

CITY OF DURHAM
DEVELOPMENT CONTROL COMMITTEE

19 July 2007

REPORT OF THE HEAD OF PLANNING SERVICES

Reports for Information

Members are asked to note that reports in relation to the following items are placed in the Members Room in the Town Hall: -

1. Notice of Planning / Enforcement Appeals which have been lodged with the City Council

- a) Appeal by Mr P Stott
Site at Cassop Farm, Old Cassop, Durham, DH6 4QB

1.2 Planning Applications – Determined under Plenary Powers

1.3 Building Control Applications – Determined under Plenary Powers

2. Decisions made by the County Council

Application No:	CM4/07/468
Applicant:	Framwellgate Moor School
Location:	Framwellgate School, Finchale Road, Framwellgate Moor, Durham
Proposal:	Erection of canopy within school campus

The above application was considered by the City Council under delegated powers on 24 May 2007 when it was resolved to offer no objection.

Durham County Planning Committee has now considered the proposal and resolved to approve the application subject to conditions.

Recommendation:

That the report be noted.

Application No:	CM4/07/263
Applicant:	Premier Waste Management
Location:	Joint Stocks Quarry Landfill Site, Coxhoe, Durham
Proposal:	Change of use of existing building to process residues from aerobic digester, recycle card and plastic, store and process waste tyres in existing recycling complex

3. Recommendation on other Applications

The applications on the following pages will raise issues, which merit some detailed comment. I set out below a summary together with my recommendations:

Number And Applicant	Location	Proposal	Recommendation
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ITEM 1

07/00311/FPA Durham Villages Regeneration	Land at Tail-Upon-End Lane Bowburn Durham	Erection of 83 dwellings with associated vehicular and pedestrian access, landscaping and provision of landscaped public open space	Minded To Approve
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ITEM 2

07/00360/FPA Durham Villages Regeneration	Land at Finchale View West Rainton Durham	Erection of 56 no. dwellings with associated vehicular and pedestrian access, parking and landscaped open space	Approve
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ITEM 3

07/00367/FPA Chesterford Properties	Land at Littleburn Business Centre Mill Road Langley Moor Durham	Erection of 10 no. business units (revised scheme)	Approve
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ITEM 4

07/00524/FPA Rowland Brothers	Land at Coal Depot Unthank Terrace New Brancepeth Durham	Erection of 6 no. detached dwellings	Approve
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ITEM 5

07/00553/FPA J McArdle	7 Warwickshire Drive Belmont Durham	Erection of 2 no. dwellinghouses (revised and resubmitted)	Approve
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ITEM 1

07/00311/FPA	Land At Tail-Upon-End Lane, Bowburn, Durham
Durham Villages Regeneration	Erection of 83 dwellings with associated vehicular and pedestrian access, landscaping and provision of landscaped public open space

SITE AND APPLICATION DESCRIPTION

The application site relates to an area of public open space extending to some 2.83ha and located on the north-east periphery of Bowburn. The site is bound to the south and west by existing residential dwellings while Tail-Upon-End Lane itself bounds the north and east of the site. In addition, the site extends into Robert Terrace, west of the larger part of the site, to an area of open space and a public footpath. Contained within the site is an area of play facilities and football goal posts, with the site in the main sown to grass with low level vegetation along the Tail-Upon-End Lane edge of the site, and more mature vegetation along the site's boundary with Bowburn Hall Drive. The site lies within the settlement limits of Bowburn and is considered to be a greenfield site for planning purposes.

Planning permission is sought in detailed form for the erection of 83 dwellings with associated vehicular and pedestrian access, landscaping and the provision of landscaped public open space. The proposals involve the development of dwellings on the northern and western edges of the site. The southern part of the site will be retained as an area of enhanced landscaped public open space and this part of the site comprises some 0.74ha. The application proposes a range of properties which include 3 no. two bedroom dwellings, 73 no. three bedroom dwellings and 7 no. four bedroom dwellings, which vary in layout from terraces, link semi-detached, semi-detached through to larger detached dwellings.

Since its submission, the scheme has been amended to reduce the number of dwellings from 86 to 83, which has involved the removal of two proposed properties from Robert Terrace itself and has been redesigned to address highway safety concerns.

The application is accompanied by an array of supporting information including, Design and Access Statement, Supporting Planning Statement, Open Space Assessment and a Flood Risk Assessment.

RELEVANT HISTORY

This application, submitted by the Durham Villages Regeneration Company, has emerged from the Bowburn and Parkhill Masterplan (2006) which has sought to guide the regeneration and development of Bowburn and Parkhill, and has formed an evidence base for the emerging Housing Development Plan Document which will form part of the overall emerging City of Durham Local Development Framework. The Masterplan has been the subject of extensive consultation with members of the public. The site at Tail-Upon-End Lane is the fifth site in Bowburn to be identified, following earlier schemes such as the site at Philip Avenue where 86 dwellings were approved. Therefore, while ordinarily schemes are judged on their own merits, it should be recognised that this scheme forms part of a wider vision to regenerate not only Bowburn and Parkhill but also throughout the former coalfield villages in the District.

POLICIES

NATIONAL POLICIES

Planning Policy Statement 1: Delivering Sustainable Development sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system.

Planning Policy Statement 3: Housing underpins the delivery of the Government's strategic housing policy objectives and a common goal of ensuring that everyone has the opportunity to live in a decent home, which they can afford in a community where they want to live.

Planning Policy Statement 9: Biodiversity and Geological Conservation aims to ensure that planning decisions maintain, restore or enhance biological diversity and geological conservation interests. Local Authorities are therefore required to ensure that appropriate weight is attached to protected species including Biodiversity Action Plan habitats and to biological and geological interest within the wider community.

Planning Policy Guidance Note 17: Planning for Open Space, Sport and Recreation, describes the role of the planning system in assessing opportunities and needs for sport and recreation provision and safeguarding open space which has recreational value.

REGIONAL POLICY

Regional Planning Guidance for the North East (Regional Planning Guidance Note 1) reinforces national guidance in respect of the re-use of previously developed land and buildings, requiring Local Authorities to achieve 60% of new housing on 'brownfield' sites by 2008.

LOCAL PLAN POLICIES

Policy E5a (Open Spaces within Settlement Boundaries) does not permit proposals which would detract from the functional, visual and environmental attributes they possess will not be permitted.

Policy E14 (Protection of Existing Trees and Hedgerows) sets out the Council's requirements for considering proposals which would affect trees and hedgerows. The loss of ancient woodland will not be permitted. Tree preservation orders will be designated as necessary. Development proposals will be required to retain areas of woodland, important groups of trees, copses and individual trees and hedgerows wherever possible and to replace trees and hedgerows of value which are lost.

Policy E16 (Protection and Promotion of Nature Conservation) is aimed at protecting and enhancing the nature conservation assets of the district. Development proposals outside specifically protected sites will be required to identify any significant nature conservation interests that may exist on or adjacent to the site by submitting surveys of wildlife habitats, protected species and features of ecological, geological and geomorphological interest.

Policy H3 (New Housing Development within the Villages) allows for windfall development of previously developed sites within the settlement boundaries of a number of specified former coalfield villages across the District, provided that the scheme is appropriate in scale, design location and number of units. The policy exceptionally allows the development of greenfield sites under 0.3ha where there are clear and quantifiable benefits and where these benefits cannot be achieved through the development of previously developed land or conversion of existing buildings. This exception policy includes a number of former coalfield villages including Bowburn.

Policy H12 (Affordable Housing) seeks the provision of an element of affordable housing on schemes where over 25 units are provided or where the site area would exceed 1.0ha. The associated Cabinet approved (December 2006) Supplementary Planning Document advises that 30% of all dwellings on a site providing over 25 dwellings should be provided as affordable units in perpetuity.

Affordable Housing is defined in PPS3 (Annex B) as being housing which includes social rented and intermediate housing, provided to specified eligible households whose needs are not met by the market. Affordable housing should meet the needs of eligible households including availability at low cost and should include provision for the homes to remain at an affordable price for future eligible households.

Policy H13 (Residential Areas – Impact upon Character and Amenity) states that planning permission will not be granted for new development or changes of use which have a significant adverse effect on the character or appearance of residential areas, or the amenities of residents within them.

Policy T1 (Traffic Generation – General) states that the Council will not grant planning permission for development that would generate traffic likely to be detrimental to highway safety and / or have a significant effect on the amenity of occupiers of neighbouring property.

Policy T10 (Parking – General Provision) states that vehicle parking should be limited in amount, so as to promote sustainable transport choices and reduce the land-take of development.

Policy R2 (Provision of Open Space – New Residential Development) states that in new residential development of 10 or more units, open space will be required to be provided within or adjacent to the development in accordance with the Council's standards.

Policy R3 (Protection of Outdoor Recreation Facilities) seeks to protect areas of open space currently used for recreation and leisure. The loss of such spaces will only be permitted where equivalent facilities will be provided locally and where the overall level of provision will not be prejudiced in accordance with the levels set out at Policy R1.

Policy Q3 (External Parking Areas) requires all external parking areas to be adequately landscaped, surfaced, demarcated, lit and signed. Large surface car parks should be subdivided into small units. Large exposed area of surface, street and rooftop parking are not considered appropriate.

Policy Q5 (Landscaping – General Provision) sets out that any development which has an impact on the visual amenity of an area will be required to incorporate a high standard of landscaping.

