

REPORT OF THE HEAD OF PLANNING AND ENVIRONMENTAL HEALTH

ITEM1 District Matters Recommended Refusal

1.

Reference: 07/00030/FUL

Proposal Erection of 3 box stable and feed store plus associated post & rail fencing.

Location Land Adjacent to Redrose Stud Chester-le-Street Durham

Applicant John P. Jones

The Proposal

Detailed planning approval is sought for the construction of a free standing stable building at this existing field to the east of the A167 opposite Park Road South, Chester le Street. It has been proposed to position the stable building on the western boundary of the plot immediately adjacent to the A167 and to the north of the existing access serving this field, Red Rose Stud and Southburn Grange, Forge Cottage.

The 'L' shaped stable building consists of a 3 bay stable and a feed store. The proposed building measures 10.9 metres x 7.3m at its largest point and is approximately 2.7 metres high. The stables are approximately 3.7m in depth. The stables in question would be constructed in timber with felt roofing. The application site including the grazing land measures approximately 3.1 hectares.

It is also proposed to erect post and rail fencing, measuring approximately 1.2 -1.4m in height along the boundary of the site adjacent to the A167. To secure the paddock some fencing work has already been carried out to sub-divide the single large field into smaller paddocks, this element of the proposals did not require planning approval.

Site Description

The application site forms part of a larger paddock, which has been sub-divided. The application site, which is tri-angular in shape, is flanked by the A167 to the west, as illustrated on the attached plan. The area to the east is wooded and the ground levels fall from this point towards the river Wear, The southern boundary of the site is bounded by a larger paddock, which does not form part of this application.

The closest residential properties to the application site are located at Park Road South, approximately 35 metres to the west of the application site.

The ground level of the proposed stable is approximately 0.6 m below the road level of the A167.

Consultation Responses

Durham County Council, as Highway Authority, have confirmed that emerging visibility looking north along the A167 is sub standard. However, bearing in mind the relatively minor nature of the proposal and the fact that applicant does not require planning approval to graze livestock on the site, no highway objection is raised provided that the stables are for the private recreational use of the applicant only.

The views of the Environmental Health section were awaited at the time of drafting this report. However, past experience has shown that the potential for pest problems is largely dependent upon on site management rather than the spatial distance between the stables and adjacent housing.

This planning application was advertised via both direct neighbour notification and the posting of a site notice at the entrance to the paddock. As a result, four letters of concern have been received from neighbours / members of the public regarding this proposal.

One respondent raised concern that the applicant may use the land to exercise his horses and traps on this site. He was concerned that the transportation of horses and traps to and from the site may prove problematic in highway safety terms. It was also suggested that the stables would be less prominent if these were relocated on the eastern boundary of the site further from the A167.

Two respondents raised concern that the proposed building would be used for commercial use, reference was made to the applicant's business card which states that the applicant breeds and trains gun dogs. Clarification was requested that the buildings in question were for equine use only and would not be used in conjunction with the applicant's business activities. Concern was expressed that such a use would cause an unacceptable level of disturbance to adjacent householders.

It was also requested that consideration be given to a condition to prevent the racing of traps or trap rallies taking place at this site.

One respondent has stated that he is aware that rats have been seen in this general area and it was feared that the proposed stables would lead to further problems of rats in the area. He, therefore, requested that the application to be refused on these grounds.

The owner of the existing Stud and livery business, which already operates to the east of this site has also objected to the style of fencing which has been erected, specifically that barbed wire has been used. She has raised concern that the presence of the barbed wire on top of the fencing would be likely to injure any horses kept here and that this would have a detrimental impact upon her existing but unrelated business because potential clients would have a poor perception of her Stud.

Supplementary information supplied by the Applicant / Tenant

The applicant has confirmed that he currently owns 3 horses, which are kept at two different sites. He has stated that his children have recently moved to this part of Chester le Street and now he has been given the opportunity to lease this land and he would like

to keep his horses on this single site. It has been stated that the buildings proposed would provide shelter for his animals and to store feed.

The applicant has informed officers that the building is used to stable up to a maximum of four horses, which belong to him and his children. He also confirmed that the horses are to be kept for recreational purposes only and that he does not intend to run a business from the site.

The applicant has confirmed that the land holding in question is large enough to graze the number of horses in question. The applicant has also stated that the proposed stables would not, in his opinion, harm the visual amenity of the Green Belt or the open countryside. In fact, he stated that the appearance of the proposed buildings would be significantly better than several existing buildings in the allotment area to the north east of Croxdale garage site.

Relevant Planning Policies and Considerations

Durham County Structure Plan

Policy 6 of the Durham County Structure Plan seeks to ensure that the openness of the North Durham Green Belt is preserved.

Policy 64 (A) of the Durham County Structure Plan seeks to ensure that the quality of the County's landscape is maintained and enhanced by ensuring that development in an Area of High Landscape Value does not detract from the areas special character.

Chester-le-Street Local Plan

Policy RL11 of the Local Plan provides specific advice in regard to equestrian facilities. The Policy acknowledges that such facilities are, in principle, acceptable uses in the countryside and will be permitted provided that: -

- New facilities are appropriate in scale and situated next to existing buildings and do not detract from the landscape;
- The number of stables proposed and the number of horses to be grazed relate to the amount of grazing land available;
- New commercial establishments where tracking facilities are needed are in close proximity to existing bridle ways; Other types of commercial establishments should either be close to bridle ways or make provision within the scheme to adequately exercise horses;
- New commercial establishments are close to existing residential accommodation, which will allow proper supervision at all times;
- The proposal fulfils the criteria of Policies NE4 and RL10 (which relate to green belt issues).

The application site is located within the North Durham Green Belt.

Policy NE4 ii) permits the construction of new buildings for 'essential facilities for outdoor sport and recreation that preserve the openness of the Green Belt'. Although the scale of the proposed building itself is generally considered satisfactory, it is felt that the siting of

the building adjacent to the A167 would detrimentally affect the openness of the Green Belt.

Policy RL10 states that within the Green Belt permission for outdoor participatory sports and recreational uses will be granted provided that the uses are predominantly participatory and outdoor, that any ancillary facilities are small in scale in the Green Belt and the proposed development does not harm the visual amenity of the Green Belt.

As the application site is located within an Area of High Landscape Value, Policy NE15 is also relevant to this proposal. This Policy seeks to maintain and enhance the landscape character and quality of development within AHLV. As such, development will only be permitted where this is of a high quality of design, where this reflects the character and scale and character of the buildings in the area and where this does not detract from the high landscape quality of the area.

National and local Planning Policies accept that small scale equestrian uses can be an 'appropriate' use within the countryside and the Green Belt. Guidance states that new equestrian facilities should preferably be located next to existing buildings already in place. Where this is not the case, buildings should be designed and located in such a manner that these are not unduly prominent within the landscape and make best use of both existing topography and screening. As such, buildings which are located against a backdrop of an existing hedgerow or tree belt can 'blend' into the landscape rather than appearing to be an alien feature within it. The prominence of buildings can often also be reduced by locating the building away from roads, public footpaths and other public vistas. This approach has been adopted at the paddock to the east of Croxdale Motors where the existing stables / out buildings are located along the southeastern boundary of the field rather than being located immediately adjacent to the A167.

It was suggested that the applicant consider relocating the proposed stable building from the western boundary of the site to the eastern boundary of the plot, so that this was situated as far as possible from the A167 and housing opposite at Park Road South. This arrangement would mean that the stable building would then be approximately 120 metres from the nearest residential property and that these long distance views would be seen against the back drop of the existing woodland immediately to the east of the site. However, the applicant has requested that his application be considered as submitted.

Although the proposed usage, design and materials of the proposed stables are generally considered satisfactory, officers are of the opinion that the proposed siting of the building immediately adjacent to the A167 is inappropriate in this sensitive location within the Green Belt and Area of High Landscape Value.

Although the concerns of local residents regarding the increased potential for vermin arising from the stables are likely to depend more upon the management arrangements employed, the increased distance between the stables and the housing would reduce the likelihood of any increased problem in the future.

Whilst acknowledging the concerns raised regarding the use of barbed wire the Local Planning Authority has only limited control over the erection of fencing and other means of enclosure. Where the new fencing is not 'adjacent to a highway used by vehicular traffic' the means of enclosure under 2 metres in height is beyond the control of the Local

Planning Authority. The concerns relating to animal welfare issues will, however, be forwarded to the applicant for his detailed consideration.

Conclusion

In conclusion, this scheme is considered to be contrary to Policy 64 of the County Durham Structure Plan in that this proposal would detract from the Area of High Landscape Value. It is also felt that this proposal would be contrary to Policies NE4 ii), RL11i), RL10 iii), NE15 iii) of the Chester le Street Local Plan in that this would unacceptably detrimentally affect the openness of the Green Belt and detract from the visual appearance of the countryside, the Green Belt and the Area of High Landscape Value.

RECOMMENDATION

Refuse FOR THE FOLLOWING REASONS:-

Extra 1.

The proposed development would detract from the openness of the North Durham Green Belt, contrary to Policy 6 of County Durham Structure Plan and Policy NE4 ii) of the Chester le Street Local Plan.

Extra 2.

The proposed development would unacceptably detract from the visual amenity of the countryside, the North Durham Green Belt and the Area of High Landscape Value, contrary to Policy 64 of the County Durham Structure Plan and Policies RL11i), RL10iii) and NE15 iii) of the Chester le Street Local Plan.

Application Summary

Case Officer: David Walker

Contact Details: 0191 387 2146

davidwalker@chester-le-street.gov.uk

Summary of Reason for Recommendation: This proposal would unacceptably detract from the openness of the North Durham Green Belt and the appearance of this Area of High Landscape Value.

2.

Reference: 07/00053/OUT

Proposal Outline application for residential development and relocation of War Memorial.

Location Former Church Hall Front Street Sacriston Durham

Applicant Sacriston P.C.C.

The Proposal

This report relates to an outline application for residential development, together with the re-location of an existing war memorial, on land at Front Street, Sacriston.

Whilst the only detailed matter submitted for consideration at this stage is the means of access, the applicants have submitted an indicative layout. This show the provision of 8 number dwellings provided for within the site.

The details of the revised siting of the existing war memorial are also shown on the submitted plans. These show the facility relocated to the southern end of the site, to a position outside of the entrance into the neighbouring cricket club building.

The site comprises a mix of previously developed land (the site of a former church hall) and an open grassed area, which is used to provide the setting for the war memorial.

The surrounding land uses are predominantly commercial, although the Sacriston Cricket Club exists to the immediate west of the site

Relevant Planning History

Outline planning permission was previously granted for the erection of a 2 storey family centre, incorporating a day nursery and out of school kids club, by way of decision notice dated 16 October 2000 (Council Reference 00/00176/OUT).

Consultation Responses

A response is waited from Durham County Council as Highways Authority for the area.

Durham County Council's Design Team comment;

- Ideally the site should be considered in combination with the garage site as a whole development area, which would enable a more coherent design/layout.
- The memorial garden could be better located - suggestions were to re-develop the community hall and create a town square which would accommodate the memorial

in a much nicer setting than the proposed setting on the current plans. It is a concern that the memorial lacks a setting.

- The cricket club is a private venue, which would be unlikely to encourage public access so there are conflicts of use between the memorial and the club.

Durham County Council's Landscape Team comment;

The present site surrounding the War Memorial is open space, which appears relatively uncared for, apart from the Memorial's immediate setting. The consolidation of the War Memorial setting and the development of the remainder of the site could yield significant improvements to the appearance of that part of Front Street. The details of the landscaping, both soft and hard, around the War Memorial are crucial to this, as is the treatment of the front gardens of the development, and I would wish to consider these in detail when they are available. The application incorrectly states that no trees would be affected by the proposed development. There are two trees, a Lawson's cypress and a rowan, that would need to be felled for the development but neither is of great merit and I would not object to this.

The Council's Head of Regeneration raises concern in relation to the proposals. He advises that his team are undertaking an Area Development Framework exercise in the village of Sacriston. That work will be complete by the end of April. That work will provide the Council and partners with a regeneration plan, with the support of the local community, to guide future development of the village. It may unlock access to funding from English Partnerships and other sources, potentially amounting to millions of pounds.

An emerging issue from that work, which is now well advanced, is the need for a community focus within the village. While the detail of that is yet to be developed concern is raised that giving approval for this application, a matter of weeks in advance of a wider regeneration plan for the village, may compromise regeneration objectives and potential investment in the village.

The Police Architectural Liaison Officer has provided advice in respect to Secured by Design Issues.

The application has been advertised by way of site notice and direct consultation with surrounding occupiers. One letter of representation has been received from the Sacriston Cricket Club. They comment;

- We would like to query a possible encroachment on the site between house number 8 (garden) and our land and possible view restriction onto our cricket field, which we have enjoyed for decades.
- We would like to query the access at the front of the plans (at the cricket club end of the plans). Is this a footpath, or for vehicle access? If this is a footpath, why is it not at the other side of the memorial (next to the furniture store)? This would reduce possible noise disturbances from people leaving our premises at night and passing directly past the houses? We have major concerns about this issue.
- What provisions are being made for a fence between the houses and the cricket field? Balls regularly fly in that direction and will cause damage to the houses. What height will any fence erected be, who will pay for the fence and who will maintain it?

The cricket club have no financial means of doing either of these and we have major concerns about this issue.

- Whilst we have no objections at all of housing the war memorial in front of the cricket club, we have the following comments. We feel the memorial will be lost between two developments (houses and furniture store) and feel this is degrading to the men the memorial represents. Why is the memorial not being housed in a prime location in Sacriston where it can be truly respected? Why do the planners want to house the memorial in front of what they call an unattractive building (the cricket club)?

Sacriston Colliery Cricket Club would welcome any discussion on these points from any parties. Whilst we are not opposed to the development in principal, we do have major concerns that we would like to address.

In support of the application the agents raise the following points;

- Alternative locations have been considered to relocate the war memorial too; however other sites have not been forthcoming
- Moving the war memorial to the location proposed will help screen the unattractive cricket club building
- The Council have previously confirmed that the proposals comply with the local retail policy in force for the area
- The site is Brownfield
- The scale of development will fit well with the character of the surrounding area
- The site is well served by public transport
- Attempts have been made to engage adjoining landowners, with a view to submitting a joint application for this site and adjoining land areas. However these negotiations have come to nothing
- Discussions have been held with Officers from both the District and County Council across the last few years
- The development is required to enable the applicant to realise a return on the land to repay a loan taken out to construct a new church in Sacriston

Relevant Planning Policies and Considerations

The proposal raises a number of issues for consideration having regard to the relevant Policies contained in the County Durham Structure Plan and Chester-le-Street Local Plan.

County Durham Structure Plan

Policy 2 of the Structure Plan seeks to ensure new development is directed to locations that minimise the need to travel. Policy 3 expands on this approach by advising that the provision of new development should be well related to the County's main towns. Policy 9 seeks to ensure that new housing development is located within sustainable locations being well related to existing towns and transport infrastructure, and also seeks to ensure that priority is given to the redevelopment of derelict or redundant sites.

