereby approved commences.
17. Development shall not commence until a scheme to deal with contamination, which shall include an investigation and assessment to identify the extent of contamination and the measures to be taken to avoid risk to the public, the buildings and the environment when the site is developed, has been implemented and a verification statement produced by a suitably qualified person has been submitted to the local planning authority.

18. No development shall take place unless in accordance with the method statement detailed within Appendix 1 and 2 of the 'An Extended Phase 1 and Protected Species Survey of the Former BBH Windings, Bishop Auckland' – E3 Ecology Ltd.
19. No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been submitted to and approved in writing by the local planning authority. Such scheme shall be implemented before the construction of impermeable surfaces draining to the system unless otherwise first agreed in writing by the local planning authority.
20. No development shall take place until the applicant has secured the implementation of an agreed phased programme of archaeological works to include evaluation, and where appropriate, mitigation, in accordance with a written scheme of investigation. This shall be submitted by the applicant and approved in writing by the local planning authority.
21. Prior to the commencement of development, details of the construction methodology and measures for the generation of on-site renewable energy shall be submitted to and approved in writing by the local planning authority. These details shall demonstrate how energy efficiency is being addressed and show the on-site measures to be taken to produce a minimum of 10% of the total energy requirements of the development by means of renewable energy sources. Such details as may be approved shall be implemented prior to the first occupation of the dwellings hereby approved and retained in perpetuity.

reasons

1. To ensure the satisfactory appearance of the completed development. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
2. To achieve a satisfactory standard of development. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
3. To ensure that the existing ground and landscape conditions are protected from undue disturbance and to safeguard the occupiers of existing neighbouring dwellings from loss of privacy or other residential amenities arising from the construction of new dwellings at higher levels without adequate separation. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
4. To enable the local planning authority to retain control over the landscaping of the site to secure a satisfactory standard of development. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

6. To ensure the implementation of the approved landscape scheme within a reasonable time. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
7. To ensure that the Tree Preservation Order trees are appropriately protected from damage by the building works. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
8. To achieve a satisfactory form of development. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
9. To ensure the continued existence of this attractive area of woodland; in the interests of safeguarding the appearance of the area. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
11. In the interest of highway safety. In accordance with policies GD1 and T1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
12. In the interest of traffic safety and to safeguard the amenity of the surrounding area. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
13. In order to safeguard the amenity of the surrounding area. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
14. To safeguard the occupiers of adjacent premises from undue noise or other associated disturbance. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
16. To safeguard against flooding and to ensure a satisfactory means of disposal. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
17. To protect the environment and to ensure the remediated site is reclaimed to an appropriate standard. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
18. To conserve protected species and their habitat. In accordance with policy ENV13 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
19. The building is of architectural/historical significance and the specified works are required to record features of interest, inform works and mitigate impact. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

20. The site is in an area of high archaeological potential. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
21. In order to contribute to the Government overarching ambition of achieving zero carbon development. In accordance with Policy 39 of the RSS.

INFORMATIVE

1. All operations, including the use of cranes or other mechanical plant working adjacent to Network Rails property, must at all times be carried out in a 'fail safe' manner such that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0 metres of the nearest railway line, or where the railway is electrified, within 3.0 metres of overhead electrical equipment or supports.
2. Security of the railway boundary will require to be maintained at all times. If the works require temporary or permanent alterations to the mutual boundary the applicant must contact Network Rails Territory Outside Parties Engineer.
3. If not already in place, the Developer must provide a suitable trespass proof fence (of at least 1.8 in height) adjacent to Network Rail's boundary and make provision for its future maintenance and renewal. Network Rails' existing fencing/wall must not be removed or damaged. In addition, given the proposed layout of the parking areas, an Armco-type barrier shall be installed to protect the boundary fencing from accidental damage.
4. All surface and foul water arising from the proposed works must be collected and diverted away from Network Rail Property.
5. No building materials shall be stored on the right of way.
6. Vehicle movements must be arranged so as to not interfere with the public's use of the way.
7. The safety of the members of the public using the right of way must be ensured at all times.
8. No additional barriers are to be placed across the right of way.
9. There must be no reduction in the width of the right of way available for use by members of the public.
10. No damage or alteration must be caused to the surface of the right of way.
11. The developer must enter into an agreement under Section 38 of the Highways Act 1980 in order to ensure the adoption of the proposed new highways.
12. The developer must enter into an agreement under Section 278 of the Highways Act 1980 in allow the required works within the existing highway to be carried out.