Policy Q8 (Layout and Design – Residential Development) sets out the Council's standards for the layout of new residential development. Amongst other things, new dwellings must be appropriate in scale, form, density and materials to the character of their surroundings. The impact on the occupants of existing nearby properties should be minimised.

Policy U8a (Disposal of Foul and Surface Water) requires developments to provide satisfactory arrangements for disposing foul and surface water discharges. Where satisfactory arrangements are not available, then proposals may be approved subject to the submission of a satisfactory scheme and its implementation before the development is brought into use.

REPRESENTATIONS

The application has been the subject of extensive consultation with statutory and non-statutory consultees and has been advertised as a departure from the City of Durham Local Plan 2004 both in the local press and by way of 3no. site notices. An extensive consultation exercise by way of a letter to individual properties in the surrounding area has also been undertaken.

STATUTORY RESPONSES

The County Highway Authority has advised that they consider the site to be accessible to a range of transport options, with good links for pedestrians and cyclists to facilities within the village and to public transport. The level of parking proposed within the site is considered acceptable. Concerns were expressed in relation to the vehicular access to be provided from the site into David Terrace/Robert Terrace, and that the submitted layout showed a substantial encroachment onto the highway boundary. The layout has been amended to take account of these concerns and following additional consultation with the County Highway Authority they are satisfied that these issues have been resolved.

The Environment Agency has no objection to the scheme in principle, but recommends that a number of conditions be applied in relation to surface water drainage.

At the time of writing, no response has been received from Northumbrian Water.

INTERNAL RESPONSES

The Council's Heritage and Design Section considers the layout and disposition of buildings to be appropriate, particularly with the area of retained open space providing a natural setting to Bowburn Hall Hotel, which although unlisted is nevertheless a significant building in the local context. The main issue of concern relates to a substantial oak tree of high amenity value that may be adversely affected by excavations.

PUBLIC RESPONSES

There has been a significant level of public interest in this application, and while it would be inappropriate to provide an entire account of the content of each individual letter, a summary of the 16 sixteen letters of objection are summarised below. (If members wish to inspect the full text of the correspondence this is available on the application file or electronically.)

The main issue which is common among most responses relates to the loss of the site as open space and its use as a recreation and play facility, together with the loss of a maturing strip of vegetation along the northern boundary of the site. Concerns are also expressed that the loss of the open space will adversely affect wildlife.

A further theme common in many responses concerns highway safety. Concerns relate specifically to the additional parking demand in Robert Terrace from the two additional properties and also to the 2 no. new access roads onto Tail-Upon-End Lane, in addition to the 30 no. individual driveways having direct access onto Tail-Upon-End Lane itself.

Drainage and sewerage issues are also common to a number of responses, highlighting existing problems and that these will be exacerbated by further development making use of existing facilities.

Occupiers of property in Robert Terrace are concerned that the access point in Robert Terrace will be lost, while individual occupiers either side of the access will lose a rear access point. One writer is concerned that their residential amenity will be harmed in terms of privacy and from noise emanating from the proposed properties themselves.

A particularly detailed letter has been received, which has sought to provide a critique of events leading to the submission of the application, together with a detailed appraisal of the supporting information provided by the applicant's agent. In addition to this, the letter does reflect the content of other objectors in terms of concerns about highway safety, drainage capacity and a lack of available facilities or amenities within the village. However, the letter does raise specific issues about the lack of an identified need for additional housing, a lack of proposed affordable housing, the likelihood that new residents would not make use of existing amenities, the availability of alternative previously developed sites, no guarantee that the revenues from land values will specifically provide the required quantifiable regeneration benefits which would justify the loss of a greenfield site, and that without such guarantees its loss cannot be justified.

Cassop Cum Quarrington Parish Council share many concerns expressed by the residents above, in particular, the loss of open space, a lack of affordable or special needs housing, drainage/sewerage concerns and that the existing schools and medical facilities will not be able to meet the demands of additional housing.

Bowburn and Parkhill Community Partnership are concerned that the planning application itself has not been the subject of consultation with the wider community, and that revenues from the land should be ring-fenced specifically for Bowburn in order to justify the loss of open space and finally that there are alternative sites available.

One letter of support has been received, which has noted that the scheme intends to retain an area of open space, which is adequate since the existing open space is not used, and that the scheme will benefit the area through additional investment and additional facilities as a result in the future.

For the avoidance of doubt, it is clear from the responses received that there has been some confusion among residents as to the number of dwellings proposed. A consultation exercise as part of the Council's Preferred Housing Options through the Local Development Framework indicated the provision of around 44 houses, however, the application as submitted was for 86 dwellings, and the consultation exercise for the application itself has been undertaken on the basis of this figure alone. The number has been subsequently reduced.

PLANNING CONSIDERATIONS

The overriding main issue to consider is the principle of the development and whether special circumstances exist which would justify a departure from the adopted City of Durham Local Plan 2004, in terms of the development of a greenfield site.

Policy H3 of the Local Plan allows for the exceptional release of greenfield sites in the coalfield villages of a maximum of 10 units where the site is under 0.33ha and where there are clear and quantifiable regeneration benefits and where those regeneration benefits could not be achieved through the development of previously developed sites or through conversion. This proposal seeks to demonstrate that although the number of dwellings at 83 and the site at 2.09ha (to be developed) exceeds the thresholds referred to in Policy H3 above, the clear and quantifiable regeneration benefits which would result and that there are no alternative suitable sites, provides sufficient evidence and circumstances which would justify a departure from the development plan.

The proposed development forms part of a wider regeneration initiative by Durham Villages Regeneration (DVR), which has since its formation, sought to regenerate the former coalfield villages in the District and the provision of new housing supply including low cost market housing has formed a significant part of this initiative. The main aims of DVR in so far as they relate to housing are to create economic regeneration through the provision of low cost housing for sale and to provide sustainable, safe and well balanced environments where community spirit will raise people's aspirations. This application follows a number of such schemes which have been implemented District-wide and in Bowburn alone this represents the fifth such scheme which seeks to continue the regeneration of the village since the decline of the coalfields. Taken in this context, the scheme represents part of a wider holistic approach to tackling decline and has been guided by a masterplan for Bowburn and Parkhill specifically. The masterplan has sought to specifically identify ways to bring about an improvement to the quality and mix of housing through the development of vacant or surplus sites and bring about a balancing of house types with targeted provision where certain types are under-represented.

The proposed development, whilst a departure from the development plan, must demonstrate, amongst other things, consistency with the aims of Policy H3 both in terms of those criteria for exceptional greenfield release and in terms of criteria for new residential development generally. The scheme forms part of a wider exercise in delivering regeneration, and housing itself is considered to bring about regeneration through an improved housing stock, while quantifiably the financial receipts from the sale of the land together with a percentage of the profit from each property sold will be ring-fenced to assist in the regeneration of Bowburn. Therefore, the applicants have demonstrated that the scheme offers clear regeneration benefits in terms of an improved housing stock while quantifiably, financial receipts will seek to regenerate Bowburn through future housing schemes and through the other aims of DVR in terms of socio-economic initiatives such as employment and training or improvements to recreational amenities.

Policy H3 also requires that there are no other suitable sites. It is considered that there are no available sites which could be readily available for development, other than those with planning permission where the regeneration benefits have been accepted. The site is unallocated in the development plan and would not, for example, erode the supply of employment land available in Bowburn.

The clear and quantifiable regeneration benefits which this holistic approach proposes and in terms of the scale of the scheme, and could not be delivered either through exceptional release within the thresholds in Policy H3 or through alternative previously-developed sites or conversions. In these circumstances, the applicants have demonstrated clear and quantifiable regeneration benefits which could not be delivered elsewhere within Bowburn and in these circumstances, the proposals are considered to represent a justified departure from Policy H3 of the Local Plan in terms of the principle of the development.

The proposed development would lead to built development on around two hectares of the site, with the remainder being retained as open space. The application has been accompanied by a 'Loss of Open Space Assessment' which has sought to examine the current provision at 27 sites within Bowburn and the impacts of the loss of the open space which is the subject of this application. The report acknowledges that the site is an area of grassed open space containing an unmarked playing pitch with goal posts (not a formal delineated playing pitch and no referral to Sport England is required as a result, in accordance with Circular 09/98: Town and Country Planning (playing fields) (England) Direction 1998), and a derelict children's play area. The analysis of Bowburn as a whole identified that there is a significant (6.95ha) notional surplus of open space within the settlement as a whole, while there are no play facilities in Bowburn which currently meet the National Playing Fields Association (NPFSA) standards as set out in Policy R1 of the Local Plan and as such the proposals would not therefore lead to the loss of facilities of the required standard in any event.

The application proposes to retain an area of open space which will provide a space for prospective and surrounding residents at a level which largely complies with the level set out at Policy R2, while existing facilities at Bowburn Park, together with the significant proposed enhancements to play facilities to meet NPFA standards (currently the subject of a planning application for the redevelopment of the park), is such that the proposal accords with Policy R3.

The issue of affordable housing has been raised by opponents of the scheme and this issue has been addressed in the applicants supporting statement. The proposals do not include the provision of specific 'affordable housing' as defined in Annex B of PPS3, however, the scheme, in its wider masterplan context seeks to provide low cost market housing which itself provides a regeneration benefit to the community and from the quantifiable benefits it is proposed that the ring-fenced financial receipts referred to above will be utilised towards the provision of affordable housing on schemes in the future. Given the strategic role of this site in the regeneration of the village, together with the low cost market housing provision proposed, it is considered that there are exceptional circumstances which mitigate the need for affordable housing provision in this case.