In assessing the proposals against these relevant Structure Plan Policies it is considered that they are acceptable in principle. The proposed site is located within the existing urban

framework of Sacriston, one of the principal settlements within the District, and is situated in a location that will reduce the need to travel by private car being close to existing public transport links, shopping and other community facilities.

However it is also important to assess the proposals against the more detailed requirements of the policies contained in the Local Plan

Chester-le-Street Local Plan

Policy HP6 of the Local Plan provides relevant advice on the subject of residential development within boundaries of settlements including Sacriston. The Policy advises that proposals will be considered acceptable in principle provided the site comprises previously developed land and that the detailed criteria contained in Policy HP9 are met.

In assessing the proposal's compliance with HP 6 clearly careful consideration needs to be given as to whether or not the site should be classed as previously developed. In this respect, and as discussed above, it will be noted that the site has had a mix of former uses. Part of the site was previously used as the site of a church hall. Clearly this part would be classified as previously developed land, having regard to the relevant DCLG advice. However there is a substantial part of the development site that is still in use as open amenity space; comprising the site of a war memorial, surrounded by grassed open space.

The view is taken that, on balance the overall site should not be classed as previously developed, and rather should be classed as a Greenfield site. This view is formed on the basis that the amenity / green field element of site is significant in the overall context and on the basis that there is no evidence to suggest that the Greenfield element was part of the former curtilage of the church hall site.

Having regard to the above it is considered the proposals fail to comply with the requirements of Policy HP 6 of the Local Plan.

Policy RL3 of the Local Plan seeks to protect outdoor recreation space. Specifically the Policy advises that development which would result in the loss of a recreational area, including amenity open space land, will not be allowed unless the proposals meet any of one of three criteria;

- They relate to new or improved recreational facilities
- They provide for suitable alternative recreational provision
- There is identified excess in the provision of recreational land to be lost.

As discussed above, as a substantial part of the application site is in open amenity use (the war memorial and associated grassed setting) the view is taken that the requirements of Policy RL3 are relevant to the application.

Furthermore as the proposal fails to meet any of the identified Local Plan criteria, where the loss of such land would be allowed, the view is taken that the proposals fail to comply with the requirements of the RL 3 Policy.

It is considered that the replacement site for the war memorial does not meet the tests of 'suitable alternative provision' when assessed on either a quantitative or qualitative ground. Specifically the size of the area of land to be set aside for the open amenity use as shown on the proposals, is significantly less than that provided for at present. In addition, and of potentially greater concern, is the fact that the revised location for the war memorial would be moved to a more secluded location. The view is taken that this would reduce the positive appearance the current site has in the street scene.

Other Issues

As will be noted from the Consultations Section above the Council's Head of Regeneration has raised concerns in respect to how the proposals would fit with the emerging Area Development Framework for Sacriston.

However this ADF is not being developed as part of the core Local Development Framework strategy; and in any event as the LDF is at a relatively early stage the view is taken that a refusal of planning permission on this ground would be difficult to support (relevant DCLG advice states that refusal's on such 'prematurity' grounds can only normally be supported where an emerging planning policy document is at a relatively advanced stage).

However a concern is raised that the proposals, for the development of the this land in isolation, in advance of the consideration of the long term regeneration strategy for the area that the ADF will help to inform, would lead to a form of piecemeal development, which in addition to potentially introducing an incongruous, stand alone form of development, may also prejudice the comprehensive redevelopment of the wider area. Accordingly it is recommended the proposals be resisted on these grounds

Conclusion

In conclusion, having regard to the above, it is considered that the proposals fail to comply with the provisions of the relevant development plan policies that provide advice on both the subject of residential development proposals within existing settlements, and the protection of amenity open space areas. Accordingly it is recommended that planning permission be refused.

RECOMMENDATION

Refuse FOR THE FOLLOWING REASONS:-

Extra 1.

The proposal comprises the use of Greenfield land for residential purposes contrary to the aims of Policy HP 6 of the Chester-le-Street Local Plan 2003

Extra 2.

The proposal would lead to the loss of an area of important open amenity space without any appropriate justification and which would be harmful to the character of the street scene and the amenity of the area, contrary to the aims of Policy RL 3 of the Chester-le-Street Local Plan 2003

Extra 3.

The proposal would lead to a piecemeal form of development which would prejudice the comprehensive development of the wider area and in doing so would be detrimental to the long term regeneration of the area.

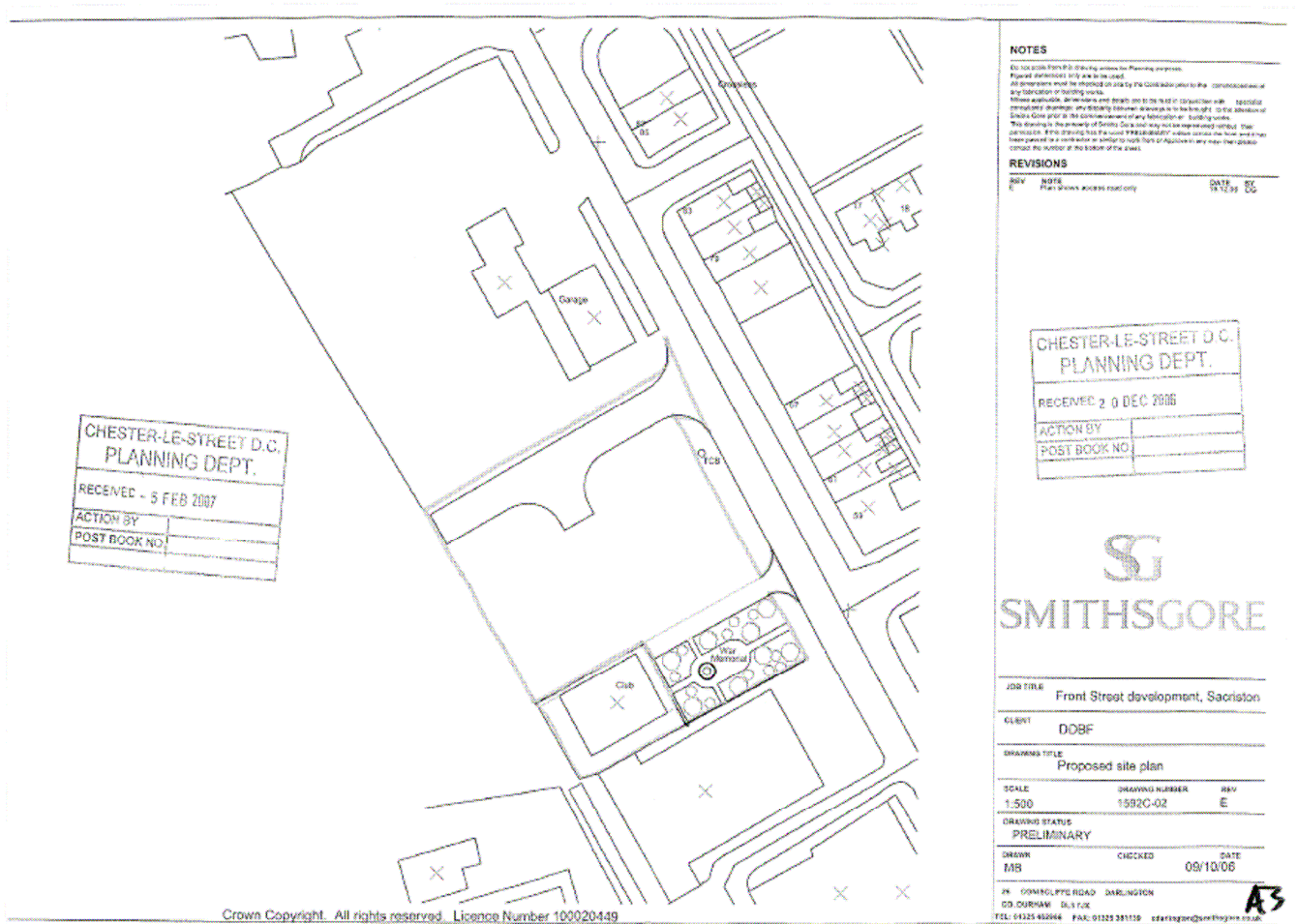
Application Summary

Case Officer: Stephen Reed

Contact Details: 0191 387 2212

stephenreed@chester-le-street.gov.uk

Summary of Reason for Recommendation: The application is considered to conflict with the aims of relevant development plan policies relating to the location of new housing and the protection of amenity open space. The development will also harm the Council's regeneration efforts within Sacriston.



CHESTER-LE-STREET D.C.
PLANNING DEPT.
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REVISIONS

REV	NOTE	DATE	BY
1	Plan shows access road only	19/12/06	EG

CHESTER-LE-STREET D.C.
PLANNING DEPT.
RECEIVED 20 DEC 2006
ACTION BY
POST BOOK NO.



JOB TITLE
Front Street development, Sacriston

CLIENT
DOBFB

DRAWINGS TITLE
Proposed site plan

SCALE
1:500

DRAWING NUMBER
15920-02

REV
E

DRAWING STATUS
PRELIMINARY

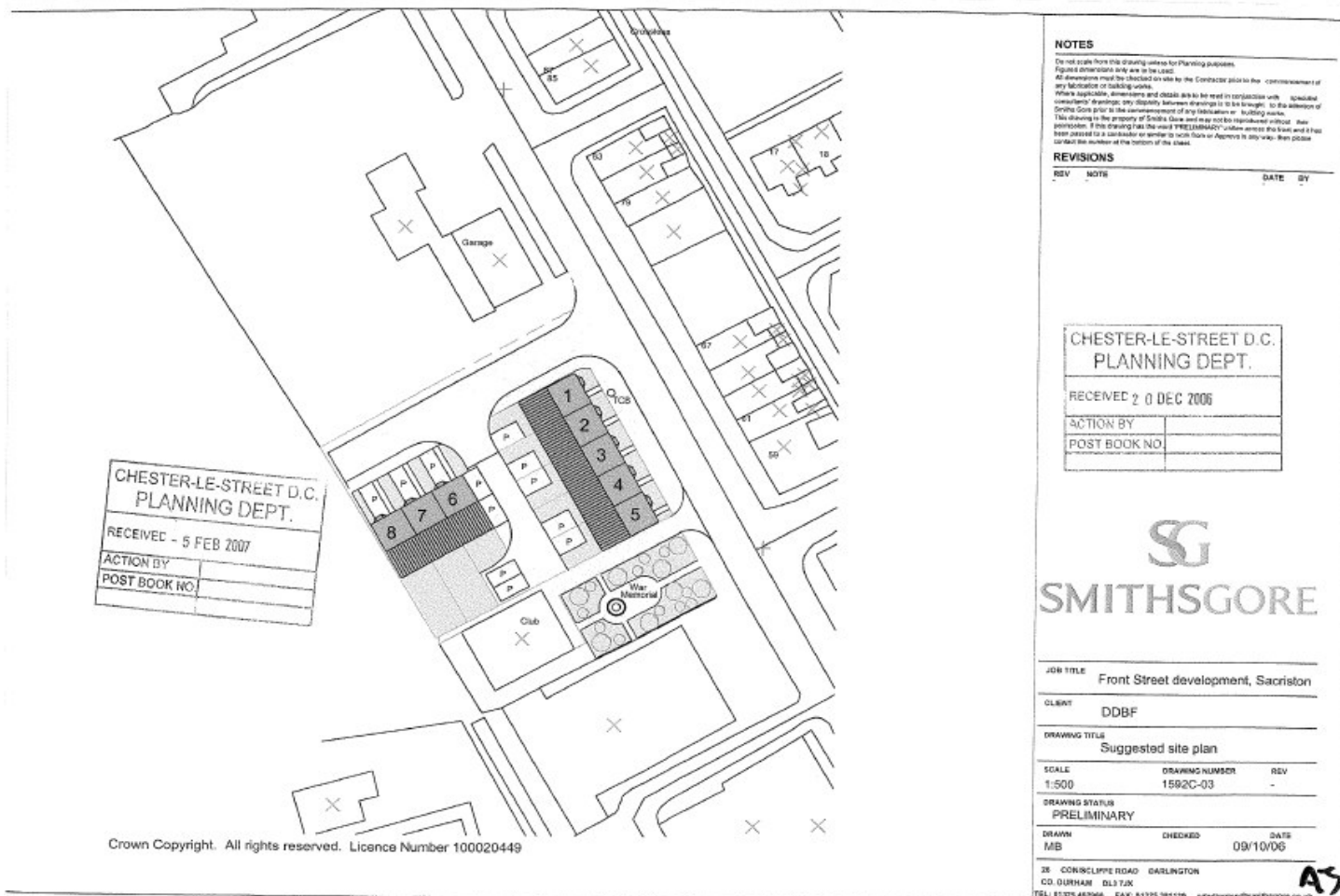
DRAWN
MB

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DATE
09/10/06

JR CONINGLYFFE ROAD DARLINGTON
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REVISIONS

REV	NOTE	DATE	BY

CHESTER-LE-STREET D.C.
 PLANNING DEPT.
 RECEIVED 20 DEC 2006
 ACTION BY
 POST BOOK NO.



JOB TITLE Front Street development, Sacriston
CLIENT DDBF
DRAWING TITLE Suggested site plan
SCALE 1:500 **DRAWING NUMBER** 1592C-03 **REV** -
DRAWING STATUS PRELIMINARY
DRAWN MB **CHECKED** **DATE** 09/10/06
 28 CORNCLIFFE ROAD DARLINGTON
 CO. DURHAM DL3 7JX
 TEL: 01322 482366 FAX: 01322 281159 cs@smithsgore.com **AS**

3.

Reference: 07/00055/OUT

Proposal Outline application for the demolition of the existing public house and the erection of 5 no dwellings.

Location The Jingling Gate Twizell Lane West Pelton Chester-le-Street Durham DH9 6SL

Applicant Mr C. Dawson & Mr D. Smith

The Proposal

Outline planning approval is sought to demolish the existing building at The Jingling Gate Public House, Twizell Lane, West Pelton and to erect 5 No. dwellings on the site of the building and its associated car park.

The existing building, which is now vacant and in a very poor state of repair, consists of the original two storey building with single storey extensions to all four sides. The 'foot print' of the building, which is located at the southwestern end of the plot, measures approximately 33m x 27 m, a large surface car park is located to the north east of this building.

The application site, which measures approximately 100 m x 32 m, is located on Twizell Lane and stands to the south west of West Pelton, as illustrated on the attached location plan. The Jingling Gate Poultry Farm is located to the north west of the application site. This property is bounded by agricultural / grazing land on all sides.

The application site is located outwith the settlement boundary of West Pelton, as defined by the Chester le Street Local Plan, the boundary of which has been drawn around No. 1 Twizell Lane, approximately 180 m to the north east.

Although the layout, scale, appearance, access and landscaping are all 'reserved' matters to be considered at a later stage if this outline planning application is approved the design and access statement submitted in support of the application suggests that 5 single storey executive dwellings will be constructed on this site.

Consultation Responses

The planning application has been advertised via direct neighbour notification, the posting of site notices in this area and the issuing of a press notice. At the time of drafting this report no written representations had been received from local residents.

