

RECOMMENDED FOR APPROVAL

07/0131

16.02.07

Project Genesis

Land to the south west of 48-52 Fenwick Way, Consett

Extension to existing landscaping mound (retrospective) (resubmission)

Consett South Ward

The Application

1. This application seeks planning permission for the retention of an existing landscaping mound which was constructed without the benefit of planning permission in February 2006. This application is a resubmission, as a previous application for the extension of the mound was withdrawn in December 2006 in order to allow further time to carry out a full geochemical survey and risk assessment.

History

2. In 1992 an application for Industrial and Warehousing Development (Use Classes B1, B2 & B8) on 300 acres (Outline) was withdrawn (reference 1/1992/0687/DM)

Permission was granted in 1995 for the existing landscaping mound (reference 1/1995/1311/DM).

Planning permission was granted for an extension to the existing mound in 2001 (reference 1/2001/0573)

Policy

3. The following policies of the adopted Local Plan are relevant in determining this application

General Development Principles (GDP1)
Control of Development Causing Pollution (EN26)
Development on or close to Landfill and Contaminated Sites (EN27)

Consultations

4. Environmental Health- No objections or comments to make on the application.
5. Environment Agency- have not commented to date (consulted 20th February 2007)

6. Derwentside District Council Engineers – have not commented to date.
7. Neighbours have been consulted and a site notice posted and two letters of objection have been received from residents of 36 and 38 Fenwick Way their concerns are as follows:
 - When I bought the property I was told that the existing mound would be removed and I would have views over the countryside. The mound also has a negative affect on the amount of light my property receives. By extending this it is going to have an even bigger effect.
 - Soil Analysis from a survey commission by a local resident on the existing mound showed dangerous level of contamination at only 12 inches deep. The results of the survey are extremely worrying. The report states that even higher levels of contamination would have been washed away and soaked deeper into the hill. Run off from the existing hill has flooded my garden and the adjoining properties garden (no.39). I fear that my garden has been contaminated by the existing hill already. Although a field drain is installed this would be inadequate if there was survey flooding or the drain was blocked. Leading to further contamination.
 - The effect it has on the value of my property.
 - The result of the residents soil survey are in direct contradiction to the analysis report accompanying this application, and the company that carried out the survey Chemtech Environmental did not take the samples themselves.
 - The advice accompanying the residents analysis report also contradicts that of Chemtech, in that it states adverse weather/rain etc normally washes contaminants into the ground, as we have elevated results at a depth of only 12 inches it would be interesting to find out the contamination levels at say 2 metres depth.
 - How can planning permission be granted to extend an existing mound that also does not have planning permission in the first place.
 - Advice was given by a local school, that children should not play on the existing spoil heap as it was dangerous due to contamination.
 - The Council's Environmental Department should be investigating the site in order to have the entire Spoil heap removed on the grounds of public safety, bearing in mind your department have been aware of this matter since January 2006.
 - This mound did not appear on the original builders plans when residents were purchasing their homes, we find it now completely obstructs our views (even from our upstairs window) and effects the amount of light entering the back windows of my property, as the sun sets behind this spoil heap like a great hill.
 - It is felt by the residents, that as contaminated land has to be disposed of as special waste, which is very expensive to remove, it is far cheaper for those concerned to pile it up alongside peoples homes.

Officer Assessment

8. This application is for an extension of a landscaping mound, the extension

has already been constructed therefore this application is made in retrospect. The mound has been extended utilising material from the existing landscape mound and from the adjacent housing site. The original mound was originally created to screen the unsightly Park Road industrial buildings from the Project Genesis site. This mound is located further to the west of the site and lies directly behind properties 48- 50 Fenwick Way and to the south of 52 to 54 Fenwick Way.