In terms of the scale, design and layout of the proposed development, Policy H3 sets out standards which development must meet together with criteria set out in Policies Q8, R2, T10 and U8a. The proposals involve the development of an underused area of public open space which suffers from drainage problems, and it is considered that the attributes which the site holds in terms of mature vegetation along Bowburn Hall Drive will be retained, while adequate additional landscaping will be provided in the retained open space, together with provision along the developments' frontage with Tail-Upon-End Lane itself, mitigates the loss of the planting strip along the edge of the footway adjoining Tail-Upon-End Lane. PPS3 encourages the provision of a range of house types, and the scheme brings forward two to four bedroom properties varying in scales and designs, which together create an attractive place to live, while some two and a half storey properties are opposed along the Tail-Upon-End Lane frontage, which creates a strong frontage softened by the deep set-back from the road itself and the soft landscaping which will be contained therein.

The overall layout of the development seeks to retain mature vegetation, that the main vehicular pedestrian routes within and around the site are met by front elevations offering an open plan soft frontage to the scheme, while corner sites within the development are addressed by unusually designed properties offering a distinctive quality to the scheme. A further advantage of the layout is that the retained and enhanced area of open space will be overlooked by the prospective dwellings thereby creating a safe and supervised environment for children to play. Facing distances are achieved to existing residential dwellings in Leyland Close and Robert Terrace, while within the site the amenities of prospective occupiers will be ensured through adequate level of separation standards, and where relationships exist which fall slightly short of the standards specified at Policy Q8, these relate to front elevations between a limited number of plots and in the case of rear elevations and private amenity space, relationships meet the required standards at Policy Q8.

Turning to highway issues, the County Highway Authority are essentially in support of the scheme, acknowledging its sustainable location and access to modes of transport other than the private car, while the level of parking provision for residents and visitors is considered adequate. The application proposes 30 no. individual driveways and 2 no. new estate service roads onto Tail-Upon-End Land, again to the satisfaction of the County Highway Authority.

Highway safety concerns have been expressed on two issues. Firstly, the encroachment into the highway boundary would have adversely affected the visibility splay at the junction of Leyland Close/Bowburn Hall Drive, and to this end, the layout of the site has been amended accordingly to the address these concerns. Secondly, the Highway Authority are concerned that additional traffic from the new vehicular access from the site into David Terrace/Robert Terrace would adversely affect highway safety.

Again, the layout of the scheme has been revised to encompass these concerns with a turning head proposed at this point rather than a through access into David Terrace/Robert Terrace. Therefore, it is considered that the level of parking provision, the layout and points of access to the site are considered acceptable and without detriment to highway safety in accordance with Policies T1 and T10. On a procedural note, the stopping-up of the public footpath between No.s 6 and 8 Robert Terrace will be required and an appropriate pre-development condition would be appropriate if the scheme were recommended for approval.

Whilst it is considered that the concerns of residents and the parish council in relation to the loss of the open space, the regeneration benefits and amenity impacts have been addressed in the report above, it is appropriate to address the issues in relation to drainage and sewerage. The Environment Agency is satisfied that the proposed development is not at risk from flooding, while they also propose a number of conditions to ensure that surface water is dealt with adequately without adverse impacts on the surrounding area. At the time of writing, Northumbrian Water has not responded to the proposals upon which it was consulted some 10 weeks earlier. It is considered that if significant concerns did exist at Northumbrian Water, the Council would have received such comments without undue delay. In these circumstances, it is considered that the means by which drainage and sewerage are handled would be dealt with condition and agreement reached with Northumbrian Water in discharging conditions to ensure compliance with Policy U8a of the Local Plan.

Further concerns were expressed in relation to the loss of habitat for local wildlife. The site has not been designated as being of nature conservation importance and the more mature trees likely to be habitat to nesting birds are retained, while the site is in close proximity of extensive open countryside offering a wildlife habitat and in addition, the site will provide additional landscaping to the retained open space again offering a wildlife habitat. In these circumstances, it is considered that the proposal will not adversely affect local wildlife.

In summary, the proposed development is a departure from Policy H3 of the Local Plan in so far as it would involve the development of a greenfield site in excess of the appropriate exceptional thresholds. However, the application forms part of a wider holistic approach to bring about the continued regeneration of Bowburn, and where the proposed housing, enhanced public open space and financial receipts from land sales and individual property sales will be ring-fenced, which together would bring about the continued regeneration of Bowburn. The Bowburn and Parkhill Masterplan has been the subject of extensive consultation and its implementation, including the redevelopment of further brownfield sites more centrally located within the settlement, will require this particular greenfield development. In these circumstances, it is considered that the application demonstrates special circumstances to justify a departure from the development plan, while in other land use planning respects the scale, design, layout, impact on visual/residential amenity and highway considerations accord with the relevant Local Plan policies.

RECOMMENDATION

That in accordance with The Town and Country Planning (Development Plans and Consultation) (Departures) Directions 1999, the application be referred to the Government Office for the North East with a recommendation that it be **MINDED TO APPROVE**, subject to the following conditions:

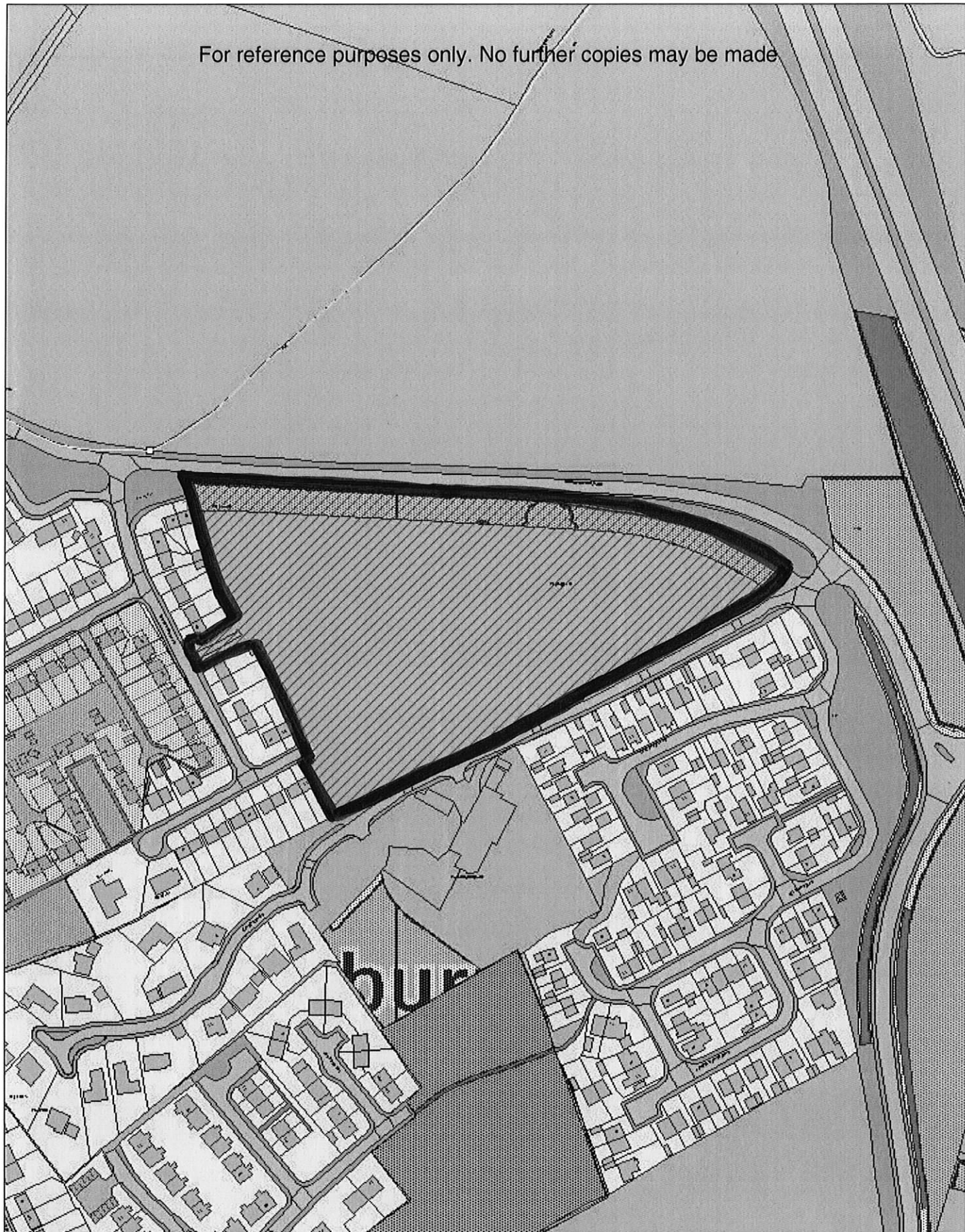
1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans and specifications and the details agreed through the conditions of this planning permission.