The Council's Planning Policy Officer has confirmed that the application site is within open countryside outside the settlement boundary of Chester le Street, as defined within the Chester le Street Local Plan. Although the application site clearly constitutes previously developed land Local Plan Policies state that planning permission for new housing beyond

settlement boundaries will only be granted where these are required to support existing agricultural or forestry activities. This is not the case here.

It is stated that the site is clearly and visibly detached from the West Pelton settlement boundary and in the absence of any agricultural or forestry justification, does not fulfil the requirements of Policies NE2 and AG9. It is also stated that Policy HP8 of the Chester le Street Local Plan clearly states that there will be no outward expansion or change in settlement boundaries in a range of villages including West Pelton.

Durham Bat Group have stated that there are 'Common Pipistrelles' and possibly other species' present at The Jinglyng Gate area but it is not known whether bats make use of the building which is to be demolished. Durham Bat Group have stated that in order to minimise the possibility of an offence taking place regarding these protected species the Local Planning Authority should be provided with a recent and relevant bat survey before making a decision regarding this application.

The views of Durham County Council, as Highway Authority, were awaited at the time of drafting this report.

The views of this Council's Environmental Health Officers were awaited at the time of drafting this report.

Supplementary Information provided by the Agent on behalf of the Applicant

The agent acknowledges that the application site is outside the settlement boundary of West Pelton, however, they make the following comments in support of this planning application :

- That the site is 'within a short walking distance' of the West Pelton, which contains a school, post offices, public house, local shops, a take away and a bus stop which provides direct access into Chester le Street and Durham.
- It has been stated that the building has been vacant for the last 3 years and that this has been the subject of numerous attacks of vandalism over the last 3-4 years.
- The demolition and redevelopment of this Brownfield site would improve the visual appearance of the area.
- That the application site does not benefit from passing trade and the surrounding area is well served by existing public houses and social clubs in the West Pelton, Beamish and Grange Villa areas.
- That the redevelopment of the site for executive housing would help improve the mix of housing type within West Pelton.

A 33 name petition has been submitted by the agent in support of this planning application together with three individual letters of support including one from the Head Teacher at West Pelton Primary School. These letters have been submitted in favour of the redevelopment of the site for family homes. These respondents were in support of this scheme on the grounds that this proposal would help support the local school, would represent a reduction in traffic compared to the previous usage at this site. It was also mentioned that the redevelopment of this Brownfield site would improve the visual appearance of the area.

Relevant Planning Policies and Considerations

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that 'The determination of any planning applications must be in accordance with the development plan, unless material considerations indicate otherwise'.

The starting points for consideration of this application are therefore the County Durham Structure Plan and the recently adopted Chester-le-Street Local Plan. The provisions of Planning Policy Statement 3 (PPS3 - Housing) are also a 'material considerations', which are of relevance in relation to this application.

County Durham Structure Plan

Policy 2 requires that the locations for new development should minimise the potential for day-to-day travel needs and provide convenient opportunities for access to a choice of transport modes including public transport.

Policy 3 seeks to ensure that priority should be given to the provision of development, in general, on sites within or well related to the County's main towns, of which Chester-le-Street is one. Policy 9 further qualifies this in relation to housing by indicating that whilst the principle locations should be within/well related to the main towns, elsewhere, housing development should be consistent with the scale and function of those other settlements served by public transport and which have a reasonable access to a range of services.

Policy 4 requires that new development should:

- Wherever possible be located within the existing physical framework of towns and villages;
- Avoid being located in the open countryside where development does not need to be located there;
- Finally development that does need to be exceptionally located in the countryside should respect the character and appearance of the countryside and maintain the visual and physical separation between towns and villages and avoid ribbon development.

The site is located outside the settlement limits for West Pelton, as defined by the Chester le Street Local Plan. The settlement boundary of the village follows the built up area formed by the terraced housing immediately to the north of Twizell Lane up to but excluding Edenhill Farm. Notwithstanding the views of the agent it is clear that the site is clearly and visibly detached from the existing built form of West Pelton - the application site is, in fact, approximately 180 metres outside the settlement boundary at the gable of No.1 Twizell Lane.

The existing services within the village including the corner shop, Post Office, take away and bus stops are centred around the cross roads of Twizell Lane and the main road running in a north - south direction through the village. As such, these facilities are approximately 680 metres from the eastern corner of the application site.

As such, it is considered this proposal is clearly contrary to the above Policies.

Chester-le-Street Local Plan

Policy HP6 (Residential Development within Settlement Boundaries) states that proposals for residential development on sites not allocated for such in the Local Plan will only be permitted within the defined settlement boundaries of settlements as shown on the Proposals Map. As the site is outwith the settlement boundary for West Pelton, the fact that the site would be a "Brownfield" site is, in the context of Policy HP6, irrelevant.

Policy HP8 (Limited Infill Development within Settlement Boundaries) states that there will be no outward extension, or change in settlement boundaries, to (amongst others) the boundary of West Pelton. Once again, the site is outwith the settlement boundary for West Pelton and the classification of the site as a "Brownfield" site is therefore considered to be irrelevant.

Policy NE2 (Development Beyond Settlement Boundaries) states that development will be strictly controlled outside the defined settlement boundaries. Permission for new dwellings will only be permitted where there is a need to support an existing agricultural or forestry activity in the circumstances as set out by Policy AG9 (New Dwellings for Agricultural and Forestry Workers). The application has not been justified on this basis therefore the proposal is considered to be contrary to these Policies.

Policy NE13 (Protected Species and their Habitats) states that the District Council will not permit development, which would adversely affect protected species (including bats) or their habitats, unless it can be shown that the reasons for the proposed development outweigh any adverse affect on the species or their habitat. Where it is suspected that development proposals may affect protected species it is necessary for the applicant to carry out an appropriate survey in order to establish whether protected species are affected by the development proposals and to ensure that suitable protection and mitigation measures are incorporated. To date no assessment has been provided with regard to this matter. PPS9 (Biodiversity and Geological Conservation) states that the aim of planning decisions should be to prevent harm to biodiversity. This is a material consideration in the determination of this application local planning authorities need to be satisfied that the full implications of development on protected species is fully considered prior to the determination of a planning application.

Policy RL15 (Community Facilities) states that outside the defined settlement boundary of Chester le Street, proposals for the change of use of buildings which house a community facility (including schools, village stores and post offices, public houses, doctors surgeries, places of worship and village halls) will only be permitted where it can be demonstrated that:

- The facility is no longer viable;
- There is no demand for the facility within the locality; and
- Equivalent alternative facilities are provided nearby.

The applicant has provided a significant amount of supporting information to illustrate that the existing premises would require significant investment to modernise and bring up to today's standards, that the property has been extensively marketed and that a range of

existing public houses, restaurants and social clubs exist in the West Pelton, Beamish and Grange Villa areas. It should be noted that The Highwayman Public House and Roseberry Grange Golf Course, which is open to non members, are located in West Pelton. The issue of marketing and potential alternative uses is discussed below.

Other Material Considerations

Planning Policy Statements (PPS) set out the Government's national policies on different aspects of land use, those statements relevant to this application are set out below.

Planning Policy Statement 3 (Housing)

Para. 36 states that 'in support of its objective of creating mixed and sustainable communities, the Government's Policy is to ensure that housing is developed in suitable locations which offer a range of community facilities and with good access to jobs, key services and infrastructure'.

Para. 38 states that new housing developments should be sited in locations with good public transport accessibility and / or by means other than the private car. The accessibility of proposed development to existing local community facilities, infrastructure and services, including public transport' is, therefore, a key consideration.

Planning Policy Statement 1 (Delivering Sustainable Development)

Para. 3 states that 'Sustainable development is the core principle underpinning planning'.

Para. 8 specifies that 'This Plan led system, and the certainty and predictability it aims to provide, is central to planning and plays the key role in integrating sustainable development objectives'.

Para 27 outlines the Government's general approach to delivering sustainable development. A key component of this approach is to 'reduce the need to travel Planning should actively manage patterns of urban growth to make the fullest use of public transport and focus development in existing centres and near to major public transport interchanges'.

Key Issues

The location of the site in relation to the Settlement Boundary

The application site is located in the open countryside and is approximately 180 m to the south west of the defined settlement boundary. The site is, therefore, poorly related to the physical framework and development pattern of the existing village. With the exception of the existing Primary School this is the only form of built development south of Twizell Lane. In fact, were this to be allowed this would represent further ribbon development along and south of Twizell Lane.

Whilst it is not uncommon for some types of development including petrol filling stations or country pubs to be located in open countryside outwith existing settlements, it would be more uncommon to see modern detached dwellings located in an isolation location

surrounded by agricultural land, as would be the case here. This factor has been acknowledged at an earlier appeal, which was dismissed for 10no. dwellings on a petrol filling station at Beamish. Here the Planning Inspector stated that "unlike an isolated garage, residential development would look incongruous in this rural setting".

Sustainability / Accessibility

Notwithstanding the views of the agent, the site is located some distance from the existing facilities within the village including the shop, take away and bus stops which are approximately 650 metres from the eastern boundary of the application site. Highway Authority guidance advises that a maximum of 400 m is regarded as being a reasonable walking distance from new development to bus stops and other public transport termini, in order to encourage the use of public transport other than the private car. Accordingly, the view is taken that the proposal will increase the reliance on the private car, and in doing so provide for an unsustainable form of development.

Undesirable Precedent / Prejudice the Development Plan

The proposed use would, if allowed, set an undesirable precedent for further residential development of Brownfield sites located in the open countryside and outwith defined settlement boundaries. Similar arguments could be put forward to redevelop Eden Hill Farm to the north of the site and The Jingling Gate Poultry Farm to the west. This proposal would give rise to further ribbon development along Twizell Lane and lead to other applications elsewhere within the District.

It is also considered that approval would prejudice the integrity of the Development Plan system, by encouraging speculative development on sites, which are poorly located in terms of sustainable development and have not been considered via either the Development Plan or Local Development Framework.

Alternative Uses of the site rather than Housing

Officers are of the opinion that other forms of development do potential exist for this site. Notwithstanding the evidence submitted in support of the application, potential does exist to refurbish the existing premises and return this to its established use - many public houses and restaurants are located in rural areas and attract patrons from a wide catchment area by, for example, serving good quality food and providing high quality of customer service.

Potential may also exist to convert the existing premises to an alternative uses including small scale employment uses (Use Class B1, B2), an agricultural use or a potential recreation use / holiday accommodation. These uses could help promote a more diverse economy than the proposed residential development of the site, and in doing so accord with the aims of relevant Local Plan Policies.

Visual appearance

It is acknowledged that the application site is currently in a very poor state of repair, however, officers are of the opinion that this does justify inappropriate development in the open countryside.

Conclusion

In conclusion therefore, the proposed re-development of this site for residential purposes is considered to be contrary to a number of Structure Plan and Local Plan Policies for the reasons outlined above. Notwithstanding the "Brownfield" status of the site and the potential benefits in terms of improving the visual appearance of the site, these are not considered to be so significant so as to outweigh the range and breadth of development plan policy advising against the proposal.

If the development were to go ahead, there it is considered this would seriously undermine the strength of Local Plan Policies aimed at resisting inappropriate development in the open countryside. It is felt that the development would fail to consolidate the existing settlement pattern of this village being an isolated site in the open countryside and would potentially set a precedent for further encroachment into the open countryside both in the immediate area such as at Eden Hill Farm or at the Jingling Gate Poultry Farm and elsewhere within the District. It should be noted that other similar applications to develop brown field sites outwith settlement boundaries including the Atkinson Garage site at Beamish have previously been refused planning approval and were subsequently dismissed at appeal.

RECOMMENDATION

Refuse FOR THE FOLLOWING REASONS:-

Extra 1.

The proposal constitutes residential development within the open countryside, without any appropriate justification and accordingly would be contrary to the aims of Policies 3, 4 and 9 of the Durham County Structure Plan and Policies NE2 and HP8 of the Chester le Street Local Plan.

Extra 2.

The proposal would be likely to generate increased reliance on private car trips and, as such, would constitute an unsustainable form of development, Contrary to the advice in PPS1, PPS3 and Policies NE1 and HP8 of the Chester le Street Local Plan.

Extra 3.

The applicant has failed to demonstrate that the proposal will not have an adverse impact on protected wildlife species and accordingly this is considered contrary to the aims of PPS9 and Policy NE13 of the Chester le Street Local Plan.

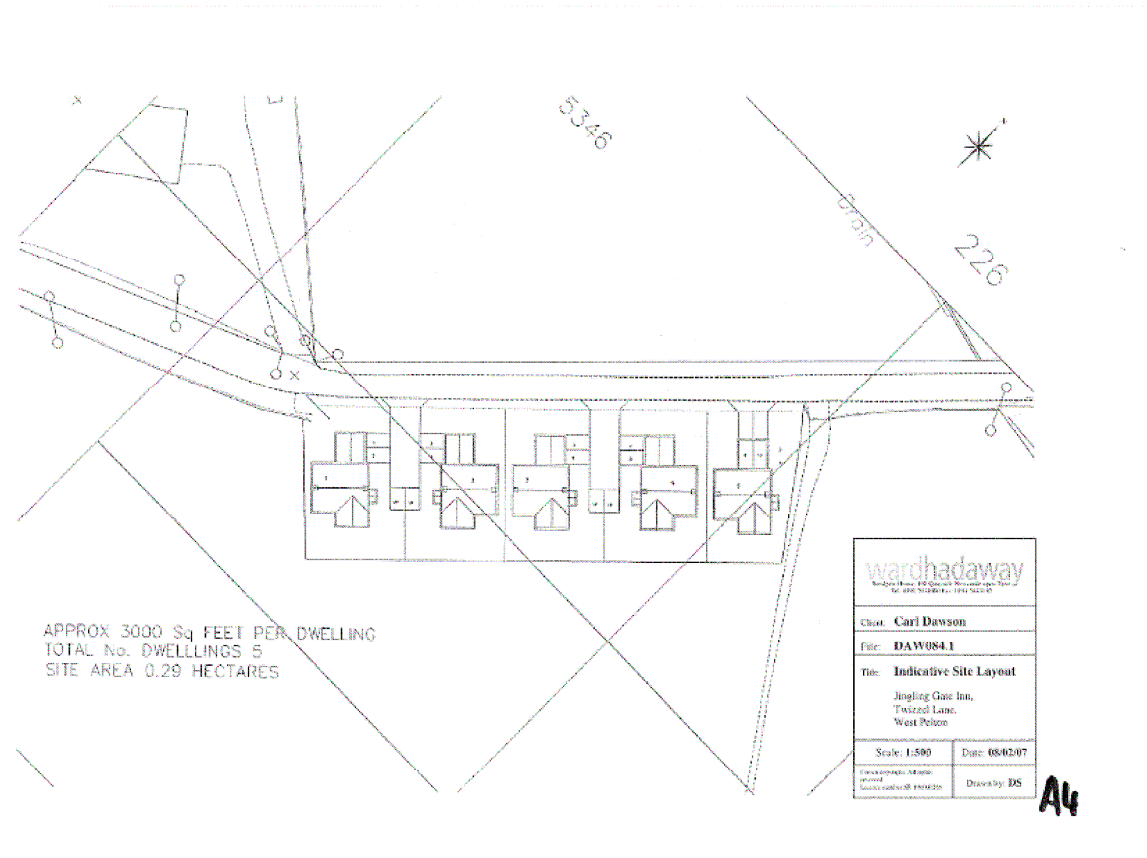
Application Summary

Case Officer: David Walker

Contact Details: 0191 387 2146

davidwalker@chester-le-street.gov.uk

Summary of Reason for Recommendation: This proposal would constitute residential development in the open countryside without any appropriate justification. This would represent an unacceptable, unsustainable form of development which would result in an over reliance upon the use of the private car. The applicant has failed to demonstrate that the proposal will not have an adverse impact upon protected species.