9. The extended mound covers an area of 0.28 hectares and varies in height up to approximately 5m high at its highest point. It extends the area of mound that was granted planning permission in 2001 further to the west and north.
10. In order to consider this application fully it is necessary to assess the impacts upon residential amenity, the environment and the impact upon the local landscape.
11. Local Plan Policy GDP1 seeks to ensure that the amenities of neighbouring occupiers and land users is protected from harmful development. In terms of impacts upon residential amenity the main impacts to consider are whether there is a risk to human health to local residents from the material within the mound and whether there is a substantial loss of light and outlook to neighbouring properties, these being 48-57 Fenwick Way and 39 Fenwick Way.
12. In the determination of applications for planning permission the Council will take account of the potential pollution which may be caused by the proposed development in accordance with Local Plan Policy EN26. In order to assess the application fully the developer must provide the results of an expert investigation to detect and monitor the presence and likely effects of materials and leachates and identify solutions where necessary in accordance with Local Plan Policy EN27.
13. As the mound materials arise from top soil and excavated slag from adjacent developments within surrounding area with made ground materials from the former Consett Steelworks it was considered necessary that the application site be assessed for potential impacts upon both human health and local groundwaters. In support of this application the applicant commissioned and submitted a ground investigation report by ARC environmental who are a Geo-environmental consultancy that specialises in contaminated land issues. Samples were taken not only from the mound under consideration but also the other mounds in existence not under consideration. Samples were tested for contaminants as well as organic screening. Leachate screening was also undertaken to assess the potential risk for contaminants to migrate in solution off-site or to controlled water.
14. The results indicate that there is a higher concentration of Lead than the target value for this site, however; none of the concentrations of analytes for other analytes exceed the targets set for this site. Whilst the value for

Lead represents a statistical 'hot spot' this maximum concentration was only recorded in 1 sample taken at a depth of 2.6m within the landscaped mound and therefore does not pose a risk to human health. With regards to organic contaminants the test results indicate that the organic contaminants present within the mound do not pose a significant risk to human health.

15. In addition to protecting human health from contaminated soil it is necessary to protect the local watercourses for humans and wildlife in accordance with Local Plan Policy GDP1. A groundwater risk assessment has also been carried out in accordance with the Environment Agency Remedial Targets Methodology: Hydrological Risk Assessment for Land Contamination 2006. The results show that the values for all the analytes screened do not exceed the maximum target value chosen for this site and when considering the environmental setting of the site (the former Consett Steel Works) it is felt that the leachable contaminants present are not considered to represent a significant risk to controlled waters or adjacent sites.
16. Whilst it is noted the objectors are not fully satisfied with the results of the survey carried out the Environmental Health Division have not objected to the proposal, the views of the Council's Engineer and The Environment Agency should be available at the Committee meeting. Having considered the information supplied the proposal is not considered to present levels of pollution to the soil or watercourses that could present a risk to human health or be damaging to the environment, the proposal therefore accords with policies GDP1 and EN26.
17. Turning to amenity issues such as access to sunlight, outlook and potential flooding, as the mound is already in existence the impacts upon local properties are clearly evident. Although the closest houses which back onto the mound (numbers 48 –50 Fenwick Way) do suffer from a loss of sunlight in the latter hours of day when the sun is lower in the sky, as the mound begins approximately 7m from the boundary of their property curtilage there is no significant overshadowing from this mound. In terms of outlook the impact upon these properties is not considered significant given that at ground floor level the properties are all surrounded by 1.8m high close boarded fencing which would prevent views even if the mound was not in existence and the outlook from first floor level is above the level of the mound. Other properties in the area are less affected in terms of outlook due to the layout of the estate.
18. Whilst the comments of the occupiers of 36 and 38 are noted it is not considered that this mound under consideration for this application would have any further impacts upon their access to light given that it is behind an existing mound that already has planning permission. It is considered that the objectors' properties would not suffer from a loss of outlook given that their properties do not face or back onto this mound and it is believed that the problems that they are suffering are caused by a mound that was granted permission in 1995. That mound has been further extended with a

further permission which was granted before the housing site was granted planning permission. Although it is recognised that the objectors have stated there has been flooding from the mound behind their property in that instance the mound was in closer proximity to their boundary than the current application is to housing therefore it is not deemed necessary for surface water drainage measures.