3. Notwithstanding the information shown on the submitted application details of all materials to be used externally and the standard of their finish shall be submitted to and approved by the Local Planning Authority in writing before the development is commenced, and thereafter implemented in accordance with the approved scheme.
4. Details of any fences, walls or other means of enclosure to be erected on any of the site boundaries or within the site shall be submitted to and approved by the Local Planning Authority in writing before development commences. Development shall thereafter be completed in accordance with the approved details.
5. Notwithstanding the information shown on the submitted plans details of the surface treatment of all vehicle hardstanding areas shall be submitted to and approved in writing by the Local Planning Authority before work commences, and thereafter implemented in accordance with the approved scheme.
6. Before any development is commenced the approval of the Local Planning Authority is required in writing to a scheme of landscaping and tree planting for the site indicating, inter alia, the number, species, heights on planting and positions of all the trees, together with details of post planting maintenance. Such scheme as approved by the Local Planning Authority shall be carried out in its entirety within a period of 12 months beginning with the date on which development is commenced, or within such longer period as may be agreed in writing with the Local Planning Authority. All trees, shrubs and bushes shall be maintained by the owner or owners of the land on which they are situated for the period of five years beginning with the date of completion of the scheme and during that period all losses shall be made good as and when necessary, unless the Local Planning Authority gives written consent to any variation.
7. The proposed garages shown on drawing No.s SL5.1 rev H, H927 and H1176 shall be implemented in accordance with the agreed details and retained thereafter for the parking of private vehicles and shall not be used as or converted into habitable accommodation, unless otherwise agreed in writing with the Local Planning Authority.
8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any order revoking or re-enacting that Order, no fences, gates or walls, other than those expressly authorised by this permission shall at any time be erected beyond the forwardmost part of any wall of a dwelling house which faces onto a vehicular highway, without the grant of further specific permission from the Local Planning Authority.
9. Notwithstanding the provisions of Article 3 and Class F of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, or any order revoking or re-enacting that order, no provision for a hard surface, other than those expressly authorised by this permission, shall be permitted at any point beyond the forwardmost part of the dwellinghouse facing a highway without the grant of further specific permission from the Local Planning Authority.
10. No development shall commence until an application has been made and approved by the appropriate competent authority to seek a stopping-up order in respect of the public footpath between No.s 8 and 10 Robert Terrace under section 247 of the Town and Country Planning Act 1990.

BACKGROUND PAPERS

Submitted Application Forms and Submitted and Amended Plans
Supporting Planning Statement
Flood Risk Assessment
Open Space Assessment
Design and Access Statement
Planning Policy Statements 1, 3 and 9 and Planning Policy Guidance (PPG) 17
Regional Planning Guidance for the North East (RPG1)
Draft Regional Spatial Strategy for the North East (2005)
City of Durham Local Plan 2004
Responses from County Highway Authority and Environment Agency
Responses from Parish Council and Bowburn and Parkhill Community Partnership
Public Consultation Responses
Various File Notes and Correspondence

For reference purposes only. No further copies may be made



City of
Durham

Planning Services

Application No. 4/07/00311/FPA

Land At Tail-Up-on-End Lane, Bowburn, Durham

Comments

Date

29 June 2007

Scale

1:2500

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ITEM 2

<p>07/00360/FPA</p> <p>Durham Villages Regeneration</p>	<p>Land at Finchale View, West Rainton, Durham</p> <p>Erection of 56 dwellings with associated vehicular and pedestrian access, parking and landscaped open space</p>
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SITE AND APPLICATION DESCRIPTION

This application, from Durham Villages Regeneration, proposes the erection of 56 family dwellings, mainly of two and three bedrooms on an area of land on the western edge of the village, on a site identified for housing within the Local Plan.

The land is currently covered by scrub, and has the remains of a loop road going through it. It is sloped towards the west, where it bounds an area of tree planting that separates the site from the dormant Leamside railway line. On the higher ground to the east of the site, 16 semi-detached two-storey houses overlook the site across their rear gardens. Four further semis face across the site from the south, with the land to the north open, across a paddock, playing fields and a bowling green, to the countryside. There are two vehicular approaches to the site possible, through a Council-built estate, via Prospect View or The Crescent. These are narrow roads with a high level of on-street parking.

West Rainton is an attractive village with a mix of private, and local authority built estates built in depth from an older core of more traditional buildings. Prominent on the skyline from the east, and conveniently sited near the A690 to Durham and the A1(M), and Sunderland and the A19 to the west, the strong local character and existence of basic local services has attracted development of varying sizes over recent years, and improvements to the village environment.

This application proposes an estate built either side of a loop road, re-sited centrally, with 43 three bed, 11 two bed, and 2 two bed two storey houses built either side. Areas of formal and informal green space are included, with each property having its own parking, either attached, or in garage courts. The area of paddock in the north-west corner of the site is retained. The house types have been modified from the developer's standard range to include references to local and traditional architectural vernacular, and give the new development a strong character and sense of quality, appropriate to the village.

RELEVANT HISTORY

The site has previously been cleared of housing, but in the distant past, and has remained devoid of development since. A scheme for temporary planting took place to the north of the site in the early 1990s.

POLICIES***NATIONAL POLICIES***

Planning Policy Statement 1: Delivering Sustainable Development sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system.

Policy Planning Statement 3: Housing, sets out the requirements of the government in this topic area, complimenting the broad policies in PPS 1.

Planning Policy Statement 9: Biodiversity and Geological Conservation, read in conjunction with primary legislation such as the 1981 Wildlife and Countryside Act sets out the requirements for the protection of flora, fauna, and the natural environment, listing protected species, and providing mechanisms for protection.

Planning Policy Guidance 13: Transport, addresses the Government's aspirations for transport policy and managing traffic demand, both through traffic management and use of sustainable alternatives.

Planning Policy Guidance 17: Planning for Open Space, Sport and Recreation sets out guidance on assessing need, opportunity, and supply of these subject areas.

Planning Policy Statement 23: Planning and Pollution Control, set out the responsibilities of Local Authorities where pollution and contamination issues are present on development sites.

REGIONAL POLICY

Regional Planning Guidance for the North East (Regional Planning Guidance Note 1) reinforces national guidance in respect of the re-use of previously developed land and buildings, requiring Local Authorities to achieve 60% of new housing on 'brownfield' sites by 2008.

LOCAL PLAN POLICIES

The current planning document in Durham City's administrative area, against which all planning applications must be considered is the City of Durham Local Plan, 2004. The following policies are considered those most relevant to the consideration of this application.

Policy H1 (New Housing Development – Allocated Sites) identifies this particular site as one on which housing development is appropriate. The supporting justification notes the site as previously developed land, and further, that the densities of sites vary, but in many cases they will be high, thus making the most efficient use of the land.

Policy H12 (Affordable Housing) states that on sites of 25 or more dwellings or 1 hectare or more in size, and where a local need exists, the Council will negotiate with developers for a fair and reasonable proportion of affordable housing, and for an appropriate variety of house types and sizes.

Policy Q1 and Q2 (General Principles) relate to the layout and design of new development indicating that new developments should take into account the requirements of users and embody the principle of sustainability.

Policy Q6 (Landscaping – Structural Landscaping) states that all new development on the outer edges of settlements or exposed sites should include peripheral structural landscaping.

Policy Q8 (Layout and Design – Residential Development) states that the layout of new residential development will be required to have a clearly defined road hierarchy; provide adequate amenity and privacy for each dwelling and minimise the impact of the proposal upon occupants of existing nearby and adjacent properties; provide adequate areas of safe, accessible and attractive open space in accordance with policy R2; take into account the need to retain existing features of interest; be appropriate in scale, form, density and materials to the character of its surroundings; and make the most efficient use of the land.

Policy Q15 (Art in Design) states that the Council will encourage the provision of artistic elements in the design and layout of development. Due regard will be made in determining planning applications to the contribution they make to the appearance of the proposal and the amenities of the area.

Policy E11 (Environmental Improvements Transport Corridors) states that the Council will protect and enhance areas visible from the road network, railway lines and recreation routes by improving unsightly land, protecting landscape features and not permitting development that detracts from such routes.

Policy R2 (Provision of Open Space – New Residential Development) states that in new residential development of 10 or more dwellings, open space will be required to be provided within or adjacent to the development in accordance with: Informal play space 0.4ha per 1000 population – Amenity space 0.8ha per 1000 population. Where appropriate a planning agreement will be entered into to.

Policy T1 (Traffic Generation – General) states that the Council will not grant planning permission for development that would generate traffic which would be detrimental to highway safety and/or have a significant affect on the amenity of occupiers of neighbouring property.

Policy T10 (Parking – General Provision) states that vehicle parking off the public highway in redevelopment should be limited in amount, so as to promote sustainable transport choices and reduce land-take of development.

REPRESENTATIONS

STATUTORY RESPONSES

The County Highway Authority note they have been previously consulted on development of this land, and have agreed to it for a number of reasons, including the previous development of the land, and the adequate approach roads. The amount of development proposed is likely to be able to be coped with by the A690 junction, but any further development is likely to require improvements to that. Suggestions as to additional parking, and communal parking areas and detail alterations have been made.

The Environment Agency and Northumbrian Water have both suggested conditions relating to detailed drainage issue, neither objecting to the principle, or volume of development.

PUBLIC RESPONSES

Over 80 objections had been received to the proposals at the time this Committee report was written. Any representations received between the writing of this report, and the Committee meeting will be summarised and reported verbally.

The majority of the representations, including one received from the local County Councillor, concentrate on the highway implications of the proposed development. Residents are concerned that the development is likely to lead to around 200 extra vehicular movements per day, via the two approaches to the site through the existing residential estates. With narrow, steep roads, and subject to congestion resulting from on-street parking, the roadways are particularly susceptible to icy conditions. The majority of the representations received have been in the form of a standard letter. Additional points raised in non-standard responses include concern at the use of garage courts, the loss of privacy to the houses immediately adjacent the site, a perceived shortfall in education capacity in the village, and the loss of the space in its current form, with its recreational and wildlife benefits. The disruption of the build process is of further concern to residents.