APPROX 3000 Sq FEET PER DWELLING
TOTAL No. DWELLINGS 5
SITE AREA 0.29 HECTARES

wardhadaway Architectural & Planning Services Ltd 12, 4th Floor, 100, The Quadrant, Leeds LS1 9BQ	
Client: Carl Dawson	
File: DAW084.1	
Title: Indicative Site Layout	
Jingling Gate Inn, Twizzel Lane, West Pelton	
Scale: 1:500	Date: 08/02/07
Drawn by: AD (1000) Checked: DS (1000)	Drawn by: DS

A4

ITEM 2 District Matters Recommended Approval

4.

Reference: 06/00582/FUL

Proposal Nursery to provide full day care facility.

Location St Benets R.C. Primary School Ouston Lane Ouston Chester-le-Street
Durham DH2 1QX

Applicant Mrs M. Errington

The Proposal

Detailed planning approval is sought to erect a modular building within the grounds of St Benet's R.C. Primary School at Ouston Lane, Ouston. The footprint of the proposed building measures 20.7 m x 12.4m and this is approximately 3.2 m high. The proposed building would be used as a new nursery facility providing a full day care facility for up to 68 children aged from 0 - 5.

It is proposed to site the building along the western boundary of the site adjacent to the estate road serving the southerly most cul-de-sac at Penhill Close. The approximate position of the building is illustrated on the attached location plan.

The building would be located 2m inside the property boundary behind the existing steel palisade fence. The majority of this perimeter is bounded by a Beech hedge, which is located between the boundary fencing and the adjacent footpath. In addition to the building itself it is proposed to layout an additional 4 bay parking area for staff and a 5 bay picking up / dropping off area for clients whose children are attending the proposed nursery.

Consultation Responses

This application has been advertised via both direct neighbour notification and the posting of site notices in this area. As a result, three letters of objection have been received from residents living at Penhill Close regarding this proposal and the potential increase in traffic.

The respondents have raised concern that the existing activities at the school already cause on street congestion at Penhill Close and on the adjacent road serving the Urpeth Grange estate when children are being dropped off and picked up from school. It has been stated that these visitors can park for up to an hour at a time.

Although these concerns have resulted in a no parking sign being erected at the bottom of the cul-de-sac many people ignore this and those that do take notice park elsewhere within the cul-de-sac. It has also been stated that because of this congestion and

inconsiderate parking police have visited Penhill Close to discourage non residents from parking here.

It was feared that this proposal would exacerbate these existing problems further. One respondent stated that if the development were to proceed residents only signs should be installed at Penhill Close and double yellow lines painted on the access road serving Urpeth Grange up to the junction of Penhill Close.

Concern was also raised regarding site traffic during construction of the building.

The Highways Authority has confirmed that the overall parking levels proposed are acceptable and they are in favour of the proposed drop off / pick up spaces being laid out. However, confirmation is requested to ensure that the parking spaces are individually delineated upon a metalled surface. Dedication of the drop off bays should be readily apparent from adjacent signing or surface marking. A requirement to provide secure cycle parking facilities within the grounds to service the proposed development has also been indicated.

The Head of Regeneration has raised no comment regarding this proposal.

The Environmental Health section has raised no comment regarding this proposal.

The Sustainability section have recommended that a gas condensing boiler be utilised with thermostatic radiator valves to give maximum control and efficiency it has also been suggested that high levels of insulation, compatible with Part L of the Building Regulations be utilised.

Supplementary information supplied by the Applicant

The applicant has stated that the proposed nursery would supplement the existing primary school and secondary care on site, which serves 3-5 year olds. The proposed building would provide day care for children aged from birth to five and that this would enhance the services that the school currently provides to the community. The applicants have stated that the existing school is a proactive educational establishment that is preparing itself to meet forthcoming legislative requirements for schools to meet full wrap around day care facilities.

The operation times of the nursery will be between 0730 to 1830 and it has been stated that 15 car parking spaces are available within the site, 5 of which would be reserved for the picking up and dropping off of children. It is also pointed out that the opening hours of the proposed nursery are spread beyond those of the existing schools, thereby, helping to dilute traffic movements in and around the school. Discussions between the applicant and the school have shown that the existing Mother and Toddler group which runs on Tuesday and Thursday mornings already causes congestion in this area. It has been suggested that potential exists outside the primary picking up and dropping times to utilise these spaces, the newly formed spaces to reduce congestion in the area.

Research carried out by the applicant show a high level of interest in this proposal 100 individuals have expressed an interest in sending their children to the nursery and thirty

respondents have expressed an interest in working here. Up to 16 staff would be employed at the nursery.

Relevant Planning Policies and Considerations

The Chester le Street Local Plan does not include any Policies specifically relating to children's nurseries.

However, in assessing this proposal, and taking into account the comments resulting from the consultation procedures, it is considered the following areas of the proposal require particularly careful assessment.

Traffic Implications

Notwithstanding the concerns of local residents regarding congestion, the Highway Authority are of the opinion that this proposal meets the relevant criteria for on-site car parking provision and that the proposed picking up / dropping off point would satisfactorily cater for any increased usage arising from this proposal, subject to conditions being attached to ensure that the additional parking and picking up / dropping point is laid out prior to the opening of the nursery and that this is suitably signed / marked out on site.

Bearing in mind the modular nature of the proposed building disruption during construction works are considered to be minimal.

Siting, Design of Development

The building is located parallel to the western boundary of the site, immediately to the north of the school entrance. As such, only the gable end of the unit, which is to be set back behind the newly formed car parking / dropping off area would be visible from the school entrance and the estate road serving Urpeth Grange.

The flank of the modular building would be visible from the cul-de-sac serving the southern section of Penhill Close, although this would be partially screened by the existing mature hedging along this perimeter.

The building would be seen against the backdrop of the existing school buildings and the housing to the east of the school grounds. Although the existing school buildings are constructed in a buff brickwork and tile roof, the proposed modular building would be constructed in either a granular or plastic coated finish - the colour could, however, be controlled via the imposition of a planning condition so that this is not unduly prominent.

Accessibility

The school is located on the fringes of Ouston and is, accessible via a range of transport modes other than the private car. This is in easy walking distance of Ouston and Perkinsville and is also situated just off Ouston Lane, a primary bus route linking this area with both Pelton, Chester le Street and Newcastle.

Residential Amenity

The proposed building contains three classrooms, toilet facilities an office and staff room. Although some screening is in place between the rear of the proposed building and the school boundary it would be prudent to ensure that those windows in the rear elevation of the proposed building are obscurely glazed, in order to safeguard privacy between the new building and the existing housing at Penhill Close which overlook the site.

Bearing in mind the siting and design of the building and the limited hours of operation from 0730 hours to 1830 hours, the issue of noise disturbance is not considered to be unduly significant, particularly bearing in mind the existing use of the site as a school. It should be noted that no objections have been received from Environmental Health Officers.

Conclusion

In conclusion, this proposal would, if implemented, provide additional community facilities to compliment the existing school activities on site. Notwithstanding the concerns of local residents, the Highway Authority is satisfied that adequate on site car parking is to be provided within the site and that the proposed picking up / dropping off point would help alleviate any additional congestion arising from the proposed use. It is, therefore, recommended that conditional planning approval be granted for the development in question, subject to the new car parking area and dropping off point being laid out prior to the opening of the nursery. It would also be prudent to grant a temporary permission of 4 years so as to ensure that the appearance of the building is satisfactorily safeguarded.

RECOMMENDATION
CONDITIONS:-

Approve SUBJECT TO THE FOLLOWING

01A.

The development must be begun not later than the expiration of three years from the date of this permission, in order to prevent the accumulation of unused planning permissions as required by Section 91 of the Town and Country Planning Act 1990 (as amended).

Extra 1.

Notwithstanding any description of the materials in the application, no development shall be commenced until samples or precise details of the materials to be used in the construction of the external walls and / or roofs of the building(s) have been submitted to, approved in writing by, the Local Planning Authority in order to ensure the satisfactory appearance of the development upon completion, in the interests of visual amenity.

Extra 2.

The hereby approved development shall be carried out in accordance with a scheme of landscaping along the western perimeter of the site between the proposed building and the public footpath is to be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of any development on site, and which scheme may provide for the planting of trees and / or shrubs (including species, sizes, numbers and densities). The works agreed to shall be carried out within the first planting season following installation of the building on site, in the interests of visual amenity.

Extra 3.

The buildings hereby approved shall only be open to visiting members of the public between 0730 hours and 1830 hours so as to minimise potential nuisance or annoyance to the occupiers of the adjacent housing at Penhill Close, in order to ensure that adjoining properties are not adversely affected by the development.

Extra 4.

This approval is for a temporary period of 4 years from the date of this planning approval when the building erected under this permission shall be removed (unless an application to renew or vary the temporary permission is received prior to the expiry of the above temporary permission), and the land is reinstated to the satisfaction of the Local Planning Authority, in the interests of visual amenity as it is considered that the temporary building is unacceptable on a permanent basis.

Extra 5.

No development shall be commenced until a plan showing the provision of 4 parking spaces on the site and 5 drop off spaces to a scale of 1:100 has been submitted to and approved in writing by this Local Planning Authority. Subject to such approval, the parking spaces and drop off bays shall be laid out on a metalled surface to the satisfaction of this Local Planning Authority before the building is utilised by visiting members of the public and retained to the like satisfaction, to ensure adequate provision of off-street parking and dropping off facilities are available to prevent highway congestion. This scheme shall also include details of the signage and / or surface marking proposed to mark out the dropping off bays, so that this proposal accords with Policy T15 of the Chester le Street Local Plan.

Extra 6.

No development shall be commenced until a plan showing the location and method of provision of secure on site cycle parking has been submitted to and approved in writing by this Local Planning Authority. Subject to such approval, the cycle parking shall be laid out to the satisfaction of this Local Planning Authority before the building is utilised by visiting members of the public and retained to the like satisfaction, to ensure adequate provision is made for other modes of transport other than the private car, so that this proposal accords with Policy T12 of the Chester le Street Local Plan.

Application Summary

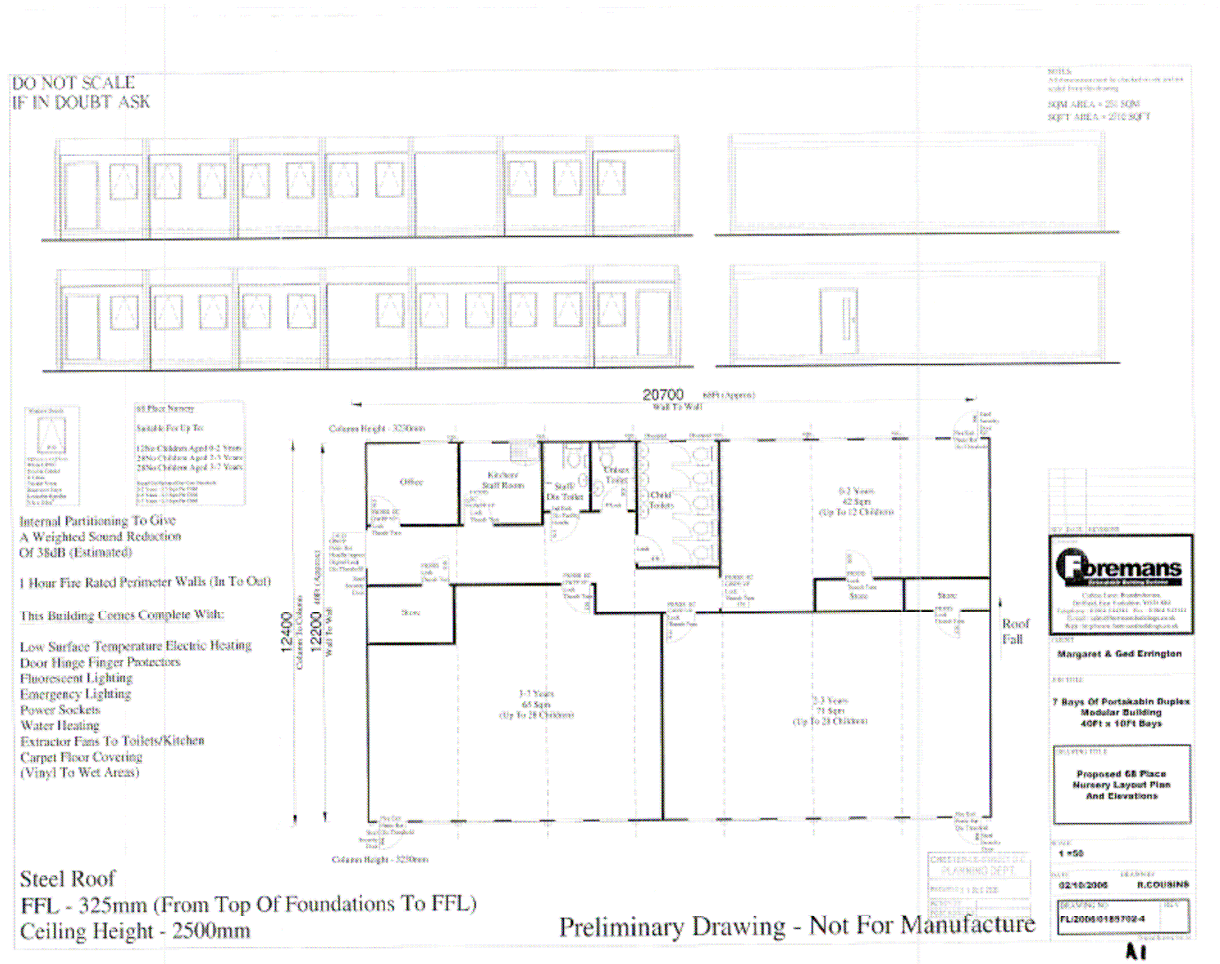
Case Officer: David Walker

Contact Details: 0191 387 2146

david.walker@chester-le-street.gov.uk

Summary of Reason for Recommendation:

This proposal would provide additional community facilities to compliment the existing educational facilities at the school site. It is not considered the development would generate any harmful affects sufficient to warrant refusal.



5.

Reference: 07/00015/FUL

Proposal Proposed residential development of 7 no town houses and associated vehicular access.