13. The developer must liaise with Public Protection Services to make an application for 'prior consent' under Section 61 of the Control of Pollution Act 1974.

background information

Application files, WVDLP as amended by Saved and Expired Policies September 2007, RSS, PPS3, PPG15, PPS9, PPS1 Supplement Planning and Climate Change, PPS22.

PS code	<input type="text" value="1"/>		
number of days to Committee	<input type="text" value="90"/>	target achieved	<input checked="" type="checkbox"/>
explanation			

Officer responsible for the report

Robert Hope

Strategic Director for Environment and Regeneration

Ext 264

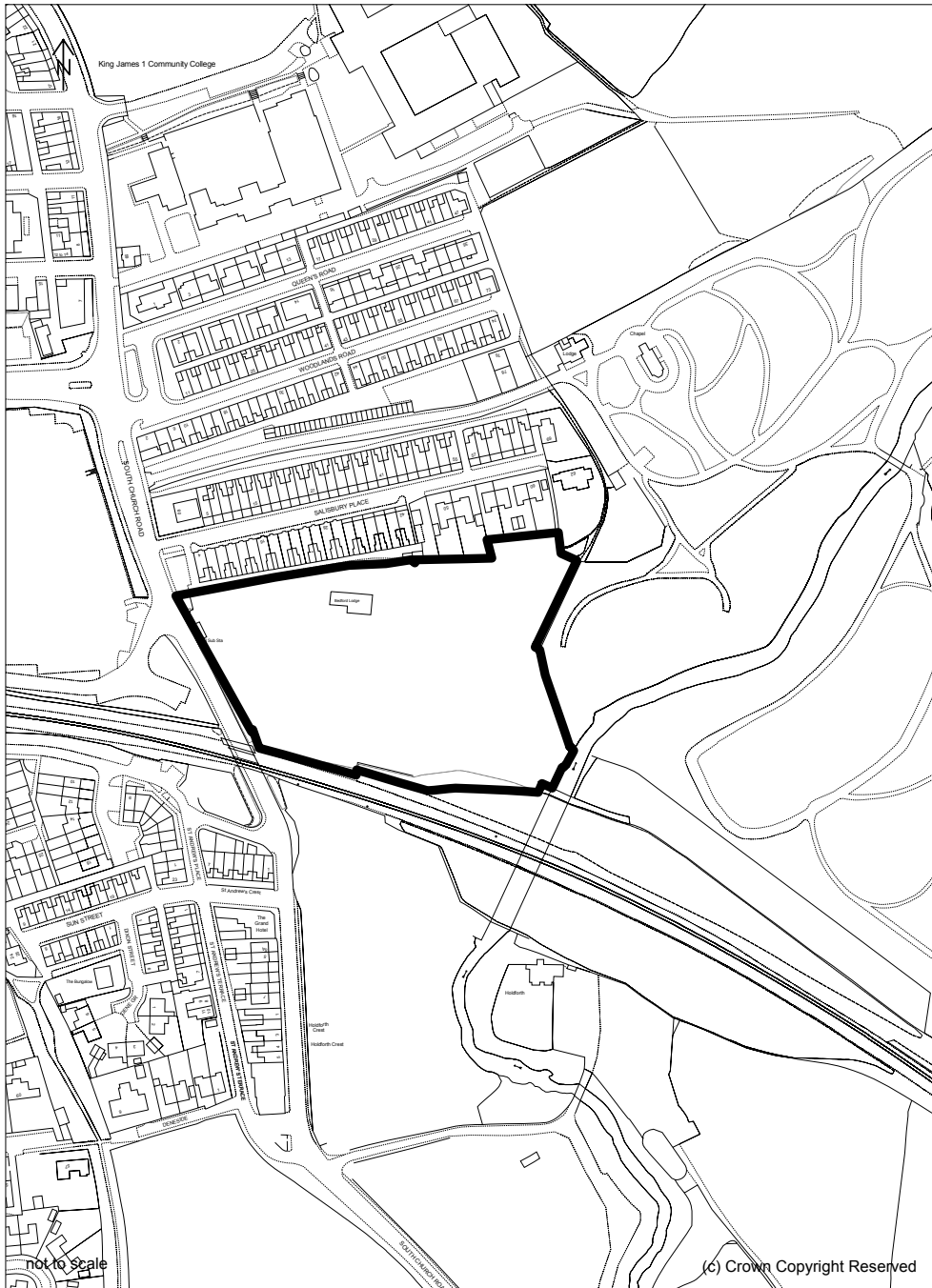
Author of the report

Chris Baxter

Senior Planning Officer

Ext 441

3/2007/0668- DEMOLITION OF FACTORY UNITS AND ERECTION OF MIX OF TWO AND A HALF STOREYS AND THREE AND A HALF STOREY APARTMENTS AND CONVERSION OF BEDFORD LODGE TO CREATE 119 DWELLINGS AT FORMER B B H WINDINGS LIMITED, SOUTH CHURCH ROAD, BISHOP AUCKLAND FOR MANDALE COMMERCIAL LIMITED – 01.09.2007



DEVELOPMENT CONTROL COMMITTEE

22nd NOVEMBER 2007

Report of the Strategic Director for Environment and Regeneration

PART 1 – APPLICATION FOR DECISION

3/2007/0650 - DEMOLITION OF EXISTING CHURCH AND MANSE AND CONSTRUCTION OF TWELVE THREE STOREY FLATS AT ST. ANDREWS UNITED REFORM CHURCH, VICTORIA STREET, CROOK FOR MR. RADGICK, HAMMER SERVICES LIMITED 29.08.2007

description of site and proposals

1. Planning permission is sought for the demolition of the existing church and associated buildings and the construction of a three storey apartment block. The proposed apartment block would create 12 residential units. The foot print of the proposed building measures 25 metres by 17 metres and would reach an overall height of approximately 10 metres.
2. The application site currently comprises of the stone built St Andrews Church, with the associated hall and residential property, situated on Victoria Street in Crook. The application site is located on the boundary of the Crook Conservation Area. The site is within the settlement limits of development for Crook as defined by policy H3 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007. There are residential properties to the north and west of the site with commercial buildings to the south and east. Highways bound the site on the north, east and south.