Officers consider the above a fair summary of the points raised, reflecting the importance the community have attached to the potential highway implications of the scheme. The full text of all correspondence received in response to the consultation exercise may be inspected on the file, or viewed on the Council web-site.

PLANNING CONSIDERATIONS

The application relates to a site designated for residential development in the current 'Local Plan', the principle document used for assessing applications for development in the Council's area. Both national and local policies urge the most efficient use of land, to protect both the countryside, and the more important greenfield spaces within settlements. This must not be, however, at the expense of the quality of new development, or the effect and relationships with existing development. To this end the developer's standard house types have been redesigned to give a strong local feel to the character of the proposals. Vertically proportioned windows, with heads and cills, panelled doors, flush pointed roof verges, eaves without soffits, a predomination of walls over openings, and a lack of unnecessary detailing, result in 'clean' and characterful houses, which, with the careful control of materials, have the potential to reflect the architectural character of the area. Local character is successfully reflected in the quality of design; an emphasis that is generally encouraged by national organisations (eg CABE), and Government.

The separation to existing residential property set out in the guideline justification of Policy Q8 of the Local Plan is far exceeded in most cases, and given the topography of the site, with the existing housing for the most part set at a higher level, the potential for loss of amenity or privacy is further reduced. Sections provided by the architect show the site falling with the existing ground level, with not expensive or dramatic areas of cut or fill proposed across the site. Internally the site is well laid out, with well designed and located gardens, and garage courts incorporating a good degree of overlooking to ensure security. Matters such as fencing design will be conditioned if the scheme is approved.

The site, and the village generally has good access to recreational facilities, both formal and informal. The scheme incorporates areas of both formal and informal space, and proposals for tree planting in the scheme, both of which can be conditioned. The development retains the maturing tree belt to the west of the site.

The proposals do not include the provision of 'affordable housing' as defined in PPS3, however the scheme seeks to provide low cost market housing which itself provides a regeneration benefit to the community and from the quantifiable benefits it is proposed that monies the City Council accrue from the development of the scheme are directed back to the village and community benefits, so in addition to those areas provided within the site, improvements to other existing local facilities can benefit. Local communities, through their elected members play a prime role in ensuring this is directed to most benefit the individual villages. Given the proven delivery of the Durham Villages Regeneration company on sites elsewhere in the district where more than 565 low cost houses and 260 for rent have been provided in recent years and the clear economic and social benefits these schemes have brought to the regeneration of the villages, it is considered that, there are exceptional circumstances which mitigate the need for affordable housing provision in this case.

The proposed development will provide traditional family housing, for sale, and whilst not the 'bottom rung' on the housing ladder that affordable housing seeks to provide, will add to the range and type of dwelling available in the village, adding to the range of options for a balanced community as required in the Planning Policy Guidance Statements.

The site has good access to local facilities, with a range of small shops in the village catering for various needs. The village itself has good links to Gillesgate via the A690, on the outskirts of Durham and the large retail parks and supermarkets concentrated there.

The development proposed will result in a major increase in traffic through the estate. Revised details of the detailed vehicular layout of the site, and the provision of additional parking has been produced in response to the views of the County Highway Authority. The two vehicular approaches to the site through the estate do have more on-street parking than usual, and are on a gradient, which are problems. The highway assessment is, however, a highly technical area, and given that the County Council as Highway Authority indicates that these issues have been assessed and considered acceptable, both in relation to the immediate effects around the site, and on the general capacities of the main junctions into the village, planning officers accept the professional opinion given, and consider that without detailed technical objection, a refusal could not be sustained on this point.

The site has been cleared of housing for a number of years, and potentially, in a manner that does not ensure that contamination issues have been resolved to modern standards. To this end, if the development is approved, a number of conditions to ensure potential contamination issues are fully investigated, and resolved before development commences are proposed.

The site has not been identified as containing protected species of fauna or flora specified in the Wildlife and Countryside Act 1981, but the provisions of that legislation prevent building operations at certain times of the year that would disturb nesting birds.

Members will be aware that the disruption of the development process can be given little weight in the planning process, which seeks to ensure the finished development would be acceptable. There are safeguards at the Council's disposal through the Environmental Health legislation, should problems occur.

The development proposed through this application, officers consider, represents a good quality scheme for an identified housing site. A considered layout ensures privacy and amenity of new and existing residents, with a vehicular layout and access to the satisfaction of the County Highway Authority. The detailed design compliments the local architectural vernacular, and incorporates areas of open space and planting that should mature into an attractive compliment to the built scheme. Standard conditions to ensure built quality should be added to those requested by statutory consultees, and the developer will have to address the access constraints the site offers during the construction phase. The application is offered support by officers.

RECOMMENDATION

That the application be **APPROVED** subject to the following conditions:

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
2. Notwithstanding the information shown on the submitted application details of all materials to be used externally and the standard of their finish shall be submitted to and approved by the Local Planning Authority in writing before the development is commenced, and thereafter implemented in accordance with the approved scheme.
3. Details of any fences, walls or other means of enclosure to be erected on any of the site boundaries or within the site shall be submitted to and approved by the Local Planning Authority in writing before development commences. Development shall thereafter be completed in accordance with the approved details.

4. Notwithstanding the information shown on the submitted plans details of the surface treatment of all vehicle hardstanding areas shall be submitted to and approved in writing by the Local Planning Authority before work commences, and thereafter implemented in accordance with the approved scheme.
5. Notwithstanding the information shown on the submitted plans the proposed windows shall be set at least 100mm in reveal in accordance with details which shall be submitted at 1:20 scale, and approved in writing by the Local Planning Authority before the development commences, and thereafter implemented in accordance with the approved scheme.
6. No development shall take place until a scheme showing the means by which foul sewage and surface water generated as a result of the development are to be catered for has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall thereafter be carried out in accordance with the approved details before any part of the development is occupied.
7. Before development is commenced details of all flues, vents, and extracts shall be submitted to, and approved in writing by the Local Planning Authority, being thereafter implemented to the satisfaction of the said Authority.
8. Before any development is commenced the approval of the Local Planning Authority is required in writing to a scheme of landscaping and tree planting for the site indicating, inter alia, the number, species, heights on planting and positions of all the trees, together with details of post planting maintenance. Such scheme as approved by the Local Planning Authority shall be carried out in its entirety within a period of 12 months beginning with the date on which development is commenced, or within such longer period as may be agreed in writing with the Local Planning Authority. All trees, shrubs and bushes shall be maintained by the owner or owners of the land on which they are situated for the period of five years beginning with the date of completion of the scheme and during that period all losses shall be made good as and when necessary, unless the Local Planning Authority gives written consent to any variation.
9. Surface Water from the development must be discharged into the public sewerage system.
10. No development approved by this planning permission shall be commenced until:
 - a] A desktop study has been carried out which shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information, and, using this information in a diagrammatical representation [Conceptual Model] for the site of all potential contaminant sources, pathways and receptors has been produced.
 - b] A site investigation has been designed for the site using the information obtained from the desktop study and any diagrammatical representations [Conceptual Model]. This should be submitted to, and approved in writing, by the LPA, prior to that investigation being carried out on the site. The investigation must be comprehensive enough to enable:
 - a risk assessment to be undertaken relating to groundwater and surface waters associated on and off the site that may be affected, and
 - refinement of the Conceptual Model, and
 - the development of a Method Statement detailing the remediation requirements.

c] The site investigation has been undertaken in accordance with details approved by the LPA and a risk assessment has been undertaken.

d] A Method Statement detailing the remediation requirements, including measures to minimise the impact on ground and surface waters, using the information obtained from the Site Investigation has been submitted to the LPA. This should be approved in writing by the LPA prior to that remediation being carried out on the site.

11. The development of the site should be carried out in accordance with the approved Method Statement.
12. If, during the development, contamination not previously identified is found to be present at the site then no further development [unless otherwise agreed in writing with the LPA] shall be carried out until the developer has submitted, and obtained, written approval from the LPA for an addendum to the Method Statement. This addendum to the Method Statement must detail how this unsuspected contamination shall be dealt with.
13. Upon completion of the remediation detailed in the Method Statement a report shall be submitted to the LPA that provides verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement[s]. Post remediation sampling and monitoring results shall be included in the report to demonstrate that the required remediation has been fully met. Future monitoring proposals and reporting shall also be detailed in the report.

BACKGROUND PAPERS

Submitted Application Forms and Plans

Design and Access Statement

Planning Policy Statements (PPS) No's 1,3,9 & 23

Planning Policy Guidance (PPG) No's 13 & 17

Regional Planning guidance for the North East (RPG1)

Draft Regional Spatial Strategy 2005

City of Durham Local Plan 2004

Responses from Statutory Consultees

Public Consultation Responses including County Councillor

Various File Notes and Correspondence

ITEM 3

4/07/00367/FPA	Land at Littleburn Business Centre, Mill Road, Durham
Chesterford Properties	Erection of 10 no. business units (revised scheme)

SITE AND APPLICATION DESCRIPTION

The application site comprises a partially developed site for light industrial units which are located on the periphery of Littleburn Industrial Estate with residential properties immediately to the west of the site with a variety of commercial and industrial buildings surrounding the remainder of the site.

Planning permission is sought for 10 no. business units, which includes eight units which have already been erected on the site under a previous consent, but not built in accordance with the approved plans, together with the provision of two further two-storey units on the eastern edge of the site. The units themselves are constructed of a composite metal cladding system with brickwork while servicing and parking areas are surfaced with tarmac. The units have been designed to meet the needs of small start-up businesses having floorspaces ranging from 95m² to 140m².