Location Ship Inn Front Street Perkinsville Chester-le-Street Durham DH2 1QW

Applicant Ms Susan McAlear

The Proposal

Detailed planning permission is sought for the redevelopment of the former Ship Inn site for residential purposes. The proposed development involves the construction of 7 terraced dwellings, two and half storeys in height. The 7 residential units would be created in two blocks (one of 4 dwelling and one of three) arranged side by side. The property frontages would face directly onto Pelton Lane with vehicular access and in curtilage parking also being provided at the front.

Consultation Responses

The application was advertised by way of direct neighbour notification letters and the displaying of a site notice. At the time of writing this report, no letters of objection had been received.

The views of the Regeneration Manger are awaited at the time of writing this report.

The views of Durham Constabulary are awaited at the time of writing this report.

The Highway Authority has commented as follows: -

Parking provision is adequate and while Lyne Close vehicular access would be desirable, level differences do not make this a practical option. A substandard driveway length, serving the dwelling at the most southern part of the site, may be dealt with by condition. I have no objections to the application, subject to the following conditions: -

- No permanent physical obstruction to visibility, greater than 1.0 metres in height shall be permitted within the front gardens/ driveway areas of the dwellings hereby approved.
- The garage door at the most southern of the dwellings hereby approved, shall be of a roller shutter door or other non-projecting type.
- Prior to the occupation of the dwellings hereby approved, the existing northern vehicular entrance to the site shall be reinstated to footway, as per details shown for the existing southern vehicular entrance.

Relevant Planning Policies and Considerations

The proposal raises a number of issues for consideration having regard to the relevant Policies contained within the County Durham Structure Plan and the Chester-le-Street Local Plan.

County Durham Structure Plan

Policy 2 of the Structure Plan seeks to ensure new development is directed to locations, which minimise the need for day to day travel needs and provides access by a choice of transport modes, including public transport. In assessing the proposal against this Policy, it is considered that the development is acceptable, as the proposed site is well related to the existing settlement of Perkinsville and is located in close proximity to sustainable public transport links.

Chester-le-Street Local Plan

Policy HP8 of the Local Plan provides advice on the subject of small-scale residential development within the defined settlement boundaries as set out on the Proposals map, including Perkinsville. This Policy advises that proposals will be acceptable where, amongst other things the site is: -

- Classed as previously developed land;
- The site is accessible by public transport, walking and cycling
- The site is readily accessible to employment, educational, retail, community and other facilities by modes of transport other than the car
- The proposal is appropriate in scale, character and location and fulfils Policies HP9, HP10, Appendix 1 and other relevant policies of the Local Plan.

As the site comprises previously developed land, it is considered that, in principle residential development of the site is compliant with the aims of Policy HP8. The site is located along the main road through the settlement of Perkinsville. As such, there are a number of bus stops along this route providing easy access to public transport. In addition to access to sustainable transport, there are a range of local facilities within walking distance including a convenience store, public house, hairdresser's, cafe and school.

Policy HP9 of the Chester-le-Street Local Plan requires residential development to satisfy a number of detailed criteria. Of particular relevance to this proposal are the requirements that: -

- The proposal relates well to the surrounding area, respecting the predominant character and street pattern;
- Provides an attractive residential environment;
- Provides adequate privacy to both prospective and existing adjacent residents;
- Provides adequate car parking facilities;
- Provides convenient and safe access
- Pays regard to indicative residential standards; and
- Achieves a minimum density of 30 dwellings per hectare.

It is considered that the design and scale of the proposed dwellings would be in keeping with the character of the surrounding area. Whilst it would have been preferable for vehicular access and parking facilities to be provided at the rear of the site, which would have facilitated the creation of a softer, landscaped area to the front, this is not feasible, due to the ground level constraints of the site. Notwithstanding this, it is considered that high quality landscaping to the front would break up the otherwise hard appearance of the driveways.

There are a number of design improvements, which are considered desirable relating to amendments to the garage door design, landscaping and means of enclosure. However it is considered that these issues can be addressed through appropriate conditions.

Notwithstanding the points raised by the Highway Authority, it is considered that the installation of a roller shutter door to one dwelling within the development would detract from the appearance of the development. Whilst the dwelling at the southern end of the site does have a slightly substandard driveway length it is not considered that this would significantly compromise highway safety. Accordingly, in the interests of the appearance of the development upon completion, it is intended to seek, through condition, a more traditional garage door design.

With regard to privacy and amenity issues, the separation between the front of the new dwellings and the existing terraces opposite to the site would be below 21 metres, which is the usual minimum separation required between habitable rooms of existing dwellings and habitable rooms contained within new development. In this particular instance separation varies between 18.4 metres and 20 metres. However, the proposal is considered acceptable, despite the shortfall in separation, as the new dwellings would in fact provide an additional 6.3 metres separation than currently exists between the pub premises and the adjacent terraced properties, which is just 13 metres. It should be noted that the existing pub does have residential accommodation at first floor level.

The southern boundary of the site is bound by No 17 Wansbeck Close, which contains a number of 1st floor habitable room windows facing onto the site. In terms of separation requirements, a minimum distance of 12.5 metres is required between a blank gable elevation (as proposed) and any habitable room windows facing onto that gable. In this instance the separation between No 17 Wansbeck Close and the most southern dwelling on the site would be below this standard. However, the proposed dwellings and the existing property are offset from one another, the result of which is that the occupiers of No 17 would look out over the garden areas of the new dwellings and not directly onto the gable elevation of the end dwelling. Bearing this in mind, the lesser degree of separation provided is considered acceptable.

On the basis of the above, it is not considered that there would be any unreasonable loss of privacy or amenity for existing dwellings, which bound the site, nor the future occupiers of the proposed dwellings. Furthermore, it is considered that the design, subject to a number of improvements to be secured by conditions of approval, and scale of the proposed dwellings would be in keeping with the character of the surrounding area.

Also of relevance to the assessment of this application is Policy RL15, which seeks to retain community facilities, such as Public houses. This Policy stipulates that proposals which would result in the loss of such facilities will only be permitted where the applicant

can demonstrate that the facility is either no longer financially viable or there is no demand for the facility within the area or that equivalent alternative facilities can be provided nearby.

With regards to this particular issue the agent has pointed out that: -

- The pub has been closed down by the Police and any renewal of a licence is highly unlikely in the future
- There are two licensed public houses/clubs within a quarter of a mile of the Ship Inn, which will adequately serve the local community.
- The commercial viability of the business as proven by its recent accounts shows that it has no future.

No financial records/accounts to support the claims that the business is no longer viable have been submitted. However, it is accepted that alternative public houses are available nearby which could cater for any demand within the local area. As previously stated, the views of Durham Constabulary are waited at the time of writing this report, although verbal support to the application has been received.

Whist the applicant has failed to provide evidence that the pub is no longer viable, it is clear that alternative public houses are available within close proximity and, on this basis, it is considered that the proposal would comply with the provisions of Policy RL15.

In summary and having regard to the above, the proposed development is considered to comply with the requirements of the relevant Structure Plan and Local Plan Policies and is accordingly deemed to represent an acceptable form of development.

Conclusion

In conclusion therefore, it is considered that the proposal is compliant with Policies HP6, HP9 and RL15 of the Chester-le-Street Local Plan, as outlined above, and it is therefore recommended that conditional planning permission be granted.

RECOMMENDATION

Approve SUBJECT TO THE FOLLOWING

CONDITIONS:-

01A.

The development must be begun not later than the expiration of three years from the date of this permission, in order to prevent the accumulation of unused planning permissions as required by Section 91 of the Town and Country Planning Act 1990 (as amended).

02A

Notwithstanding any description of the materials in the application, no development shall be commenced until samples or precise details of the materials to be used in the construction of the external walls and / or roofs of the building(s) have been submitted to, and approved in writing by, the Local Planning Authority in order to ensure the satisfactory appearance of the development upon completion, in the interests of visual amenity and in accordance with the provisions of Policy HP9 of the Chester-le-Street District Local Plan.

63.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and / or re-enacting that Order with or without modification), no walls, fences, palisades or other means of enclosure shall be erected forward of the main front (or side in the case of corner sites) walls of dwellings, in order to ensure the satisfactory appearance of the development upon completion in the interests of visual amenity and the preservation of the open-plan character and appearance of the development.

Extra 1.

Notwithstanding the details shown on the hereby approved plans and elevations, the development shall be carried out in accordance with a scheme of landscaping to be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of any development on site, and which scheme may provide for the planting of trees and / or shrubs (including species, sizes, numbers and densities), the provision of screen fences or walls, the movement of earth, the formation of banks or slopes, the seeding of land with grass, or other works for improving the appearance of the development. The works agreed to shall be carried out within the first planting season following completion of development of the site (or of that phase of development in the case of phased development) in the interests of visual amenity, the satisfactory appearance of the development upon completion and in accordance with the provisions of Policy HP9 of the Chester-le-Street District Local Plan.

Extra 2.

Unless otherwise agreed in writing, the approved planting scheme, to agreed in writing with the Local Planning Authority, shall be implemented within the first planting season following completion of the development (or of that phase of the development in the case of phased developments) and any trees, shrubs or planting which becomes dead, dying, diseased or is removed, shall be replanted to the satisfaction of the Local Planning Authority, within the first 5 years of the planting being planted, in the interests of the satisfactory appearance of the development upon completion and to ensure a successful and robust landscaping scheme, in accordance with the provisions of Policy HP9 of the Chester-le-Street District Local Plan.

Extra 3.

Notwithstanding the details shown on the hereby approved plans and elevations, full details of all means of enclosure of the site (including any internal means of enclosure to sub-divide individual plots) shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of any development on site, in order to ensure the satisfactory appearance of the development upon completion, in the interests of visual and residential amenity and in accordance with the provisions of Policy HP9 of the Chester-le-Street District Local Plan.

Extra 4.

Notwithstanding the details shown on the hereby approved plans and elevations, full details of the proposed design of the garage doors shall be submitted to and approved, in writing, by the Local Planning Authority, prior to the commencement of any works on site. The garage doors shall thereafter be installed in accordance with the details approved, in order to ensure the satisfactory appearance of the development upon completion, in the

interests of visual amenity and in accordance with the provisions of Policy HP9 of the Chester-le-Street District Local Plan.

Extra 5.

Prior to the occupation of the dwellings hereby approved the existing northern vehicular entrance to the site shall be reinstated to footway, as per details shown for the existing southern vehicular entrance. In the interests of highway safety and pedestrian amenity, in accordance with Policy HP9 of the Chester-le-Street Local Plan.

Extra 6.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) any development permitted under Schedule 2, Part 1, Class F of the Town and Country Planning (General Permitted Development) Order 1995 shall require the benefit of planning permission in order to ensure the satisfactory appearance of the development upon completion and in the interests of visual and residential amenity.

Application Summary

Case Officer: Sarah Bough

Contact Details: 0191 387 2145

sarahbough@chester-le-street.gov.uk

Summary of Reason for Recommendation: The application is considered to comply with the aims of relevant development plan policies relating to the location of new housing. The development will not harm the amenities of nearby residents.



6.

Reference: 07/00029/COU

Proposal Proposed change of use of premises to hot food takeaway.

Location 16A Front Street Pelton Chester-le-Street Durham DH2 1DD

Applicant Recep Kilckap

The Proposal

Planning approval is sought for the Change of Use of 16a Front, Pelton from a mixed use of retail and hot food sales (Use A1/A5) to a Hot food takeaway (Use Class A5). Planning permission was granted in 2002 authorising the mixed use of the premises.

The property in question is an end-terraced building at Front Street, Pelton. This area forms the traditional shopping area for the village and, as such, a number of commercial properties including a green grocers, hair dressing salon, pharmacy and licensed premises are located in close proximity. A number of other community facilities including, Pelton Community Centre and a doctor's surgery are also nearby.

The two-storey building consists of a shop at ground floor with the first floor being in residential use. The ground floor consists of a front shop with pedestrian access direct from Front Street. Two storerooms are situated immediately to the rear of the shop and a ground floor extension has been added to form a large preparation area at the rear of the premises.

Site History

Planning permission was granted in 2002 for the mixed use of the premises. The property was, until falling vacant, primarily operating as a shop (A1) but also had permission for a proportion of A5 (Hot food takeaway).

Consultation Responses

The planning application has been advertised via both the posting of a Site Notice and by direct neighbour notification. In response to this exercise, a petition signed by 24 people has been received. The petitioners have raised concerns that

- There are already two pizza shops, one Indian takeaway, one Chinese takeaway and the Pork shop in the village. Should another pizza shop be opened some or all of these businesses would struggle to continue trading as there is insufficient trade in the area to support all of these.
- Should another takeaway venture open in this locality, this would lead to disturbances and anti-social behaviour late at night, as all current businesses make sure that they will not accept custom from anybody who is drunk and disorderly or otherwise causing nuisance to local residential occupants.

Further to the submission of the petition, the chief petitioner has also submitted a newspaper article, published in the Chester-le-Street Advertiser, which highlights the problems of anti social behaviour which have recently been experienced in the Pelton Front Street area, involving a large gang of youths, breaking windows, assaults and the smashing of a bus window.

The Councils Planning Policy Team, has confirmed that the proportion of non-retail uses would not exceed 60%. Accordingly the proposal is considered to accord with the aims of Policy R15.

The Highway Authority has no objection to the proposed change of use.

The views of Durham Constabulary are awaited at the time of writing this report, although verbal indications are that they have no objection to the proposal.

Relevant Planning Policies and Considerations

Local Plan Policies

Bearing in mind both the location and nature of the application Policies R15 and R19 of the Chester-le-Street Local Plan are considered relevant to the assessment of this application.

The application site is located within the Local Centre of Pelton. Policy R15 stipulates that, amongst other things, new development and limited extensions for non-retail uses and other community and employment uses will be permitted provided that the proportion of non-retail uses, either individually or cumulatively, would not exceed 60% of the respective street-level frontage and that the proposal would not adversely affect the amenity of nearby dwellings.

As previously stated, it has been established that the proposal would not result in more than 60% of the street level frontage being in non retail use and, in this respect, the proposal meets the requirement set out in Policy R15.

The application property is bound by residential uses and, given the nature of the proposal it is likely that some level of disturbance, associated with the operation of a hot food takeaway may occur. Notwithstanding this, it is considered that, given the premises location within a Local retailing centre, that the occupiers of these properties must accept that there will inevitably be some levels of disturbance associated with the commercial nature of the area. However, it is considered that the impacts of the proposal may be sufficiently mitigated to ensure that disturbance to nearby residents is not at an unreasonable level and accordingly the proposal is considered to accord with the provisions of Policy R15.

In arriving at this conclusion, it is noted that there are a several other Hot Food Takeaways/Public Houses in this area of Pelton and accordingly the view is taken that an additional facility would not be likely to demonstrably change the character of the area. It should also be noted that extra condition 1 would restrict the opening times to those observed by other Hot Food Takeaways in the area.

Policy R19 of the Chester-le-Street Local relates specifically to the provision of Food and drink uses within the district. This Policy stipulates that such uses will be considered appropriate, in principle, within Local retailing Centres, such as Pelton providing that proposals comply with the requirements of Policy R15.