planning history

3. There have been no recent planning applications on this site.

planning policies

4. The following policies of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007 are relevant in the consideration of this application:
 - BE8 Setting of a Conservation Area
 - BE1 Protection of Historic Heritage
 - GD1 General Development Criteria
 - H24 Residential Design Criteria
 - H3 Distribution of Development
 - T1 Highways - General Policy

Also of relevance: Regional Spatial Strategy (RSS), Planning Policy Statement 9: Biodiversity and Geological Conservation (PPS9).

consultations

5. Durham County Council (Highways Authority): The car parking shown is substandard. The side walls will restrict door opening in 8 bays. The scheme as submitted is unacceptable.
6. WVDC (Conservation and Environment Manager): Full report on file. The Conservation Manager objects to the demolition of the existing church and associated buildings. The proposed apartment block is considered inappropriate development by virtue of its scale, mass and detailed design. It is recommended that the application be refused.
7. Northumbrian Water: No objections.
8. Architectural Liaison Officer (Police): No objections however advice has been given with regards to construction details in order to deter crime and increase personal safety.
9. Durham Bat Group: As the proposal is for demolition of the church, there is a definite risk of damage to a bat roost. Request that a recent bat survey is submitted before a decision is made on this proposal.

officer analysis

10. The key issues for consideration are:
 - Principle of Development
 - Visual Impact on Surroundings and Conservation Area
 - Residential Amenity
 - Highway Issues
 - Impact on Protected Species

principle of development

11. The application site is located within the settlement limits of development for Crook as defined by policy H3 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007. The site is within the centre of Crook, which is an urban area, within walking distance to shops and services. The proposed development is considered to be in a sustainable location and the principle of development is therefore acceptable. The proposal accords with policy H3 of the local plan and policy 3 of the RSS.