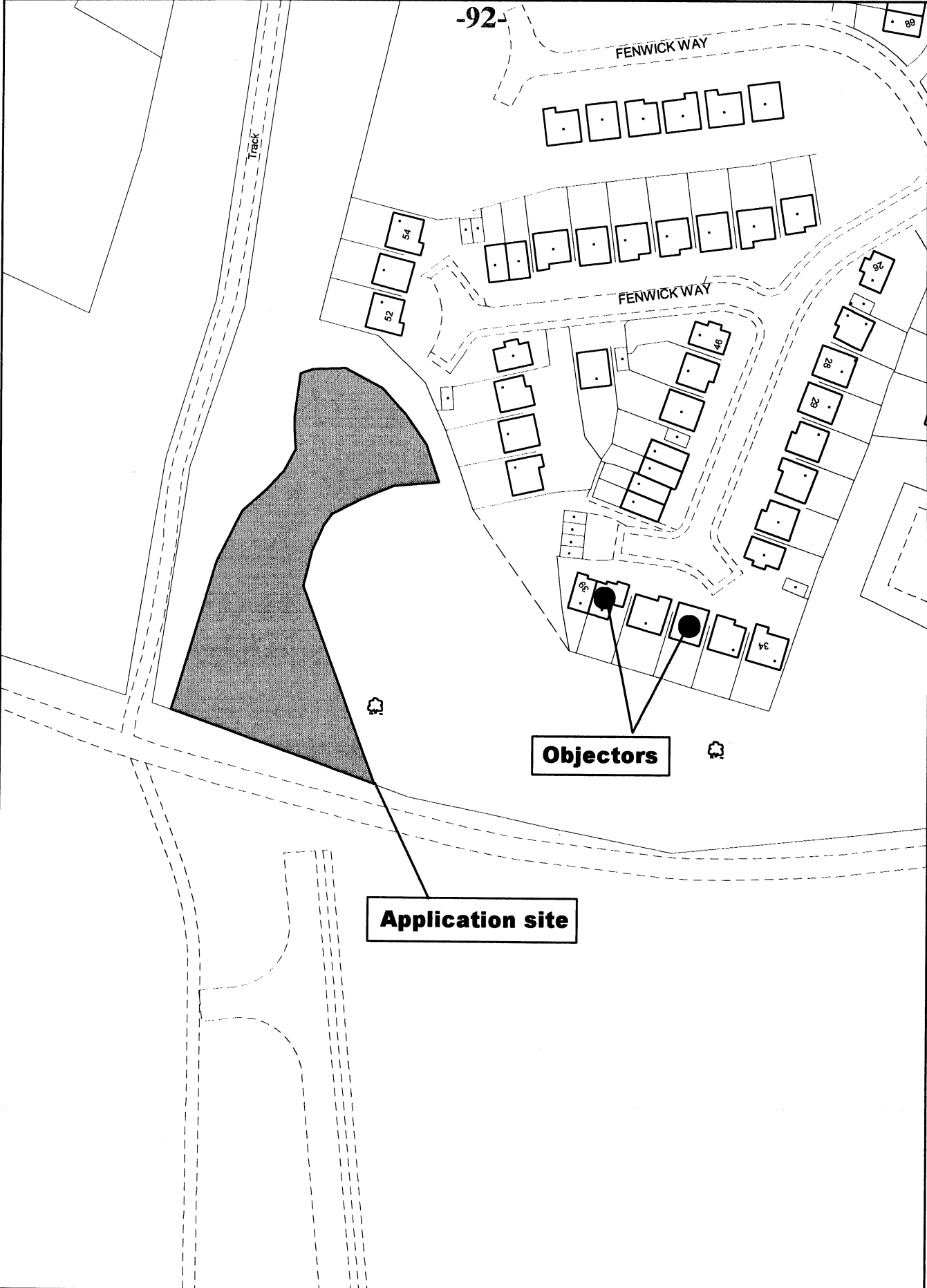
19. With regards to the impact upon the landscape from the mound, it is mostly visible in close views from the nearby adjacent properties and it is mostly screened from views from Genesis Way road, Berry Edge Road and Romany Drive to the east by the existing mounding and housing. Views from other residential areas are prevented by the lie of the land which falls to the north west, west and south. Given the scale and positioning of the mound behind an existing mound in an area of landscape defined by a mixture of housing, industrial and commercial uses it is not considered that the mound is detrimental to the character of the landscape. Nevertheless it is considered that the appearance of the mound should be improved by ensuring that the mound is grassed as a condition were planning permission to be granted.
20. In summary the mound extension presents no risk to human health or the environment. The main impacts upon neighbouring amenity are from a loss of sunlight in the later hours of the evening however there would not be significant overshadowing or loss of outlook. Although a man-made feature within the landscape, the main view points of the mound are from close views from the houses that back onto the mound, as the existing mounds serve to screen the extension. On the balance of all these issues it is considered that the mound extension is acceptable and in accordance with Local Plan Policies GDP1, EN26 and EN27.