The concerns of those petitioners regarding the loss of trade to other existing businesses are acknowledged. However, it is not the role of the planning system to restrict competition or preserve existing commercial interests.

Conclusion

In conclusion therefore, it is considered that the proposal is compliant with Policy R15 and R19 of the Chester-le-Street Local Plan, as outlined above, and it is therefore recommended that conditional planning permission be granted.

RECOMMENDATION CONDITIONS:-

Approve SUBJECT TO THE FOLLOWING

01A

The development must be begun not later than the expiration of three years from the date of this permission, in order to prevent the accumulation of unused planning permissions as required by Section 91 of the Town and Country Planning Act 1990 (as amended).

Extra 7.

The hot food takeaway hereby permitted shall not remain open for business after 23.30 hours Sunday to Thursday, nor after 00.00 hours on Friday to Saturday, in order to ensure that adjoining and nearby properties are not adversely affected by this development and to accord with Policy R19 of the Chester-le-Street Local Plan.

Extra 8.

No development shall take place until a scheme to control the emission of cooking odours from the use hereby permitted has been submitted to and approved in writing by the Local Planning Authority. The approved ventilation and extraction system shall be installed before the use hereby permitted commences, and shall thereafter be operated and maintained in accordance with the manufacturer's instructions. In accordance with the requirements of Policy R19 of the Chester-le-Street Local Plan

Application Summary

Case Officer: Sarah Bough

Contact Details: 0191 387 2145

sarahbough@chester-le-street.gov.uk

Summary of Reason for Recommendation: The application is considered to accord with the aims of relevant development plan policies. It is not considered the development would generate any harmful affects sufficient to warrant refusal.

7.

Reference: 07/00022/COU

- Proposal** Proposed change of use from dwelling to dental surgery.
- Location** Roseberry School House Pelton Lane Pelton Chester le Street County Durham DH2 1NP
- Applicant** Mr Steven Frampton

The Proposal

Detailed planning permission is sought for the Change of Use of Roseberry School House, which is currently in residential use, to a dental surgery. The proposal would include substantial internal alterations to the property in order to create the required facilities, including three treatment rooms, a waiting area, toilet facilities and an office and staff room. Externally it is proposed that three air conditioning units and illuminated signage be installed, however both of these proposals are being dealt with through separate applications. In all other aspects, the exterior of the building would remain unchanged.

Consultation Responses

The application was advertised via the posting of a Site Notice and also direct neighbour notifications. As a result of this exercise 3 letters of objection have been received.

The objections, which have been raised, are summarised below: -

- The School House is in a very busy corner and a bus stop outside of two schools and would be an increased risk to pupils entering and leaving the school;
- Vehicles belonging to teachers and pupils are parked daily from both schools on this corner and in Industrial Street and Edward Street, although there is a school car park, which they will not use. Further vehicles using a dental surgery would create an additional risk to pupils and public. Pedestrians coming along the pavement outside Roseberry Primary School are forced onto the road to pass anyone waiting at the Bus Stop;
- Delivery vehicles to the primary school have difficulty in negotiating the entrance into the school gates which is right next to what we have been told is to be the disabled entrance into the proposed new dental surgery;
- Council refuse vehicles also have problems turning into the back of Edward Terrace and Industrial Street due to parked vehicles;
- The safety of children is at all times a priority, in the last few years we have had a number of incidents of children being knocked down and serious consideration should be given to avoid further hazards.;
- The proposal would lead to an increase in traffic in the village;
- Availability of residents parking in Industrial Street and neighbouring streets will be seriously affected by the influx of patients visiting the dentists;

- The proposal would lead to a loss of privacy. Industrial Street, in which Roseberry School House is sited, is made up of terraced houses with the main living areas looking directly onto the street. The extra influx of dentistry patients will seriously compromise resident's privacy.

One letter of support for the application has been received from the County Durham Primary Care Trust. They have commented that ' there is a significant lack of access to dental care in the Chester-le-Street area. There are high levels of dental disease in the Pelton area and also significant levels of deprivation which mean that people on limited income have great difficulty in travelling to other areas of County Durham where there is accessibility to NHS dental services.'

The views of the Highway Authority have been received and are summarised below: -

The dwelling is well placed in relation to Newfield/Pelton for future use as a dentist's surgery and many residencies are within walking distance with relatively good bus links in the immediate vicinity. The surgery will inevitably attract car borne visitors however, the adjacent C5 road is wide, parking takes place there currently, and the Roseberry Sports college car park is used, in practice, by locals without apparent hindrance. While a small car park for staff/visitors would certainly be preferable, given the cited positive aspects of the application these would in my view outweigh any attempt to sustain an objection based on deficiency in off-street parking. Accordingly no objection is raised.

In support of the application the applicant says that

- The premises is sited on a main service road. Being situated in close proximity to the Pelton Lane bus stop, which is immediately outside, bus services operate frequently throughout the day , with various bus stops also situated along the road providing services to Chester-le-Street and the local villages.
- There is unrestricted on street parking available in the immediate vicinity. Pelton Lane benefits from a substantial car park situated south of the application premises.
- There is currently a lack of existing dental provision and the proposal would augment dental provision within Co Durham and the Pelton area in particular.

Relevant Planning Policies and Considerations

There is no specific Policy within the Chester-le-Street Local Plan, which is of direct relevance to this case. However Planning Policy Statement 1 (PPS1) advises that a key theme of Central Government advice is to promote a more sustainable pattern of development. This can be achieved by promoting mixed-use communities (which includes a range of key local amenities, including dentists) and also by locating community facilities close to public transport links.

Policy NE1 of the Chester-le-Street Local Plan reflects the general thrust of PPS1, stating that the Council will seek to implement sustainable development by reducing the reliance on the use of the private motorcar. This sentiment is also reflected in Policy T15, which stipulates that new development will be required to provide adequate links and access to public transport.

Having regard to the above and considering all material considerations, including comments received as part of the consultation exercise, it is considered the following issues require careful consideration.

Traffic implications

Notwithstanding the concerns raised by objectors, regarding parking and highway safety issues, the Highway Authority are of the opinion that the proposal would be acceptable and, as confirmed above have no objection to the proposed surgery. Pelton Lane, which runs directly to the east of the application site, is a wide road, with no parking restrictions and accordingly on street parking is available for patients to utilise. In addition there is also a large car park to the south of the application site and whilst it is believed that this car park is, strictly speaking, not a public car park, in practice, it would appear that this is used by members of the public.

Accessibility

The application site is located within a substantially residential area, although there are a number of other uses within the immediate area, including two schools, a garage, public house and a cafe. The premises is accessible via a range of transport modes, other than the private car and in fact benefits from a bus stop immediately outside the property boundaries. The facility is also within easy walking distance for residents of Pelton, Pelton Lane Ends and Newfield.

Residential amenity

It is considered that one of the key issues, which may arise from the proposed Change of Use, relates to the potential noise and disturbance, which may be generated. Bearing in mind the nature of the proposed operation, it is not considered that there would be any unreasonable loss of residential amenity to the occupiers of the surrounding residential properties. The use of the premises as a dental surgery is unlikely to generate any significant noise, and whilst there may be an increase in visitor movements, than currently generated by the use as a single dwelling house, this would be during day time hours only (8.30 - 18.00) and spread across the working day.

Whilst concern has been expressed that the proposal would result in a loss of privacy to those properties within Industrial Street, it is not considered that the proposed use would result in any demonstrable additional loss of privacy than currently experienced, sufficient to warrant the refusal of planning permission on this ground.

Conclusion

In conclusion, this proposal would, if implemented, provide an additional community facility. The provision of such services are considered a key factor in the development and maintenance of village communities and are essential to the quality of life for residents. Furthermore, the availability of such services, within a sustainable location, reduces reliance on the private car. It is not considered that the proposal would give rise to any adverse impacts sufficient to override the benefits and it is therefore recommended that conditional planning permission be granted.

RECOMMENDATION
CONDITIONS:-

Approve SUBJECT TO THE FOLLOWING

01A.

The development must be begun not later than the expiration of three years from the date of this permission, in order to prevent the accumulation of unused planning permissions as required by Section 91 of the Town and Country Planning Act 1990 (as amended).

Application Summary

Case Officer: Sarah Bough

Contact Details: 0191 387 2145

sarahbough@chester-le-street.gov.uk

Summary of Reason for Recommendation: This proposal would provide additional community facilities to compliment the existing facilities within the area. The application is considered to accord with the aims of relevant development plan policies. It is not considered the development would generate any harmful affects sufficient to warrant refusal.

8.

Reference: 07/00036/FUL

Proposal Proposed construction of 1 no. detached bungalow in garden area of existing dwelling - resubmission of 06/00475/FUL

Location Y B Dol Tyzack Street Edmondsley Durham DH7 6DS

Applicant Mr D Moor

The Proposal

This report relates to a full application for the erection of a bungalow on land within the garden of an existing bungalow known as 'Y B Dol', Tyzack Street, Edmondsley.

The site comprises previously developed land, being part of the residential curtilage of the existing property. The curtilage area of the existing property is generous, amounting to over 1,000 square metres. The proposed bungalow would occupy the western part of the site, proving for a footprint of approximately 130 square metres. Both properties would continue to be served by relatively generous curtilage areas of around 400 square metres.

The surrounding land uses are predominantly residential, comprising a mix of single and two storey dwellings

Relevant Planning History

The submission of this application follows the refusal of a previous application submitted on the land (application number 06/00179/OUT) and the withdrawal of a further application (application 06/00475/FUL).

The earlier application was refused under delegated powers on the grounds of adverse impact on adjacent occupiers, and highway safety concerns.

The second application was withdrawn after it failed to satisfy Officers that it had overcome the concerns, which lead to the refusal of the earlier application.

Consultation Responses

Durham County Council as Highways Authority for the area note that the application overcomes the concerns they raised to the previous applications (by now providing for the requisite amount of off street parking) and accordingly whilst the arrangements are not considered 'ideal', they offer no objections to the proposal

The Council's Regeneration Manager (technical) has no comments to make.

The application has been advertised by way of direct consultation with surrounding occupiers. In response one letter of objection has been received. The objection is based on the following grounds;

- Concern that access of Tyzack Street may be dangerous and cause further congestion in the area
- Concern that windows may be above the existing wall and therefore cause overlooking problems
- The site has insufficient space to allow for the development of a further dwelling

Edmondsley Parish Council have raised a number of observations in respect to the proposals. These observations include;

- The site is constrained and access is difficult
- Sufficient parking provision needs to be provided for both the existing and proposed dwelling
- On street parking is already fully utilised in the surrounding area
- The present occupier is a vintage car enthusiast
- The retention of the existing garage will constrain the development site

A copy of the Parish Council's observations are appended to this report (Members will note that paragraph 5 of the Parish Council's letter has been blanked out. This is due to the fact that the Parish Council elected to use their consultation response as an opportunity to report to Officers an alleged breach of planning control on a nearby site. This information is considered confidential and therefore cannot be disclosed)

Relevant Planning Policies and Considerations

The proposal raises a number of issues for consideration having regard to the relevant Policies contained in the County Durham Structure Plan and Chester-le-Street Local Plan.

County Durham Structure Plan

Policy 2 of the Structure Plan seeks to ensure new development is directed to locations that minimise the need to travel. Policy 3 expands on this approach by advising that the provision of new development should be well related to the County's main towns. Policy 9 seeks to ensure that new housing development is located within sustainable locations being well related to existing towns and transport infrastructure, and also seeks to ensure that priority is given to the redevelopment of derelict or redundant sites.

In assessing the proposals against these relevant Structure Plan Policies it is considered that they are acceptable in principle. Whilst the proposed site is not located within one of the main settlements within the District the view is taken that the limited form of development proposed will not significantly conflict with the advice contained in Policy 2, nor will it significantly hinder the implementation of the Council's own housing strategy. It is also noted that the site lies in close proximity to public transport facilities, and indeed the other limited amenities the village provides for. The site does fall within the definition of previously developed land.

Chester-le-Street Local Plan

Policy HP8 of the Local Plan provides relevant advice on the subject of residential development within boundaries of settlements including Edmondsley.

The Policy advises that small-scale 'windfall' development will be considered acceptable in principle provided that;

- The site is classified as previously developed land
- The site is accessible by public transport;
- The site is accessible to amenities, such as schools, employment, retail facilities etc) by means other than the private car;
- The site can be sustained by the capacity of existing or potential infrastructure;
- The proposal is appropriate in scale and character, fulfilling the requirements of other relevant local plan policies, including HP 9.

In assessing the proposals against the requirements of Policy HP8 it is considered they are acceptable. As discussed above the site is located within close proximity to the limited range of amenities the settlement offers, including a school, shop and bus services. There is no reason to suppose that the introduction of one additional dwelling into the village would have any unacceptable impact in terms of leading to an over stretching of existing infrastructure. The development is also considered acceptable in terms of scale and character (as discussed below).

Policy HP9 of the Local Plan requires residential development to meet a number of detailed design criteria. Of particular relevance to this proposal are the requirements that the proposals must relate well to the character of the surrounding area respecting its predominant character, street pattern and density; provide adequate privacy to both proposed and existing adjacent residents; provide convenient and safe access; incorporate as far as possible existing landscape features, and provide for adequate car parking provision.

In assessing the proposal against the requirements of HP 9 and taking into account all relevant material planning considerations, including the comments received from the Parish Council and objector it is considered the following areas of the proposal require particularly careful assessment.

Highway Safety

As will be noted from the Planning History section above previous applications to develop the site for housing have not received the support of Officers, including on grounds of objections being received from the County Council, as Highways Authority for the area.

However, as is noted in the Consultation Response Section above, the County Council have confirmed they have no objections to this revised proposal. This view has been formed having regard to the fact that the applicant has amended the design of the internal shared driveway facility, so as to provide for an area sufficient to enable vehicles to manoeuvre within the site, as well as now providing for appropriate car parking provision.

Accordingly, taking into account the advice received from the County Council it is considered the proposals are acceptable when assessed against highway safety concerns.

Scale / Massing of Development

Policy HP 9 of the Local Plan requires new development to respect the character of the surrounding area. In this respect it is considered the proposals, for a detached bungalow, are acceptable in the context of the surrounding area. The existing Y B Dol property is a bungalow of similar size / massing. Bungalows are also prevalent in the surrounding area.

The footprint of the development has also been reduced so as to enable the retention of the existing shrubbery / small trees which bound the site.

Privacy / Separation Distances

Policy HP 9 requires new residential development to respect the amenities of existing surrounding occupiers. This Policy is supported by Appendix 1 of the Local Plan, which provides guidelines in respect to the separation distances to be achieved. This advises that a minimum distance of 21 metres should be preserved between existing and proposed habitable window openings.