RELEVANT HISTORY

Planning permission was granted in 2005 (05/00221) for the erection of 11 no. business units on the site together with associated landscaping parking and access. This consent was commenced, however, it became apparent that the scheme was not being developed in accordance with the approved scheme, while the developers required a revised site layout in order to resolve shared access issues with an adjoining site and this has necessitated the reduction in the overall number of units and hence the current application seeking a total of 10 no. units.

POLICIES

NATIONAL POLICIES

Planning Policy Statement 1: Delivering Sustainable Development sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system.

Planning Policy Guidance note 4: Industrial and Commercial Development and Small Firms. This PPG takes a positive approach to the location of new business developments and assisting small firms through the planning system. The Guidance seeks to reconcile economic growth with a high-quality environment.

LOCAL PLAN POLICIES

Policy H13 (Residential Areas – Impact upon Character and Amenity) states that planning permission will not be granted for new development or changes of use which have a significant adverse effect on the character or appearance of residential areas, or the amenities of residents within them.

Policy EMP8 (General Industrial Sites) seeks to promote the overall quality of the Districts General Industrial estates while permitting development falling only within Classes B1, B2 and B8 of the Use Classes Order.

Policy T1 (Traffic Generation–General), states that the Council will not grant planning permission for development that would generate traffic likely to be detrimental to highway.

Policies Q1 and Q2 (New Development – Designing for People and Accessibility), state that the layout and design of all new development should take into account the requirements of all users.

Policy Q3 (External Parking Areas), seeks to ensure that large areas of proposed parking are broken up into smaller units to minimise their visual impact.

Policy Q7 (Industrial and Business Development) seeks to promote an attractive image of the District and thereby stimulate inward investment through the provision of well-designed buildings which are appropriate to their designation.

REPRESENTATIONS

STATUTORY RESPONSES

The County Highway Authority raises no objection to the proposals.

INTERNAL RESPONSES

None

PUBLIC RESPONSES

The application has been publicised in the press, on site and by way of individual letter to surrounding properties and businesses. No letters of objections have been received.

PLANNING CONSIDERATIONS

The main issues concern the principle of the development, whether the development would adversely affect the character of the area, the amenity of residential occupiers or highway safety.

The proposed use of the site for business units (Class B1) has been established through the granting of planning permission for 11 no. units previously, while the proposed uses fall within those permitted in general industrial estates as permitted under Policy EMP8 of the Local Plan.

The units which have erected are of a character commensurate with their small scale use having a low overall height and constructed of a range of materials which would typically be found in a general industrial estate, and offer development of a quality which is in accordance with Policy Q7, being appropriate to the designated area in which they fall and will serve to promote an attractive image of the District to stimulate further inward investment.

The proposed units are two-storey in scale and provide a visual link between the smaller units as existing on the site and the larger scale building on the adjoining site. This again is considered entirely appropriate to the character of the area, and they are sited such that they will not adversely affect the amenity of the adjacent residential occupiers. Therefore, in terms of the impacts upon both visual and residential amenity, the scheme, both in terms of the elements which exist and those which are now proposed, is considered acceptable in accordance with Policies EMP8, Q7 and H13.

No objections to the scheme have been received from the County Highway Authority in terms of the revised site layout; however, the layout provides parking for all users while retaining access for the adjacent building and as such the proposals are considered to be without detriment to highway safety in accordance with Policy T1, and in view of the conclusions in respect of the main issues above, approval is recommended.

RECOMMENDATION

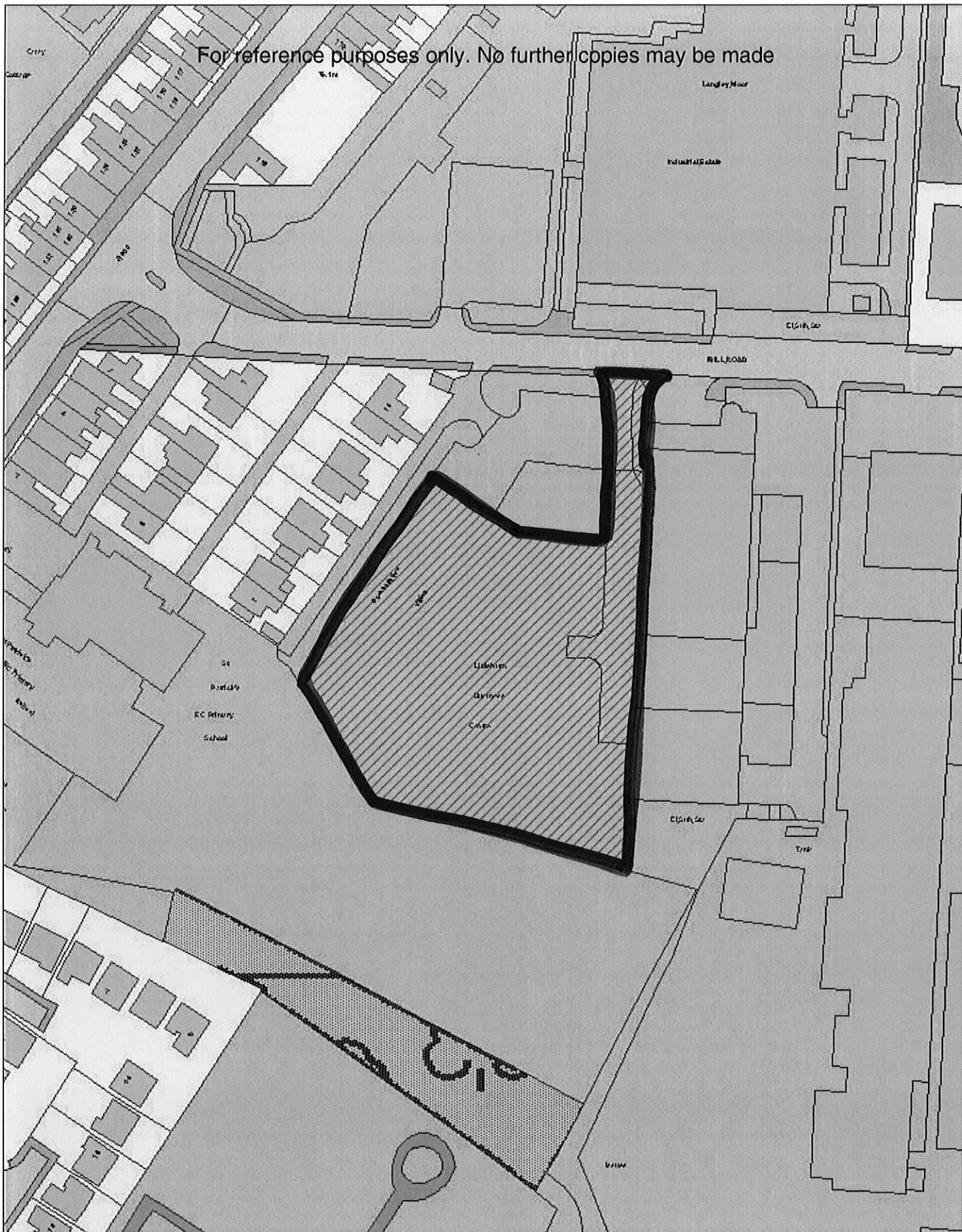
That the application be **APPROVED** subject to the following conditions:

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans and specifications and the details agreed through the conditions of this planning permission.
3. Notwithstanding the information shown on the submitted application details of all materials to be used externally and the standard of their finish shall be submitted to and approved by the Local Planning Authority in writing before the development is commenced, and thereafter implemented in accordance with the approved scheme.
4. The buildings to which this permission relates shall be used for business use within the definition of Class B1 of the Schedule of the Town and Country Planning (Use Classes) Order 1987 and for no other purposes.

BACKGROUND PAPERS

Submitted Application Forms and Plans
Design and Access Statement
Planning Policy Statement (PPS) 1
Planning Policy Guidance (PPG) 4
City of Durham Local Plan 2004
Response from County Highway Authority
Various File Notes and Correspondence

For reference purposes only. No further copies may be made



City of
Durham

Planning Services

Application No. 4/07/00367/FPA

Land At Littleburn Business Centre, Mill Road,
Langley Moor

Comments

Date

29 June 2007

Scale

1:1250

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ITEM 4

4/07/00524/FPA	Land at Coal Depot, Unthank Terrace, New Brancepeth, Durham
Rowland Brothers	Erection of 6 no. detached dwellings

SITE AND APPLICATION DESCRIPTION

The application site relates to a 0.13ha site which is currently used as a coal depot involving open storage of materials and a single storey brick building located at the eastern end of the site. The site is bound to its north and west by woodland, while open space and dwellings lie to the east. With the exception of the existing building at the eastern end of the site, it lies outside the settlement limits of New Brancepeth.

Full planning permission is sought for the erection of 6no. two-storey detached dwellings each fronting onto the road in a linear form of development. Each dwelling will provide 3no. bedrooms and benefit from an integral garage. The application is accompanied by supporting documentation outlining the regeneration benefits which would arise from the development.

RELEVANT HISTORY

Outline planning permission for residential development, with all matters reserved, was granted on 9 November 2003. Approval was given prior to the adoption of the City of Durham Local Plan in 2004. This permission has now expired, and the site does not now benefit from an extant consent.