Recommendation

21. Conditional Permission
 - Approved Plans (ST)
 - Time Limit (ST01)
 - The mound shall be grass seeded within 3 months of the date of this permission.
Reason: In order to integrate the mound into the surrounding landscape in accordance with Policy GDP1 of the Local Plan.

Reason for Approval

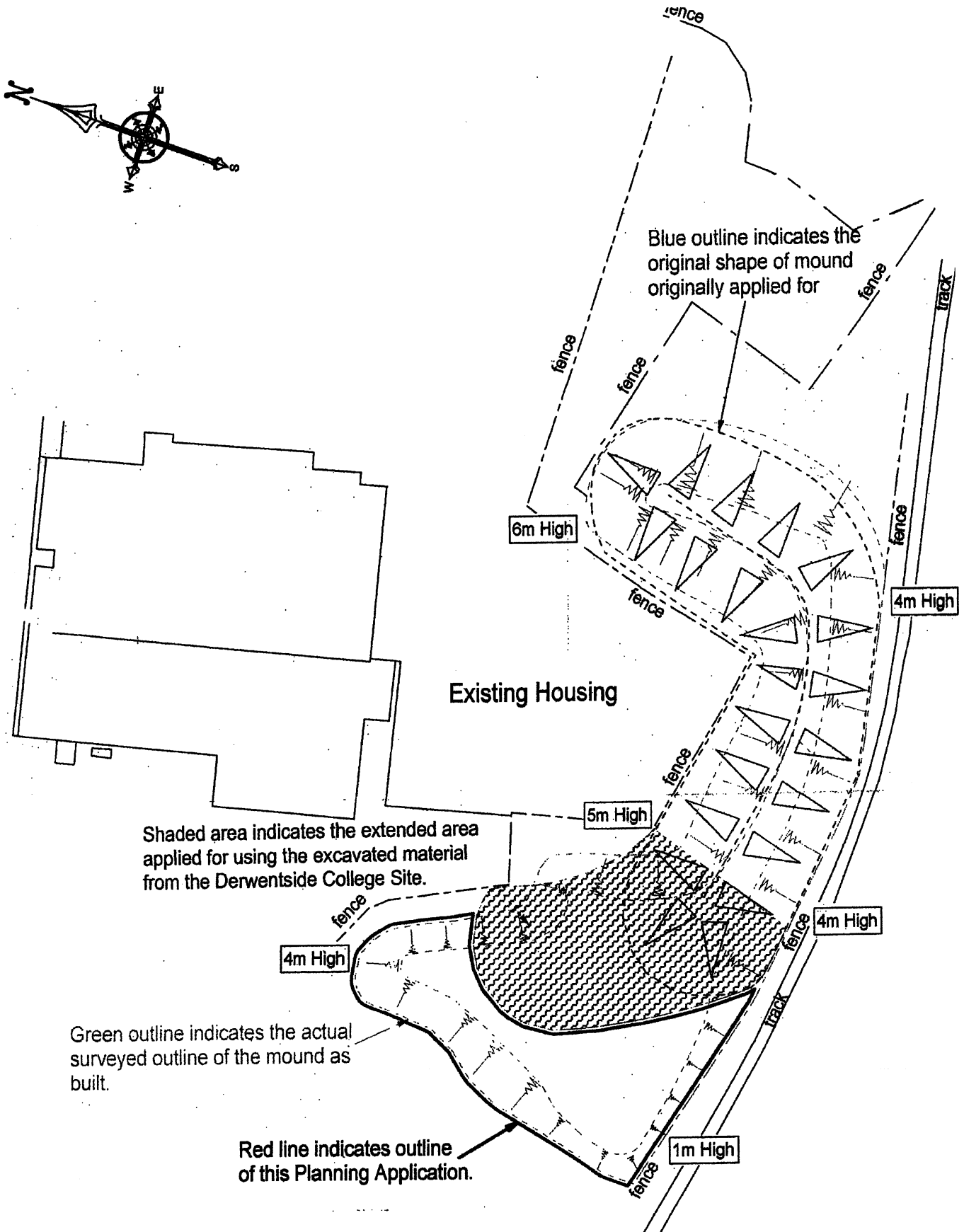
22. The decision to grant planning permission has been taken having regard to policies GDP1, EN26 and EN27 of the Derwentside District Plan and material considerations as detailed in the report to the Development Control Committee. In the view of the Local Planning Authority no other material considerations outweigh the decision to grant permission.
Report Prepared by Louisa Fleming, Area Planning Officer