visual impact on surroundings and Conservation Area

12. The proposed development involves the demolition of the existing church and associated buildings. The church and the buildings connected to the church are built from stone and are attractive buildings which contribute to the appearance of the surrounding area. The church in particular appears to be a sound structure which hosts many traditional features, and the church is a

focal point within the street scene. The application proposes to demolish this attractive building and replace it with a modern style building which would significantly contrast to its surroundings. The proposed design, style and bulk of the apartment block would not be in keeping with the surrounding residential and commercial buildings. The removal of the existing church and associated buildings to be replaced by a modern three storey apartment block would be detrimental to the visual appearance of the street scene. The apartment block would appear bulky and would be intrusive within the streetscape. The proposal would be contrary to policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

13. The proposal will introduce an unduly prominent building by virtue of its bulk. This prominence will be further exaggerated as a negative impact because the design introduces other architectural features which are not considered to be appropriate to this setting. The high level third storey box bay windows will arguably be like dominant 'look out posts' in a very otherwise domestic family neighbourhood. Upper level oriel windows usually on first floors are not uncommon in this area but this feature has been given a much more 'city centre' scale of impact on its surroundings than is traditional. Generally in Crook a comfortable inter-relationship exists between adjacent buildings, especially in the residential areas to the north of the market place. Crook is also characterised by a high number of small chapels intermixed within residential neighbourhoods. It is important to try and retain evidence of this important local element in the interest of both local identity and 'sense of place'.
14. It is noted that the application site is situated on the boundary of the Crook Conservation Area, therefore the proposed development would have to be assessed against the impact it would have on the setting of the Conservation Area. The demolition of the church and associated buildings would negatively impact upon the setting of the Conservation Area. The church is an attractive and historic building which significantly contributes to the setting of the Crook Conservation Area. The proposed apartment block would be a complete contrast to the existing buildings on the site. The proposed apartment block would be a modern design which would not incorporate any traditional features of the existing church. The proposal would have an adverse impact on the setting of the Conservation Area and would detract from the special scenic qualities of the surrounding area. The proposed development includes the loss of a building which significantly contributes to the historic heritage of the District and Crook town centre. The proposal would contradict the aims of policies BE1 and BE8 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
15. Pre-application discussions have taken place between the architect of this application and planning officers. Whilst it is noted that some minor alterations have been made to the scheme, the loss of a traditional building which significantly contributes to the street fabric and historic qualities of the surrounding area and the setting of the Crook Conservation Area should be resisted. It is envisaged that in order to develop the site, the prospect of converting the existing buildings should be encouraged, which would retain the traditional features that contribute to the appearance of the surrounding street scene.

residential amenity

16. In general, the residential amenity of the surrounding properties would not be adversely affected by the proposed development. Due to the position of the surrounding residential properties, the occupiers would not experience any loss of privacy. Some of the separation distances between the proposed windows within the new development and the surrounding buildings are slightly less than the distance stated in policy H24 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007. It is considered acceptable for the separation distances to be reduced in this instance given that the apartment block would be a new development. No amenity space would be provided with the proposal, however this is considered acceptable given that the development is within close proximity to the centre of Crook.
17. The proposed development would not have an adverse impact on the residential amenities of existing and future occupiers of the neighbouring properties and the proposed apartments. The proposal accords with policy H24 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

highway issues

18. There are 12 off street parking spaces proposed with the development, indicating one space for each residential unit. Also improvements to the highway are proposed. Durham County Council Highways have been consulted. The Highways Officer has indicated that the car park spaces in 8 of the parking bays are not wide enough and the side walls would restrict door opening. The Highways Officer has commented that the scheme as submitted is unacceptable. Given the car parking spaces are not of adequate dimensions, it is considered that the proposed development would be detrimental to highway safety. The proposal would be contrary to policy T1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

impact on protected species

19. The proposed development involves the demolition of the existing church and associated buildings. Durham Bat Group have commented on the application indicating that there is a definite risk of damage to a bat roost. There are Common Pipistrelles bats active in Crook however it is not known where they breed. Durham Bat Group have requested that a bat survey be produced prior to any decision being made. A bat survey has not been submitted with the planning application. PPS9 states that local planning authorities should take measures to protect the habitats of protected species. Without the submission of a bat survey it is unable to determine whether the demolition of the existing church would adversely affect protected species. The proposed development is considered unacceptable as it may be detrimental to protected species and their habitat. The proposal would be contrary to Planning Policy Statement 9: Biodiversity and Geological Conservation.