In this respect the footprint of the proposed layout does not meet the minimum separation distances in respect to some elevations. A distance of 10.5 metres exists between the southern elevation and the properties at Tyzack Street to the south. A distance of 17 metres exists between the northern elevation and the properties along Braeside to the north. However it is important to note that the site is substantially screened by high walls, and furthermore that the development has been designed so as to ensure no habitable windows will face onto the existing properties in instances where the footprint is below the recommended separation distances. As such the view is taken that the siting of the bungalow proposed will cause no actual harm to the amenities of adjacent occupiers, by means of overlooking and as such it is considered that a relaxation of the Local Plan standards is justified in this instance. Accordingly it is considered the proposals are acceptable in this respect.

Trees / Landscape features

Policy HP 9 encourages the retention of existing landscape features within development sites. In this respect the revised proposals allow for the retention of existing trees / shrubbery within the site.

Conclusion

In conclusion, having regard to the above, it is considered that the proposals are acceptable when assessed against the provisions of the development plan and to all material planning considerations. Accordingly it is recommended that planning permission be granted.

RECOMMENDATION CONDITIONS:-

Approve SUBJECT TO THE FOLLOWING

01A

The development must be begun not later than the expiration of three years from the date of this permission, in order to prevent the accumulation of unused planning permissions as required by Section 91 of the Town and Country Planning Act 1990 (as amended).

02A

Notwithstanding any description of the materials in the application, no development shall be commenced until samples or precise details of the materials to be used in the construction of the external walls and / or roofs of the building(s) have been submitted to, and approved in writing by, the Local Planning Authority in order to ensure the satisfactory appearance of the development upon completion, in the interests of visual amenity and in accordance with the provisions of Policy HP9 of the Chester-le-Street District Local Plan.

20A.

Notwithstanding the details shown on the hereby approved plans and elevations, full details of all means of enclosure of the site (including any internal means of enclosure to sub-divide individual plots) shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of any development on site in order to ensure the satisfactory appearance of the development upon completion, in the interests of visual and residential amenity and in accordance with the provisions of Policy HP9 of the Chester-le-Street District Local Plan.

Application Summary

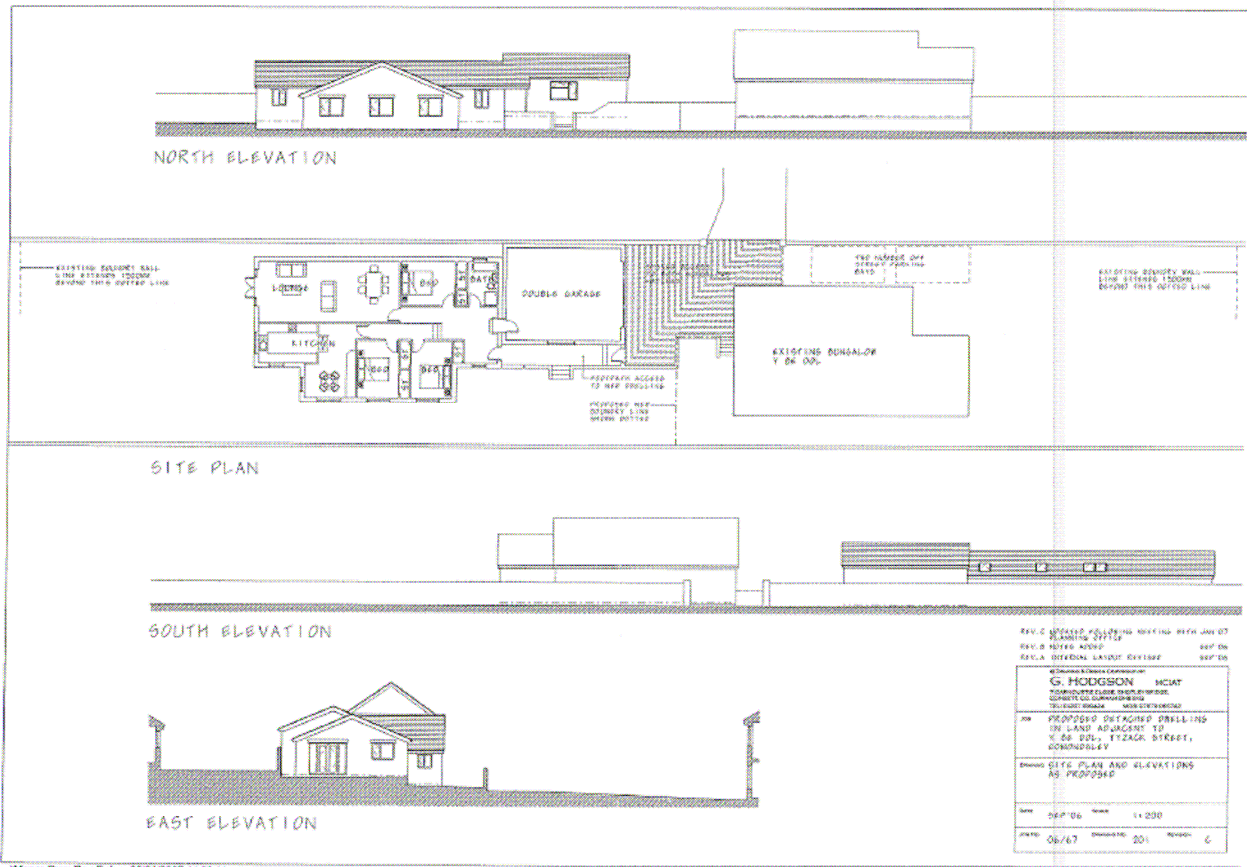
Case Officer: Stephen Reed

Contact Details: 0191 387 2212

stephenreed@chester-le-street.gov.uk

Summary of Reason for Recommendation: The application is considered to comply with the aims of relevant development plan policies relating to the location of new housing. The development will not harm the amenities of nearby residents

PLANNING COMMITTEE 12 March 2007



...Moore Prop Rev B.dgn 23/01/2007 14:03:11

9.

Reference: 07/00051/TEL

- Proposal** Erection of 12.5 metre high streetworks telecommunications column with ancillary equipment.
- Location** Land at Waldrige Road (South West of Roundabout) Chester-le-Street Co Durham
- Applicant** O2 (UK) Ltd

The Proposal

Consent is sought for the installation of a 12.5 metre high telecommunications street works monopole, with associated equipment, on land south west of the roundabout, Waldrige Road, Chester-le-Street.

The proposed installation is intended to enable the operator (O2 UK Ltd) to facilitate the rollout of 3rd Generation mobile telecommunications technology coverage in the Chester-le-Street West area.

The application site is located within the highway verge on a site approximately 75 metres west of the roundabout.

Surrounding land uses are agricultural to the north and south with Waldrige Road running East – West to the immediate north. Residential properties exist to the east. The nearest residential property is situated some 105 metres east of the application site.

The proposed location of the mast is shown on the attached plan. The site is located outwith the defined settlement limit to Chester-le-Street and rather is located within the North Durham Green Belt.

Planning History

Members may recall that a previous application by O2, to construct a 15 metre high streetworks column, on land approximately 60 metres to the east of the current site was refused consent at the Planning Committee Meeting in April 2005.

A subsequent appeal against this decision was dismissed by the Planning Inspectorate, by way of decision notice dated 6 October 2006. A full copy of the Inspectors decision letter in this matter is attached to this report.

The Prior Approval Procedure

In cases such as this where the proposed monopole would not exceed a height of 15 metres, planning legislation allows a simplified "notification" procedure to be followed. This procedure effectively stipulates a mandatory time limit for determining such applications, and where decisions are not taken within this period (56 days in the case of

telecommunications prior approval applications), the development would be allowed to proceed irrespective of the views of the Local Planning Authority. The time limit for such a decision in this instance is 3 April 2007.

Consultation Responses

Durham County Council, as Highways Authority for the area raise no objections to the proposal.

The application has also been advertised by way of direct neighbour notification and through the posting of site notices. In response some 35 letters of objection have been received to the proposal. Objections are based on the following grounds;

- The site is located in a sensitive area, close to a SSSI (Waldrige Fell)
- The developers should be made to mast share with nearby operators
- The application fails to accord with the decision reached by the Planning Inspector, at the last appeal. It is noted this proposals is located further into the Green Belt.
- It is noted that the Council has previously refused similar application in the locality.
- It is queried why the Council are considering the application, following the last refusal on appeal
- The proposal fails to accord with the aims of PPG 2 – Green Belts
- The proposal does not accord with the aims of Local Plan Policies PU 6 and NE 6
- The proposal is too near residential properties and concern is raised regarding the health implications to residents of the proposal. It is noted concerns regarding the health implications of masts have not been proven.
- The development would be out of keeping with the open character of the surrounding area.
- The proposal will be harmful to views from the adjacent residential properties
- The consultations carried out by the Council has been inadequate - residents are concerned the Council is trying to 'push the application through' as a last resort.
- There are other alternative sites available which could provide a better level of coverage yet also reduce the impact upon residents.
- The mast will diminish highway safety by proving a distraction for drivers
- The proposal will de-value nearby property
- Approval may lead to additional applications for mast in the area
- The proposal will hinder the Council's regeneration efforts
- The mast will provide a congregating point for young children

In support of the proposal, the applicants advise they have carefully considered the comments made at the time of the refusal of the previous application, including those made by the appointed Planning Inspector. They advise that in their opinion the reduction in height now achieved, the relocation further away from the residential properties to the east, and fitting of a lighting arm will meet the concerns raised to the earlier scheme. They also advise that they have carried out community consultation prior to the submission of the application, and that in response only 2 objections were received.

The applicants also advise that they have been engaged with pre-application discussion with Officers in relation to their needs for some time.

In support the applicants also point out that they have considered other potential sites, but these have been discounted and they consider this site represents the least environmentally intrusive option, which will also meet their roll out requirements. They also consider that some of the sites that have been suggested would contradict with the comments made by the Planning Inspector at the time of the previous appeal.

The applicants consider that as the installation is designed to look like a piece of street furniture, situated within a road side environment, that it will blend effectively into the landscape and not appear as an incongruous feature.

In summary the applicants consider that the proposal meets the requirements of PPG 8 - Telecommunications, PPG 2 – Green Belts, and the relevant Local Plan Policy.

Relevant Planning Policies and Considerations

Policies

It is material in this instance to consider the contents of Policy PU 6 of the Chester-le-Street Local Plan, Planning Policy Guidance Note 8 (PPG8 - Telecommunications) and Planning Policy Guidance Note 2 (Green Belts).

Policy PU 6 states the main considerations that will be taken into account for telecommunications applications and goes on to state that: -

Planning permission will be granted for those telecommunications proposals: -

- Where they are located within or would be conspicuous from the Green Belt, and are otherwise consistent with Green Belt policy would not injure the visual amenities of the Green Belt;
 - Where they are located within or adjacent to a SSSI, would not adversely affect the ecological and / or geological interest of the SSSI;
 - Where they are located within a Conservation Area or adjacent to a Listed Building or Scheduled Ancient Monument, would preserve or enhance the character or appearance of the Conservation Area or would preserve the Listed Building or Scheduled Ancient Monument, together with their settings;
 - Where they are located within a Site of Nature Conservation Importance, would not harm the nature conservation interest of the site, or would minimise damage to the designated site and compensate fully for the damage by habitat creation or enhancement elsewhere within the site or local area;
 - Where they are located within an Area of High Landscape Value, would not significantly detract from the high landscape quality;
- In all cases, incorporate design and landscaping appropriate to their location.

As the site is located within the North Durham Green Belt it is considered important to assess the proposal in regard to its visual impact, in particular its likely impact upon the openness of the Green Belt. Indeed, having regard to all issues raised, including the comments received as part of the consultation process, and previous decisions reached in the area, including at appeal it is considered that this issue represent the primary material consideration in this instance.

PPG2 advises that any development that would be harmful to the open character of Green Belt areas is by definition inappropriate development, which should normally be resisted.

In addition PPG 8 makes specific reference to telecommunications development in Green Belt areas, advising that;

'In Green Belts, telecommunications development is likely to be inappropriate unless it maintains openness. Inappropriate development may proceed only if very special circumstances are demonstrated which outweigh the degree of harm to the Green Belt. The lack of a suitable alternative site that would meet the needs of network coverage or capacity might be considered as very special circumstances'.

As Members will note the comments from the previous appeal Inspector are appended to this report. Members will note that the Inspector considered that this particular development was not acceptable in terms of its impact on the openness of the Green Belt.

However it is important to note that in terms of its likely impact on the Green Belt character, this proposal differs in 3 areas. These are;

- The height of the column is reduced to 12.5 metres (as opposed to the 15 metres previously proposed)
- The siting has been moved, so as to ensure it would be directly aligned with the existing street columns in the area (as opposed to being staggered as was previously proposed)
- A 'lighting arm' has now been added

In assessing the likely impact on the Green Belt Officers are of the opinion that whilst the structure will still no doubt have some prominence, the view is taken that this will not be unduly significant to such an extent that it could be construed that the proposal would materially harm the character of the Green Belt. It is considered that whilst clearly the development would be marginally different in design, and indeed slightly taller in height (by a round 3 metres) that these differences could be incorporated within the existing street scene without harming the character of the Green Belt.

Siting and Visual Amenity Issues

PPG8 indicates which factors can be considered in assessing the appearance of the mast, with those being the materials, the colour and the design. As discussed above, the siting of the mast is also a consideration, and the following factors are highlighted by PPG8 as also being of relevance: -

- The height of the application site in relation to surrounding land;
- The existence of topographical features and natural vegetation;
- The effect on the skyline or horizon;
- The site, when observed from any side, including from outside the authorities own area;
- The site in relation to areas designated for their scenic or conservation value;
- The site in relation to existing masts, structures or buildings including buildings of a historical or traditional character;

- The site in relation to residential property; and
- Any other relevant considerations.

In assessing the proposal against the considerations laid out in PPG 8 and it is considered that the proposal, in scale and design, would not have a demonstrably greater visual impact than the existing lighting columns and other street furniture present in the locality. The reasons for arriving at this judgement are discussed above; i.e. the reduced height of the structure and the modified design.

It should also be noted that the ancillary equipment designed to serve the structure would be relatively low key (of similar scale and design to a typical street kiosk) and would not involve bulky cabinets and palisade fencing which are often associated with telecommunications development. This equipment has also been located to the back of the footpath edge, so as to ensure it will be partially screened by the existing hedgerow.

It is considered that the proposal would also be viewed largely in the context of existing streetlights, which run west - east along Waldrige Road and as such would not appear unduly out of keeping with the character of the immediate surrounding area. Whilst the structure would be taller than the existing street lighting columns, and views of the structure would undoubtedly be gained when travelling north in particular, it is not considered that this increased visual intrusion is sufficiently detrimental to the openness of the Green Belt, nor the general visual amenity of the area to warrant refusal.

The proposal would also have a relatively limited impact on adjacent residential properties. The closest property to the east is situated some 105 metres from the proposed site and as such it is considered that the structure would not have any meaningful impact on adjacent residential property.

Need and Health Issues

Government guidance on this aspect of the consideration of this proposal is clear and unambiguous. Local Planning Authorities should not question the need for the telecommunications system, although developers may be expected to provide evidence regarding the need for the development itself. In this instance, the developer has provided coverage maps, which identify current gaps in coverage in the surrounding area.