0 50
 Scale metres
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Extension to existing landscape mound (retrospective)
 (resubmission)
 Land to the south west of 48-52 Fenwick Way
 Consett 07/131





RECOMMENDED FOR APPROVAL

07/0190

02.03.07

Mrs G Wales

9 Mount Park Drive,
Lanchester

Erection of first floor extension
above existing garage

Lanchester Ward

The Application

1. Planning permission is sought by a District Council Employee for the erection of a first floor side extension above an existing garage at 9 Mount Park Drive, Lanchester, which is a semi-detached 1960's style property.

Policy

2. The following policies of the adopted Local Plan are relevant in determining this application

General Development Principles (GDP1)
Extensions and alterations to existing buildings (HO19)

Lanchester Village Design Statement

Consultations

3. Neighbours have been consulted and a site notice posted and no letters of objection have been received to date.

Officer Assessment

4. This application seeks planning permission for the erection of a first floor side extension at 9 Mount Park Drive Lanchester, a semi-detached property.
5. The proposed first floor extension would be constructed over the extent of the existing ground floor garage and utility measuring 7.29m x 2.9m with a pitched roof to a height of 6.9m which is would continue the existing property roofline. The first floor extension would incorporate one window to the front and one window to the rear with no windows in the gable end. The extensions would be constructed of buff brick with concrete roofing tiles chosen to match the existing property.
6. For extensions such as this the main issues to consider are impact upon neighbouring amenity and design. SPG2 seeks to protect the privacy of neighbouring occupiers by ensuring that neighbouring properties and gardens are not overlooked from side extensions. This extension has been

designed with privacy in mind as there are no windows in the side elevation. Although there would only be a distance of 9.5m between the proposed first floor and the rear elevation of number 1 Ashleigh Grove there would not be an overbearing impact upon that property as the rear windows facing the first floor are obscure glazed bathrooms windows.

7. In terms of design the proposed first floor extension would not exceed the height of the existing building and it is in scale with the existing property and the streetscape as recommended in SPG2. It has been designed with appropriate materials and features in keeping with the character of the existing property.
8. The proposal would change this property from a three bedroomed property to a four bedroomed property, however; the two car parking spaces in existence are considered sufficient in this instance to serve this property.
9. The proposal is therefore considered acceptable and in accordance with Derwentside Local Plan Policy HO19 and SPG2.

Recommendation

10. Conditional Permission
 - Three year time limit (ST).
 - Approved Plans (ST01)
 - External materials (DH05)

Reason for Approval

11. The decision to grant planning permission has been taken having regard to policy HO19 of the Derwentside District Plan and relevant supplementary planning guidance and material considerations as detailed in the report to the Development Control Committee. In the view of the Local Planning Authority no other material considerations outweigh the decision to grant permission.