In October 2006 an application for the erection of 6no. dwellings was submitted to the Council. The application was, following discussions with officers, withdrawn in order that revisions to the scheme could be made and additional supporting information could be supplied in support of the scheme. A further application was made in early 2007, though this was again withdrawn in order that further supporting documentation could be gathered.

POLICIES***NATIONAL POLICIES***

Planning Policy Statement 1: Delivering Sustainable Development sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system.

Planning Policy Statement 3: Housing underpins the delivery of the Government's strategic housing policy objectives and a common goal of ensuring that everyone has the opportunity to live in a decent home, which they can afford in a community where they want to live.

Planning Policy Statement 7: Sustainable Development in Rural Areas sets out the Governments planning policies for rural areas, which local authorities should have regard to when preparing local development documents, and when taking planning decisions.

Planning Policy Statement 9: Biodiversity and Geological Conservation, aims to ensure that planning decisions maintain, restore or enhance biological diversity and geological conservation interests. Local Authorities are therefore required to ensure that appropriate weight is attached to protected species including Biodiversity Action Plan habitats and to biological and geological interest within the wider community.

Planning Policy Statement 23: Planning and Pollution Control, contains the policies and the advice in the accompanying Annexes (Annex 1: Pollution Control, Air and Water Quality and Annex 2: Development on Land Affected by Contamination) should be taken into account by Local Planning Authorities in preparing development plans. They are also material to decisions on individual planning applications and where proposals involve development on land likely to be contaminated, applications shall be accompanied by a survey of the site to assess the likely extent, if any, of contamination.

REGIONAL POLICY

Regional Planning Guidance for the North East (Regional Planning Guidance Note 1) reinforces national guidance in respect of the re-use of previously developed land and buildings, requiring Local Authorities to achieve 60% of new housing on 'brownfield' sites by 2008.

LOCAL PLAN POLICIES

Policy E7 (Development in the Countryside) advises that new development outside existing settlement boundaries will not normally be allowed. However, there are a number of exceptional circumstances where development outside existing settlement boundaries may be considered acceptable.

Policy E14 (Trees and Hedgerows) sets out the Council's requirements for considering proposals which would affect trees and hedgerows. The loss of ancient woodland will not be permitted. Tree preservation orders will be designated as necessary. Development proposals will be required to retain areas of woodland, important groups of trees, copses and individual trees and hedgerows wherever possible and to replace trees and hedgerows of value which are lost. Full tree surveys are required to accompany applications when development may affect trees inside or outside the application site.

Policy E16 (Protection and Promotion of Nature Conservation) is aimed at protecting and enhancing the nature conservation assets of the district. Development proposals outside specifically protected sites will be required to identify any significant nature conservation interests that may exist on or adjacent to the site by submitting surveys of wildlife habitats, protected species and features of ecological, geological and geomorphological interest. As far as possible, unacceptable harm to nature conservation interests will be avoided. Mitigation measures to minimise unacceptable adverse impacts upon nature conservation interests should be identified. The nature conservation value of the district will be enhanced through the creation and management of new wildlife habitats and nature conservation features in new development schemes.

Policy E19 (Wildlife Corridors) sets out criteria for ensuring that key habitats maintain their quality and range of species, and the council will seek to ensure that the integrity of wildlife corridors and the type of species are taken into account.

Policy H3 (New Housing Development within the Villages) allows for windfall development of previously developed sites within the settlement boundaries of a number of specified former coalfield villages across the District, provided that the scheme is appropriate in scale, design location and number of units.

Policy H5 (New Housing the Countryside) sets out criteria outlining the limited circumstances in which new housing in the countryside will be permitted, this being where it is required for occupation by persons employed solely or mainly in agriculture or forestry.

Policy T1 (Traffic Generation – General) states that the Council will not grant planning permission for development that would generate traffic likely to be detrimental to highway safety and / or have a significant effect on the amenity of occupiers of neighbouring property.

Policy T10 (Parking – General Provision) states that vehicle parking should be limited in amount, so as to promote sustainable transport choices and reduce the land-take of development.

Policy Q8 (Layout and Design – Residential Development) sets out the Council's standards for the layout of new residential development. Amongst other things, new dwellings must be appropriate in scale, form, density and materials to the character of their surroundings. The impact on the occupants of existing nearby properties should be minimised.

Policy U8a (Disposal of Foul and Surface Water) requires developments to provide satisfactory arrangements for disposing foul and surface water discharges. Where satisfactory arrangements are not available, then proposals may be approved subject to the submission of a satisfactory scheme and its implementation before the development is brought into use.

Policy U11 (Development on Contaminated Land) sets out the criteria against which schemes for the redevelopment of sites which are known or suspected to be contaminated. Before development takes place it is important that the nature and extent of contamination should be fully understood.

REPRESENTATIONS

STATUTORY RESPONSES

The County Highway Authority has not raised an objection to the scheme.

The Environment Agency has offered no objection to the scheme in relation to either issues of contamination or in respect of surface water drainage and sewerage, but has suggested appropriate conditions.

Natural England considers that the proposal is unlikely to support summer roosting. No account has been taken of the potential for winter feeding and to this end they recommend that a condition be imposed to ensure that no demolition takes place during the bat hibernation period (November – March).

While not a statutory consultee, the Durham Bat Group has been consulted and offer no objection to the scheme in the light of the findings of the submitted Bat Survey.

INTERNAL RESPONSES

None

PUBLIC RESPONSES

No letters of objection have been received from neighbouring occupiers following a consultation exercise by individual letter and the display of a site notice. Brandon and Byshottles Parish Council have not commented specifically on this third application, however, they have commented on the two previous (withdrawn) applications to which they offered their support, believing that the proposals will greatly enhance the appearance of the village and contribute favourably to its regeneration.

PLANNING CONSIDERATIONS

The main issues to consider are the principle of developing the site for residential purposes, the impacts upon both visual and residential amenity, highway safety implications, land contamination, and finally, the interests of nature conservation.

The application site largely lies outside the settlement boundary for New Brancepeth as defined on the proposals map in the City of Durham Local Plan 2004, however, for planning purposes the site is also previously developed or brownfield. National planning policy in PPS3 and PPS7 seeks to encourage development of such sites both within and adjoining existing settlements. In terms of the extent of the proposal being new housing in the countryside, the proposals are not isolated new dwellings where a stricter degree of control is required in terms of an agricultural justification.

The aim of the City of Durham Local Plan Housing chapter is, in accordance with PPG3: Housing (now PPS3), to prioritise the development of previously developed or Brownfield sites within settlements, while seeking to regenerate the former coalfield villages which have declined since the closure of coal mines and associated employment opportunities in the late 20th century. New Brancepeth is a village which has seen such decline and where regeneration is required. The applicants have sought to provide justification for their scheme in terms of regeneration benefits to the community and these are summarised as follows. The development of the site would involve the removal of an established industrial/storage use in close proximity of surrounding residential properties; although a low contamination risk has been identified, some remediation of the site is likely to be required given its current and previous uses; the redevelopment will provide well-designed housing in a prominent location and on an important approach to the village centre, strengthening its core; the development will serve as a catalyst for further development in the settlement; there have been limited new housing opportunities in the village, and the family housing proposed will provide an opportunity for local people to enter the private housing market where there have been few opportunities in recent years within the settlement; and, the additional dwellings will help to consolidate existing services and infrastructure within the village.

Therefore, while parts of the application site lies in an area where ordinarily development would not be permitted, it is considered that the regeneration benefits which would arise from the development are such that they demonstrate circumstances where the redevelopment of the site for residential purposes is considered acceptable in principle in accordance with both national and local planning policies.

The proposals involve the demolition of a large building (approx 185m²) at the eastern end of the application site. The building is used as offices and storage in association with the business operated for the site and appears to be of considerable age and in addition, woodland bounds the site on its northern and western boundaries. In these circumstances a Bat Survey has been carried to assess whether a species protected in law may be affected by the demolition of the building. The findings of the survey on the site revealed that no bats were found to be roosting in the building during summer, although bats were found in the area with a large habitat feeding close by. Natural England has recommended that since no survey work has been taken during the winter months, that a condition accompanies any approval to prevent demolition during the hibernation period. The demolition of the existing building will not therefore affect protected species, in accordance with PPS9 and Policy E16 of the Local Plan.

In addition to nature conservation interests, it is also recognised that there is a wildlife corridor which follows the line of the settlement boundary through the site on the western edge of the existing building. While Policy E19 seeks to ensure that development proposals which impinge on a wildlife corridor include measures to mitigate adverse impacts, it is considered that given the existing use of the site and that the wildlife corridor is currently inaccessible through the site, it would be inappropriate to insist that any application included mitigation measures to protect, enhance or restore the wildlife corridor. The proposals do not therefore conflict with Policy E19.

In accordance with the precautionary approach advocated in PPS23, a desktop contamination study of the site has been undertaken and accompanies the application. The Environment Agency has been consulted in the light of this report and has not raised specific concerns in relation to the contamination of controlled waters. The report itself advises that the uses which have taken place on the site have been involved the storage of materials on a concrete pad or below surface level fuel storage tanks and as such there will be little direct penetration of the subsoils. Therefore, while limited potential contamination may be present a more detailed investigation is required following the clearance of the site. Suitable conditions would be appropriate in these circumstances.