objections/observations

20. Occupiers of the surrounding properties have been notified in writing and a site notice was also posted. The application has also been advertised in the local press.
21. No observations have been received.

conclusion and reasons for refusal

1. The proposed development incorporates the demolition of an existing church and associated buildings which significantly contribute to the historic fabric of the surrounding area. The proposed apartment block would be a modern design which would be a complete contrast to the existing buildings on the site. The apartment block would be bulky and would not be in keeping with the surrounding residential and commercial buildings. The proposal would have an adverse impact on the setting of the Conservation Area and would detract from the special scenic qualities of the surrounding area. The proposed bulk of the building with its associated detailed architectural features are considered to be inappropriate to this traditional Durham Dales townscape where generally domestic scale prevails especially in areas behind the main Civic and Market Place frontages. The proposal is contrary to policies GD1, BE1 and BE8 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
2. Durham Bat Group have commented on the application indicating that there is a definite risk of damage to a bat roost, and they have indicated that a bat survey should be produced. A bat survey has not been included with this application. PPS9 states that local planning authorities should take measures to protect the habitats of protected species. Given that evidence has not been provided indicating that bats are not present within the existing buildings on the site, it is considered that the proposal may be detrimental to protected species and their habitat. The proposal contradicts guidance contained in PPS9.
3. Durham County Council Highways Officer has stated that the proposed scheme is unacceptable as the car parking shown is substandard. The car parking on 8 of the bays are not wide enough. The side walls of the parking bays would restrict door openings. The proposal is therefore considered to be detrimental to highway safety. The proposed development would be contrary to policy T1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

RECOMMENDED

That planning permission be **REFUSED** for the following reasons;

1. The proposed development would result in the loss of an attractive church and associated buildings which significantly contribute to the historic heritage of the Crook area. The present buildings on site contribute in a significantly positive manner to the setting, existing appearance and character of the Crook Conservation Area and the local residential environment. The proposed apartment block would be a modern design which would be out of keeping

with the neighbouring residential and commercial buildings. The apartment blocks would be bulky and would be intrusive within the surrounding street scene. The application site is on the boundary of the Crook Conservation Area, therefore the demolition of the existing church along with the construction of modern apartment block would significantly detract from the special scenic qualities of the surrounding area and adversely affect the setting of the Conservation Area. The proposal is contrary to policies GD1, BE1 and BE8 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

2. A bat survey has not been provided with this application and therefore it is not possible to determine whether the proposed demolition of the existing buildings would affect any protected species. As there is no evidence indicating that bats are not present within the existing buildings on the site, it is considered that the proposal may be detrimental to protected species and their habitat. The proposal contradicts guidance contained in Planning Policy Statement 9: Biodiversity and Geological Conservation.
3. The car parking proposed within the development is substandard as 8 of the parking bays are not wide enough and would restrict door opening. The proposed development is therefore considered to be detrimental to the safety of highway users. The proposal would be contrary to the aims of policy T1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

background information

Application files, WVDLP, RSS, PPS9.