Alternative locations have been considered by the applicant and / or suggested as part of the pre-application discussion process but have been shown to be either unable to address the coverage "gaps" or to be technically incapable of being utilised, or considered to be likely to be more harmful to the character of the area. These have included potential sites to the east, closer to the residential area of Waldrige Park. Sites have also been discounted in Smith's Field to the South and adjacent to Waldrige Allotment to the west. In dismissing these sites the applicant has pointed out that the Planning Inspector discounted the viability of these at the time of the last appeal decision. In much the same manner the applicants have re-affirmed the position that was accepted by the Inspector as to why the nearest commercial building, the Waldrige public house, cannot be used to house an antenna.

In much the same manner, it should not be necessary for Local Planning Authorities to consider issues relating to health provided that the development meets the transmission

guidelines established by ICNIRP. As discussed above the operator has submitted documentation to confirm this to be the case in this instance. It is also consider important to note that the previous Planning Inspector did not see health concerns as a reason to refuse the earlier scheme. Members will also note that this revised scheme is some distance further away form nearby residential properties than was the case with the earlier application.

Conclusion

PPG8 also recognises that the expansion and improvement of mobile phone technology can make a substantial contribution to the health of the national economy and is therefore supported in principle.

However clearly, balanced against this is the need to ensure adequate environmental protection, including of particular importance with this application, that proposals protect the character of the Green Belt.

As Members will also appreciate it is also necessary to ensure that previous decisions made by the Council, and indeed decisions made on appeal, are taken in to account in their assessment of the application. To this end a copy of the previous appeal decision is appended to the report.

In this instance, after having taken into account all of the above, it is not considered the proposal would be so incompatible with the surrounding area, nor detrimental to the openness of the Green Belt sufficient to warrant refusal of consent.

RECOMMENDATION

Approve

Extra 9.

Notwithstanding the details contained in the application hereby approved the development shall be colour coated in accordance with a colour scheme to be agreed in writing with the Local Planning Authority prior to the commencement of development, in order to ensure the development does not appear unduly incongruous in the street scene and to accord with the aims of policy PU 6 of the Chester-le-Street Local Plan.

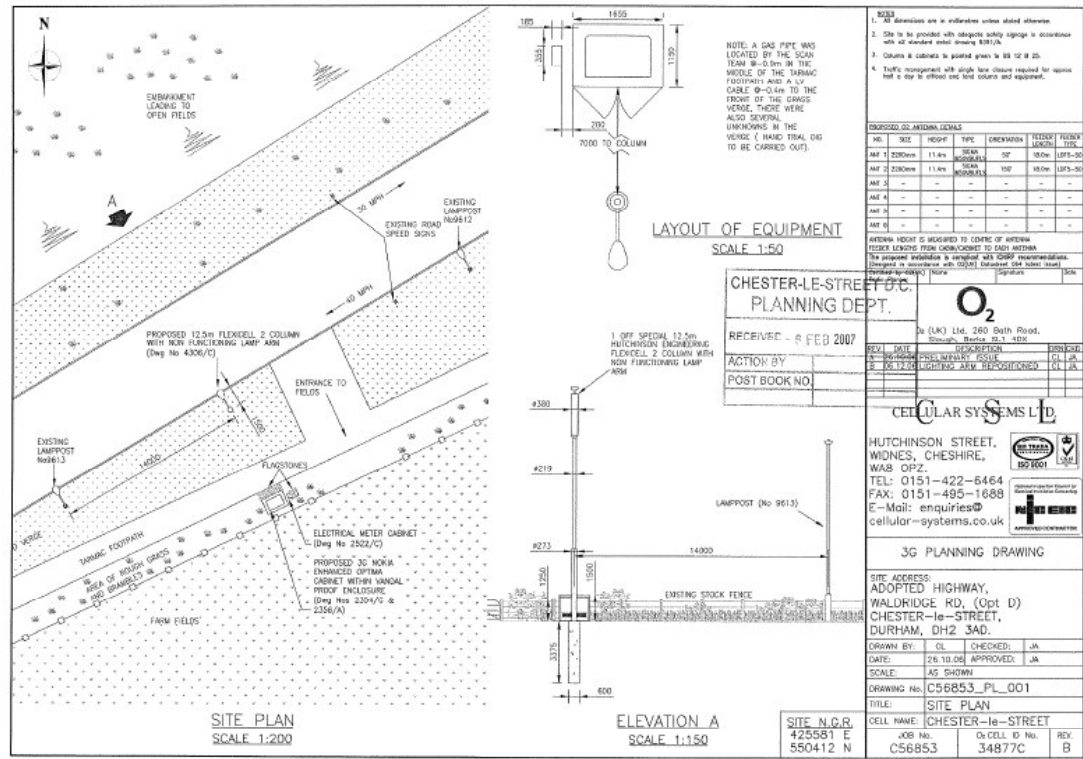
Application Summary

Case Officer: Stephen Reed

Contact Details: 0191 387 2212

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Summary of Reason for Recommendation: The application is considered to accord with the aims of relevant development plan policies. It is considered the scheme will not have an adverse impact on the openness of the Green Belt.



AS

ITEM 3

Proposed Implementation of a Multidisciplinary Team Approach to Major Development Proposals

Purpose of Report

The purpose of this report is to seek Members endorsement for the introduction of a new Multidiscipline Team Approach (MTA) to be used by Officers when dealing with major development proposals.

Background

The provision of an adopted MTA to dealing with major development enquiries is widely recognised as constituting best practice in the delivery of a Local Authority's Planning service.

Successive Governments have sought to encourage the implementation of such an approach, with a view to ensuring that the development industry is able to benefit from co-ordinated, 'One Stop Shop' professional help and advice from both Local Government, and its partner organisations.

Government takes the view that the provision of such co-ordinated, joined up help and advice can enable the realisation of its aspiration for the development of the UK economy and in doing so help ensure the regeneration of areas.

In recognition of this Government aspiration the Audit Commission, through its Best Value Performance Indicator (BVPI) 205 – 'Quality of Planning Service Checklist', has included the adoption of a MTA as a Performance Indicator for Local Planning Authorities. Those Authorities that are seeking to deliver service excellence will be expected to have an agreed MTA in place.

As Members will be aware from the quarterly performance reports they currently receive, this Council's Planning Service is currently returning a figure of 83% in relation to BVPI 205. Member endorsement of the MTA, leading to its successful adoption, will improve the services score to the maximum available at 100%. This achievement will meet Corporate Plan and Service Plan aspirations for 07/08 and also put the Service into the category of 'top quartile' performance for BVPI 205 nationally.

In recognition of this BVPI requirement, and taking into account this Council's adopted key Corporate Priorities, including Priority 1 – Customer Excellence and Priority 4 Regeneration of the District, the adoption of a MTA has been highlighted as a key priority in the Corporate Plan for the end of financial year 06 / 07.

Existing Position / Proposed Changes

Members will be aware that currently the Planning Service already provides a detailed and comprehensive pre-application advice service to developers who seek advice from Officers prior to the submission of a formal planning application.

This pre-application service is considered to represent an important part of the Planning Services Team work and in recognition of this, performance in this field is actively monitored through Local Performance Indicator PLLP 33 'Percentage of Pre-application Enquiries Responded to Within Timescales'.

The existing pre-application advice service has proved successful in helping facilitate the smooth passage of a number of high profile developments that have been considered by Members across the last few years. Major regeneration schemes at Pelton (Haslam Homes), Pelton Fell (Bellway Homes), Sacriston (Barratt Homes) and Drum Industrial Estate (Gladman Developments), to name but a few, have all benefited in terms of improving the quality of submitted planning applications (and in doing so therefore reducing the time taken to report them to Planning Committee) from developers engaging with Officers prior to the submission of the planning application.

It is important to note that the MTA is not designed to replace the existing pre-application advice service; rather this will remain and the MTA will operate alongside it, with the MTA being aimed primarily at the relatively small number of significant large scale development proposals brought to Officers for consideration.

However a key change in service delivery that the MTA will facilitate will be to realise the development of a more comprehensive, 'round table approach' to certain enquires. In particular the MTA will be an approach which has been fully endorsed by the relevant Officers / external agencies and one where developers are able to receive advice from dedicated named Officers, within agreed timescales.

Details of the Service Teams and external organisations who have agreed in principle to support the implementation of the MTA are listed below under the Consultations Section of the report.

Consultations

Internal

The following Council Service Teams have confirmed their support for the MTA;

- Regeneration Services
- Environmental Services
- Leisure Services
- Building Control
- Environmental Health
- Legal Services

Durham County Council

The following County Council Services have confirmed their support for the MTA;

- Highways

- Landscape
- Design and Conservation

The following County Council Services have advised that they will have to decline to be part of the MTA;

- Planning Policy (on the grounds of lack of staffing resources)

Replies are still awaited from the following County Council Services;

- Archaeology.

External Agencies

The following external organisations have confirmed their support for the MTA;

- Durham Bat Group
- Sport England
- Great North Forest
- Durham Constabulary (Police Architectural Liaison Officer)
- The Environment Agency

The following external agencies have advised that they will have to decline to be part of the MTA;

- English Heritage (on the grounds of staffing resources; however they have expressed their willingness to continue to provide pre-application advice when appropriate).
- Durham Wildlife Trust (on the grounds of staffing resources; however they have expressed their willingness to continue provide pre-application advice when appropriate).

Replies are awaited from the following external agencies;

- The Highways Agency
- Natural England

Corporate Plan and Priorities

The introduction of the MTA has strong, clear links to the Corporate Plan. Indeed the Corporate Plan 2006/09 includes the implementation of the MTA as a key priority under the Regeneration Theme, priority RD8 refers.

In addition, and as discussed above, the implementation of the MTA is considered to be fully in accord with the aspirations of Corporate Priorities 1 (Customer Excellence) and 4 (Regeneration of the District). It is also considered to have linkages with Priority 7 (Maximising Efficiencies).

Financial Implications

There are no financial implications arising from the adoption of the MTA. Publication costs for leaflets / publicity material to advertise the service can be met from within existing budgets (potentially supported by the use of Planning Delivery Grant). Servicing of the MTA can be undertaken by Officers within existing staffing establishments.

Legal Implications

There are not considered to be any adverse legal implications arising from the implementation of the MTA. Indeed it is considered that the adoption of the MTA will help promote the spirit of joint working between developers and the Council and thus will help reduce the risk of a challenge to decisions taken in respect to planning applications.

Personnel

There are no personnel implications arising from the implementation of the MTA. Officers are satisfied they can serve the MTA, including new working practices, within existing staffing establishments.

Other Services

The adoption of the MTA will have some implications on the delivery of other services, principally through a potential increase in Officer time committed to planning matters. However this has been considered by the respective Heads of Service, who as noted above are happy to commit to the scheme.

Diversity

The adoption of the MTA is not considered to have any material Implications in relation to diversity issues.

Risk

It is considered that the adoption of the MTA is consistent with the aims of reducing risks to the Authority, as the adoption of the MTA will help foster a spirit of joint working between the Council and developers. It is expected this approach will reduce the risk of hostile / unacceptable planning applications being received; many of which presently end up at appeal.

Crime and Disorder

The adoption of the MTA is not considered to have any material Implications in relation to crime and disorder issues; although it is relevant to note that Durham Constabulary have confirmed their support for the approach.

Recommendation

It is recommended that Members approve the report and endorse the adoption of the MTA within the Planning Service.

Case Officer: Stephen Reed

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ITEM 4



Chester-le-Street District Council

Civic Centre, Newcastle Road, Chester-le-Street, Co. Durham DH3 3UT

Tel: 0191 387 1919 Fax: 0191 387 1583

Directorate of Development Services

1 March 2007

List of Planning Appeals and Current Status

The Planning Applications listed below have been, or are currently, the subject of appeals against the decision reached by the Planning Committee. Planning Appeals are considered by a Planning Inspector from the Planning Inspectorate, a body which is independent of Chester-le-Street District Council.

Key to Appeal Type Code

- W - Written Representations
- I - Hearing
- P - Public Inquiry

If you wish to view a copy of an Inspector's decision letter regarding any one of the appeals listed below please contact the Planning Division on 0191 387 2172 or 0191 387 2173 in order to arrange this.

Application Number / ODPM reference number	Applicant	Appeal Site	Proposal	Appeal Type / Appeal Start Date	OS Grid Reference	Status / Date of Appeal Decision
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PLANNING COMMITTEE 12 March 2007

Application Number / ODPM reference number	Applicant	Appeal Site	Proposal	Appeal Type / Appeal Start Date	OS Grid Reference	Status / Date of Appeal Decision
05/00521/COU /	Harbour House Farms	Land at Harbour House Farm/ Former Cricket Pavillion Wheatleywell Lane Plawsworth Chester-le-Street Durham	Change of use of former cricket pavillion to farm shop. Extension and alteration of existing building including improved vehicular access.	W / 08.08.2006	E:428274 N:548262	Appeal Dismissed / 29.12.2006
06/00210/TEL /	Hutchinson 3G	Highway Verge West of 11 Brandon Close Chester-le-Street Durham	Installation of 10m high slimline streetworks monopole with ancillary equipment housing.	W / 06.11.2006	E:425772 N:550062	Appeal In Progress /
06/00286/ADV /	Mr Martin Stephens	Tesco Stores South Burns Chester-le-Street Durham	Installation of illuminated display panel.	W /	E:427219 N:551634	Appeal Dismissed / 23.08.2006
06/00295/VAR /	Mrs C. Marshal	17 Graythwaite Chester-le-Street Durham DH2 2UH	Application to carry out works to trees contrary to the provision of Condition 61 of permissions 93/00103 & 93/00334, to remove 1 no Sycamore tree at the rear of the property and pollard Tree 2 (Ash) at front of the property.	W / 29.12.2006	E:425826 N:551172	Appeal In Progress /

PLANNING COMMITTEE 12 March 2007

Application Number / ODPM reference number	Applicant	Appeal Site	Proposal	Appeal Type / Appeal Start Date	OS Grid Reference	Status / Date of Appeal Decision
06/00311/FUL /	Mr Allan Carr	4 Ouston Spring Farm Cottages Milbanke Close Ouston Chester-le-Street Durham	Two storey extension to gable of property, installation of gable roof over existing flat roof to rear and conservatory to side.	W / 25.10.2006	E:426482 N:554236	Appeal In Progress /
06/00339/FUL /	Christopher Dixon	Land Adjacent to Humbleburn Lane Stanley Blackhouse Durham	Erection of 10 box stable block and barn.	W / 28.11.2006	E:422419 N:550672	Appeal In Progress /
06/00357/OUT /	Mr G. Raw	Land to The South of 11 - 16 Edgewood Court Sacriston Durham	Outline application for development of 18 no dwellings (All matters reserved).	W / 06.12.2006	E:423807 N:547812	Appeal In Progress /
06/00494/FUL /	Mr W. A. Lowe	Rear Garden of 2 Blind Lane Chester-le-Street Durham	Construction of detached 3 bedroomed dwelling within rear garden and new vehicular access.	W / 29.12.2006	E:427447 N:552580	Appeal In Progress /