Report Prepared by Louisa Fleming, Area Planning Officer

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Application site

0068

Ridgeway

Ridgeway

THORNLEA GROVE

ASHLEIGH GROVE

MOUNT PARK DRIVE

Sub Sta

BM 141.25m

Ferndale

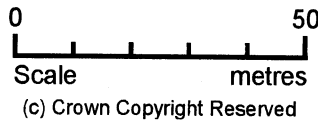
134.1m

MOUNT VIEW

9851

FOX HILLS CRESCENT

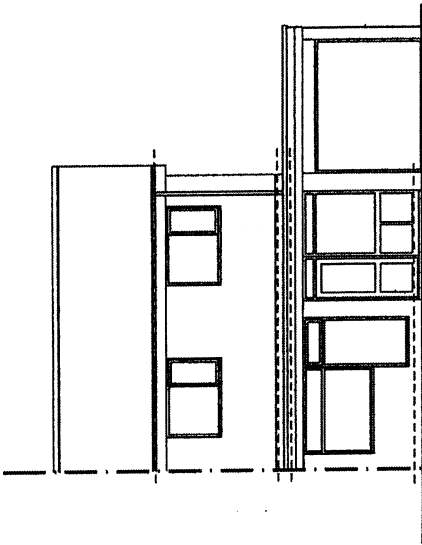
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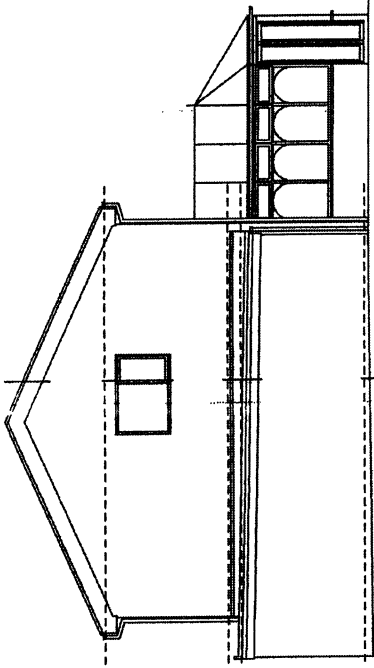
Erection of first floor extension above existing garage
9 Mount Park Drive
Lanchester