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explanation				

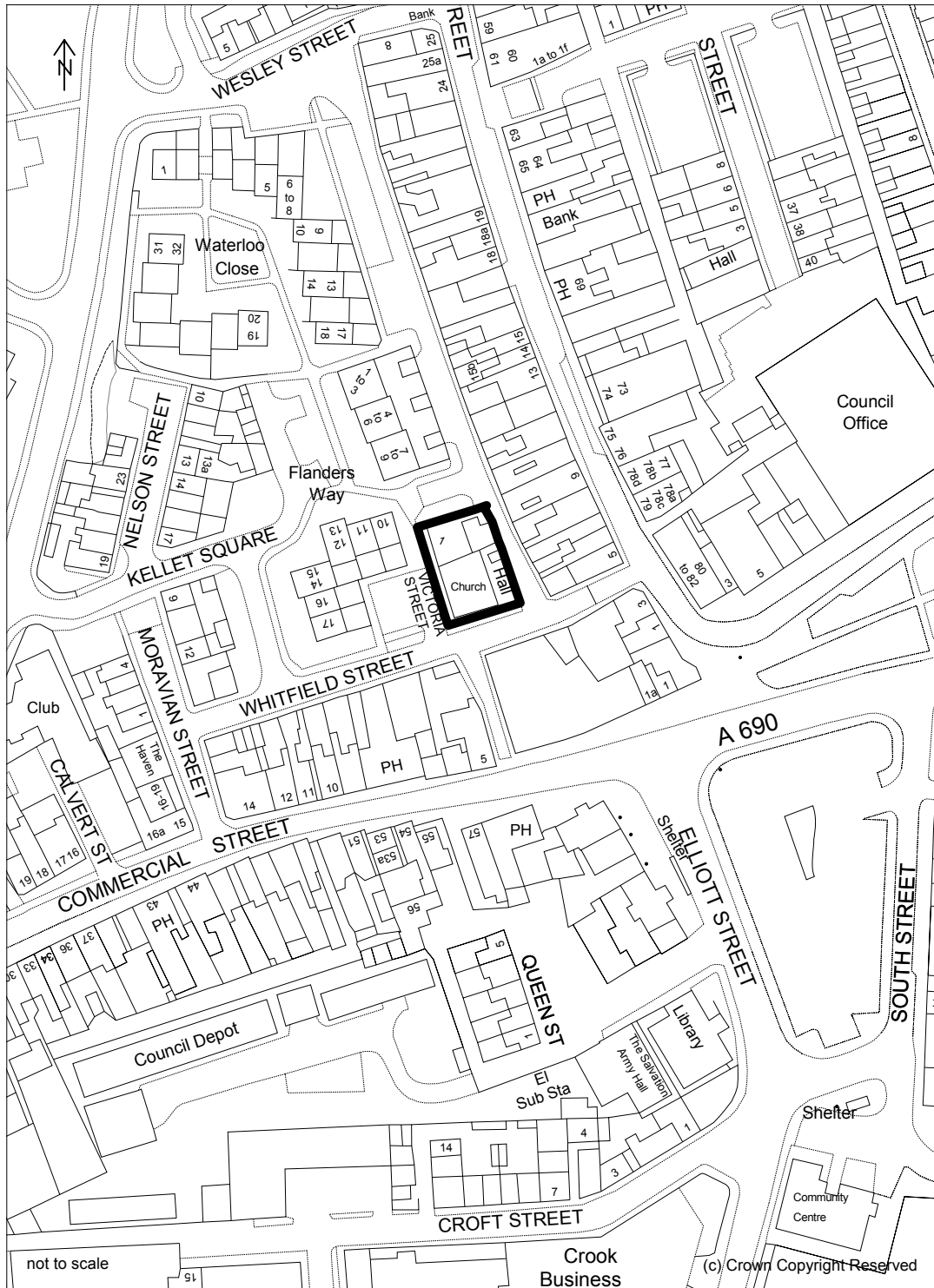
Officer responsible for the report

Robert Hope
 Strategic Director for Environment and Regeneration
 Ext 264

Author of the report

Chris Baxter
 Senior Planning Officer
 Ext 441

3/2007/0650 - DEMOLITION OF EXISTING CHURCH AND MANSE AND CONSTRUCTION OF TWELVE THREE STOREY FLATS AT ST. ANDREWS UNITED REFORM CHURCH, VICTORIA STREET, CROOK FOR MR. RADGICK, HAMMER SERVICES LIMITED 29.08.2007



DEVELOPMENT CONTROL COMMITTEE

22nd NOVEMBER 2007

Report of the Strategic Director for Environment and Regeneration

PART 1 – APPLICATION FOR DECISION

3/2007/0703 - ERECTION OF 1.8 METRE HIGH TIMBER PALISADE SECURITY FENCING INCLUDING 1 TIMBER PEDESTRIAN GATE TO MATCH ADJACENT PROPERTIES AT 11 KIRKSTALL WALK, WEST AUCKLAND FOR WEAR VALLEY DISTRICT COUNCIL – 19.09.2007

description of site and proposals

1. This application is reported to Committee as it is an application for Wear Valley District Council. Planning permission is sought for the erection of a 1.8 metre high timber palisade security fence including pedestrian gate to match adjacent properties and to requirements of Don Luke Crime Prevention Officer.
2. The application site consists of an end-terraced property in the residential area of Kirkstall Walk, St. Helens Auckland. The proposed fence would be to the side and rear of number 11 Kirkstall Walk incorporating the closing of the alley. To the north of the site is open space, to the east is number 3 Fountain Square, to the south is the host dwelling and to the west is the garden of the host dwelling.

planning history

3. None.

planning policies

4. The following policy of the Wear Valley District Local Plan (WVDLP) as amended by the Saved and Expired Policies September 2007 is relevant in the consideration of this application:
 - GD1 General Development Criteria

consultations

5. DCC Highways Section: No objections.
6. Police Liaison Officer: I have discussed this application with Don Luke Crime Prevention Officer and I am happy to support same.

officer analysis

7. The key issues for consideration are:

- Impact on Neighbouring Properties
- Highway Safety
- Design

Impact on neighbouring properties

8. The proposed fence would not have any detrimental impacts to occupiers of surrounding properties in terms of overbearing and overshadowing impacts. The proposal would not cause the loss of amenity to any neighbouring properties. The fence would reduce anti social behavior in the area and has been designed in conjunction with the recommendations of Durham Constabulary's crime prevention officer and thus accords with policy GD1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

highway safety

9. The proposed fence would not cause any loss of highway visibility or pose any danger to pedestrians from a highway safety perspective and thus accords with policy GD1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

design

10. The fence would be constructed using materials to match the existing properties. The proposal is in keeping with the scale of the surrounding area and the host property, and thus accords with policy GD1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

objections/observations

9. Occupiers of the surrounding properties have been notified in writing and a site notice was also posted.

10. One letter of support has been received.

conclusion and reasons for approval

1. The proposal accords with policy GD1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007 as it:

1. Would not cause any overbearing or overshadowing to neighbouring properties or cause any loss of amenity to the neighbouring properties.
2. Is in keeping with the surrounding area and the host dwelling in terms of scale and materials.
3. Would not adversely affect highway visibility.
4. Would reduce anti social behaviour in the area.

RECOMMENDED

That planning permission be **APPROVED** subject to the following condition and reason;

condition

1. Before the development hereby approved is commenced, details of the materials and colour to be used for the external surfaces of the fencing and gate shall be submitted to and approved in writing by the local planning authority, and the external surfaces shall be constructed in accordance with the approved details.

reason

1. To ensure that the external appearance of the development will not be detrimental to the visual amenities of the area. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

background information

Application files, WVDLP as amended by the Saved and Expired Policies September 2007.