07/190

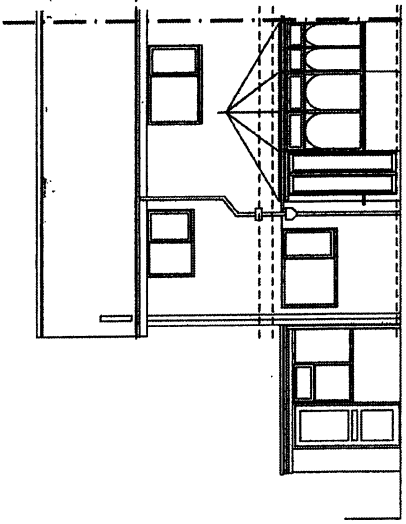




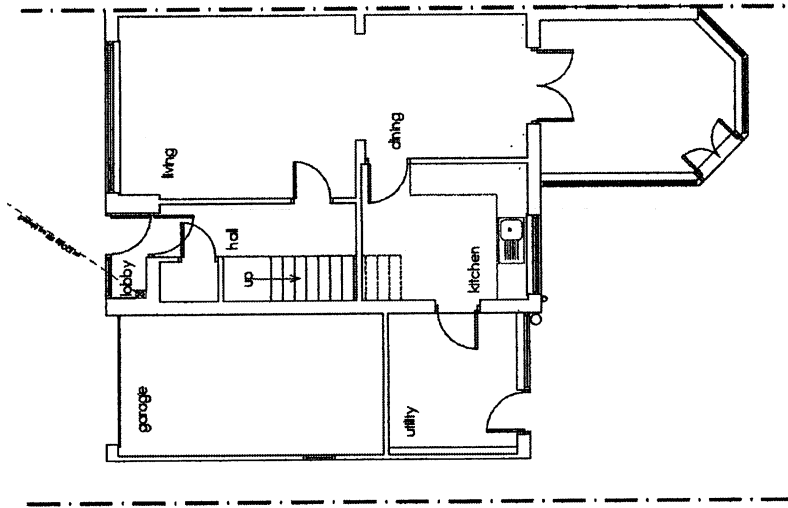
front elevation



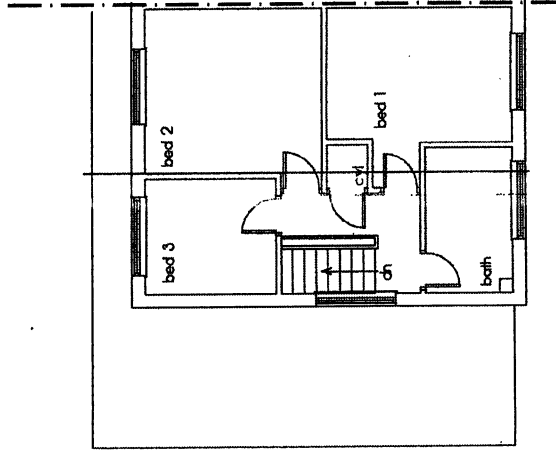
side elevation



rear elevation

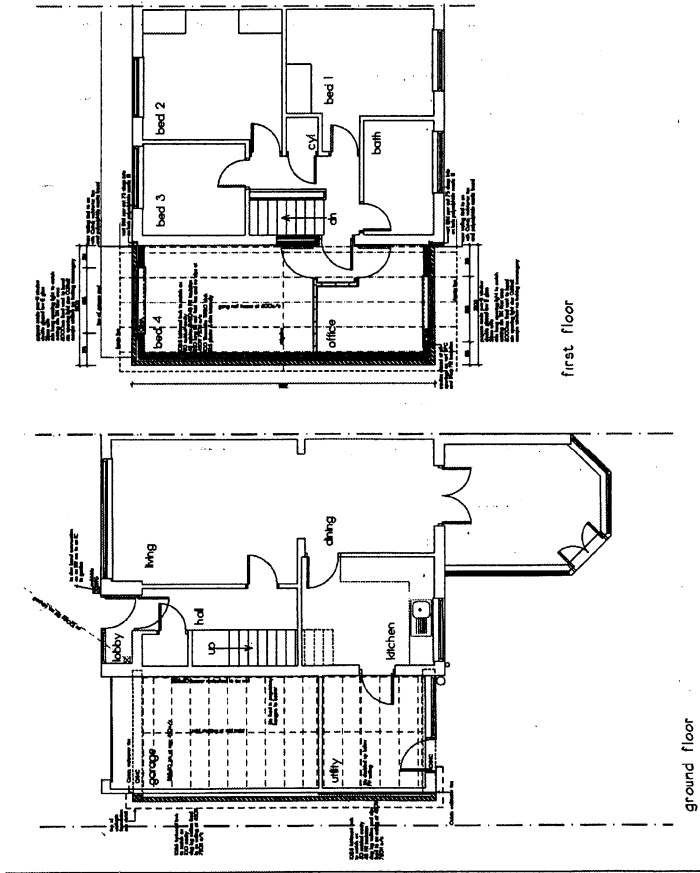
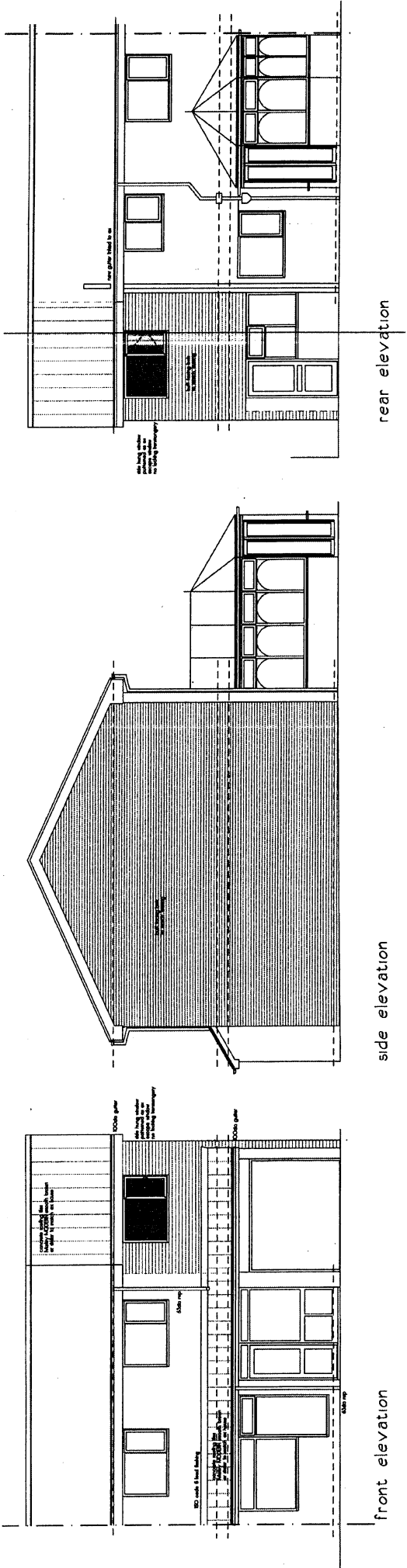


first floor



EXISTING PLANS

Erection of first floor extension above existing garage
9 Mount Park Drive
Lanchester
07/190



PROPOSED PLANS

Erection of first floor extension above existing garage
 9 Mount Park Drive
 Lanchester
 07/190