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explanation			

Officer responsible for the report

Robert Hope

Strategic Director for Environment and Regeneration

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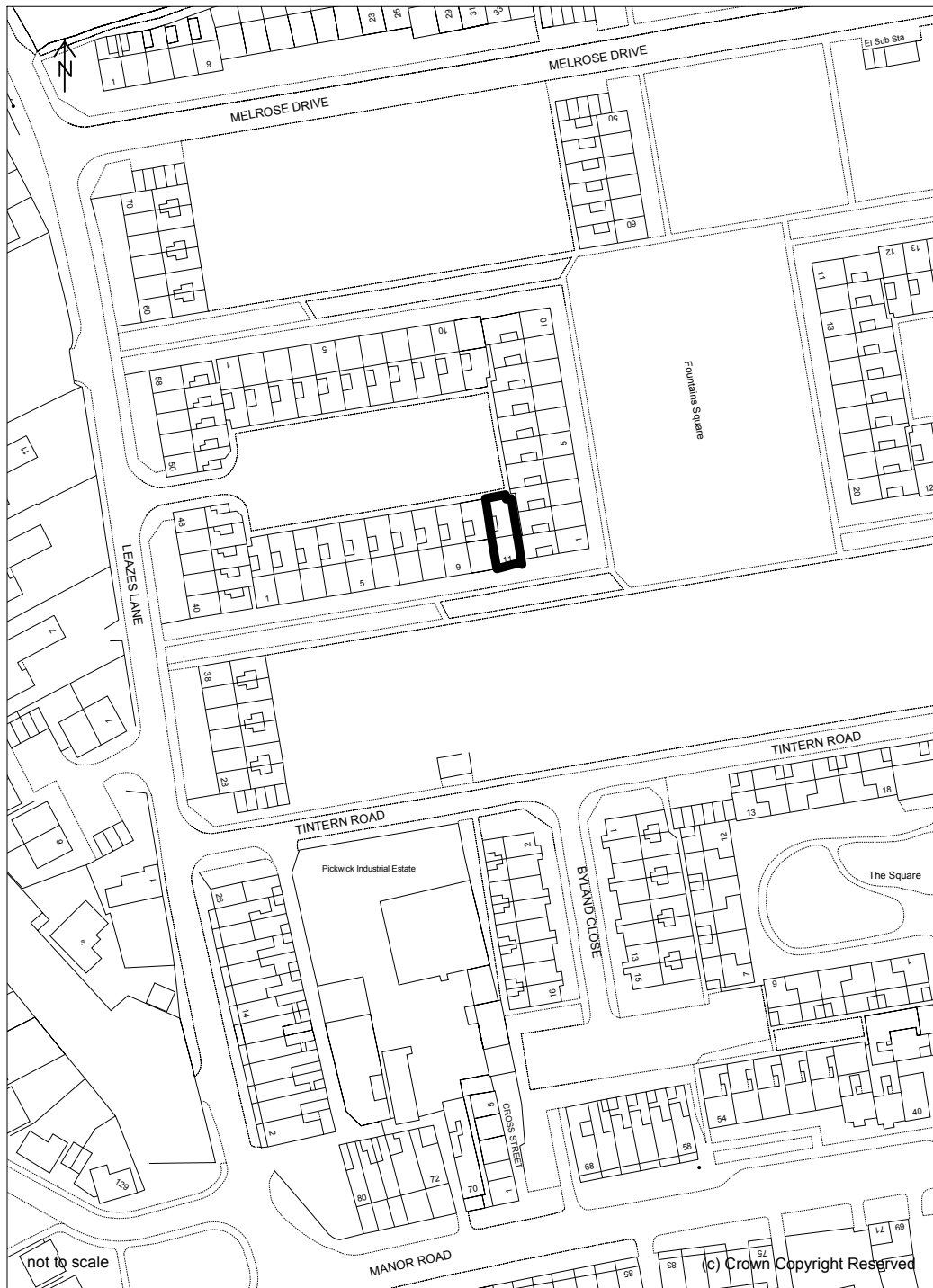
Author of the report

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3/2007/0703 - ERECTION OF 1.8 METRE HIGH TIMBER PALISADE SECURITY FENCING INCLUDING 1 TIMBER PEDESTRIAN GATE TO MATCH ADJACENT PROPERTIES AT 11 KIRKSTALL WALK, WEST AUCKLAND FOR WEAR VALLEY DISTRICT COUNCIL – 19.09.2007



DEVELOPMENT CONTROL COMMITTEE

22nd NOVEMBER 2007

Report of the Strategic Director for Environment and Regeneration

PART 111 – OTHER ITEMS

PASTORAL MEASURE 1983

Proposed creation of a new benefice of Merrington

introduction

1. The Administrative Secretary of Diocese of Durham Board of Finance has invited the Council's views on a proposal to create a new benefice of Merrington.

proposal

2. It is proposed to separate Merrington from the three parish benefice of Spennymoor, Whitworth and Merrington. A small part of the area concerned lies within Wear Valley district and the Council is consulted as local planning authority, in accordance with Pastoral Measure 1983.

RECOMMENDATION

1. No objection.

Background information: Letters from the Administrative Secretary, The Diocese of Durham Board of Finance dated 2nd and 5th November 2007.

Officer responsible for the report

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