Turning to the scale, layout and appearance of the dwellings, it is considered that they exhibit an overall design which has significant regard to the character and appearance of the more traditional dwellings found in New Brancepeth. While the dwellings are detached they are situated close together so as to appear almost terraced with steps in roof lines commensurate with the change in level from east to west. The front elevations themselves have traditional detailing in terms of a simple robust form with vertically-emphasised windows. The means of enclosure to the front of the dwellings, while being high as result of providing level front gardens and acting as retaining structures will be brick to match the main dwelling with traditional railings atop. It is considered that the proposed dwellings are of a high quality design and will serve to greatly enhance the character and appearance of the village particularly given the prominence of the site when entering the village from the west. The proposals are wholly in accord with Policies H3 and Q8 in this regard.

The amenity of prospective occupiers is secured in terms of an appropriate level of private amenity space to the rear of the dwellings while being in a linear form there are no issues of being overlooked from surrounding development. The change in levels across the site does result in high means of enclosure between adjoining gardens but being north facing there are no significant impacts in terms of overshadowing while the windows in close proximity of the high boundaries are utility rooms rather than main habitable room windows. Similarly, it is considered that the amenity of existing occupiers will be maintained and enhanced. The site is at a significantly higher level than the rear access serving Bewley Terrace, but the dwelling at the eastern end of the site will not be in such proximity of the existing dwellings as the existing storage building, and therefore, the amenity of existing occupiers will not be harmed.

In terms of highway safety, the County Highway Authority has not raised an objection to the application, subject to the footpath being reinstated and works to it being done to an appropriate standard. The level of parking for each dwelling, having a driveway of 5.5m and a garage beyond is considered sufficient, and this being the case, the proposals are considered consistent with Policies T1 and T10.

In summary, it is considered that the redevelopment of the site for residential purposes will bring significant regeneration benefits to the village and would be without detriment to visual and residential amenity or highway safety, while issues of contamination can be addressed by condition before development of the properties commences.

RECOMMENDATION

That the application be **APPROVED** subject to the following conditions:

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
2. No demolition of the existing building shall take place during the bat hibernation period of November to March inclusive.
3. The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans and specifications and the details agreed through the conditions of this planning permission.
4. Notwithstanding the information shown on the submitted application details of all materials to be used externally and the standard of their finish shall be submitted to and approved by the Local Planning Authority in writing before the development is commenced, and thereafter implemented in accordance with the approved scheme.
5. Notwithstanding the information shown on the submitted plans details of the surface treatment of all vehicle hardstanding areas shall be submitted to and approved in writing by the Local Planning Authority before work commences, and thereafter implemented in accordance with the approved scheme.
6. That notwithstanding the information shown on the submitted plans precise details of all new fenestration, glazing and head and cill details shall be submitted to and agreed in writing with the Local Planning Authority prior to development commencing and thereafter implemented in accordance with the approved scheme.
7. Notwithstanding the information shown on the submitted plans the proposed windows shall be set at least 100mm in reveal in accordance with details which shall be submitted at 1:20 scale, and approved in writing by the Local Planning Authority before the development commences, and thereafter implemented in accordance with the approved scheme.
8. No development shall take place until a scheme showing the means by which foul sewage and surface water generated as a result of the development are to be catered for has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall thereafter be carried out in accordance with the approved details before any part of the development is occupied.
9. No development approved by this planning permission shall be commenced until:
 - a] A desktop study has been carried out which shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information, and, using this information in a diagrammatical representation [Conceptual Model] for the site of all potential contaminant sources, pathways and receptors has been produced.
 - b] A site investigation has been designed for the site using the information obtained from the desktop study and any diagrammatical representations [Conceptual Model]. This should be submitted to, and approved in writing, by the LPA, prior to that investigation being carried out on the site. The investigation must be comprehensive enough to enable:
 - a risk assessment to be undertaken relating to groundwater and surface waters associated on and off the site that may be affected, and

- refinement of the Conceptual Model, and
- the development of a Method Statement detailing the remediation requirements.

c] The site investigation has been undertaken in accordance with details approved by the LPA and a risk assessment has been undertaken.

d] A Method Statement detailing the remediation requirements, including measures to minimise the impact on ground and surface waters, using the information obtained from the Site Investigation has been submitted to the LPA. This should be approved in writing by the LPA prior to that remediation being carried out on the site.

10. The development of the site should be carried out in accordance with the approved Method Statement.
11. If, during the development, contamination not previously identified is found to be present at the site then no further development [unless otherwise agreed in writing with the LPA] shall be carried out until the developer has submitted, and obtained, written approval from the LPA for an addendum to the Method Statement. This addendum to the Method Statement must detail how this unsuspected contamination shall be dealt with.
12. Upon completion of the remediation detailed in the Method Statement a report shall be submitted to the LPA that provides verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement[s]. Post remediation sampling and monitoring results shall be included in the report to demonstrate that the required remediation has been fully met. Future monitoring proposals and reporting shall also be detailed in the report.

BACKGROUND PAPERS

Submitted Application Forms and Plans

Design and Access Statement

Supporting Statement

Contamination Desk Study Report

Bat Survey Report

Planning Policy Statements PPS No's 1, 3, 7, 9 and 23

Regional Planning Guidance North East (RPG1)

City of Durham Local Plan 2004

Responses from County Highway Authority, Environment Agency, Natural England and Durham Bat Group

Various File Notes and Correspondence

ITEM 5

4/07/00553/FPA	7 Warwickshire Drive, Belmont, Durham
J McArdle	Erection of 2 no. dwellinghouses (revised and resubmitted)

SITE AND APPLICATION DESCRIPTION

This application is a resubmission following a refusal of a similar scheme refused under delegated powers earlier this year.

7 Warwickshire Drive is a bungalow of standard 1960's design, set within a generous garden at the head of a cul-de-sac of nine bungalows. Due to its position on the hammerhead of the road, the property is set back behind the adjacent properties. The site is bounded on two sides by a tall conifer hedge that has been of source of complaint in the past. Whilst there are a number of trees of domestic garden proportion on and around the site, none are of a scale or in a position that would justify a tree preservation order. The site is backed on two sides by the two storey houses of Devonshire Road and Shropshire Drive.

The application proposes the demolition of the existing bungalow and replacement with two dormer bungalows, each in an 'L' shape, providing three bedrooms, a double garage and off street parking, with a kitchen/dining room lounge and study.

RELEVANT HISTORY

The application follows a similar scheme refused earlier this year on the basis that it resulted in separation distances that did not allow the privacy and amenity that existing residents could reasonably expect to enjoy. The current scheme has introduced a number of detailed changes to the proposed design in an attempt to address those specific deficiencies.

POLICIES***NATIONAL POLICIES***

Planning Policy Statement 1: Delivering Sustainable Development sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system.

Planning Policy Statement 3: Housing underpins the delivery of the Government's strategic housing policy objectives and a common goal of ensuring that everyone has the opportunity to live in a decent home, which they can afford in a community where they want to live.

REGIONAL POLICY

Regional Planning Guidance for the North East (Regional Planning Guidance Note 1) reinforces national guidance in respect of the re-use of previously developed land and buildings, requiring Local Authorities to achieve 60% of new housing on 'brownfield' sites by 2008.

LOCAL PLAN POLICIES

Policy Q8 (Layout and Design – Residential Development) sets out the requirements of the Council in assessing applications for new housing development. Included are; the need to ensure adequate privacy and amenity for each dwelling, and minimise the impact on existing nearby and adjacent properties; taking account and retaining existing site features; being appropriate in scale, form, density, and materials to the character of the surroundings, and making the most efficient use of the land, amongst other criteria.

Policy H2 (New Housing Development within Durham City) allows for the development of previously developed 'brownfield' land, within settlement boundaries, providing this is not contrary to other specified policies. The full text of these policies may be inspected within the City of Durham Local Plan, 2004, which is available on-line. Each of the policies is supported by a written justification, which in the case of Q8 also sets out suggested guidelines for basic separation distances.

Policy T1 (Traffic Generation - General) the general highways policy, states that the Council will not grant planning permission for development that would generate traffic likely to be detrimental to highway safety, with Policy T10 seeking parking to be limited in amount so as to promote sustainable transport choices and reduce the land take of development.

Policy U8a (Disposal of Foul and Surface Water Drainage) requires development to provide satisfactory arrangements for disposing of such discharges.

REPRESENTATIONS

STATUTORY RESPONSES

The County Highway Authority raise no objection to the proposals.

PUBLIC RESPONSES

At the time of report writing, five objections had been received to the application. If more are received before the Committee meeting, they will be verbally reported. Whilst the following is a summary of the points raised, the full text of all representations is available for inspection.

Two properties raise objections to specific relationships proposed, in addition to others of a more general nature.

The more general objections include the view that only replacement bungalows would be acceptable in a cul-de-sac of such, the proposed dormer bungalows being considered out of character with the remaining eight existing properties. There is no demand for housing in Belmont, but a strong demand for bungalows is offered in objection. The lack of maintenance of the site, and the hedge in particular has been of concern. The precedent the redevelopment of the site is raised, as is the potential disruption during the construction process, both in terms of access, and general amenity. The tenure of the site and 'absentee landlords' concerns one correspondent. Reference is made to another recent planning decision in the locality.

The more detailed objections relate to the specific relationships to individual properties in Shropshire Drive and Devonshire Road. Both note that the distances between their properties – one to the main building, and one to a single storey extension – are below the figures set out in the Local Plan. The resultant loss of privacy and amenity, compounded by loss of light from higher buildings is considered unreasonable, and justification for refusal.

Concerns are raised as to the effect of the development on the local drainage network.

PLANNING CONSIDERATIONS

The application proposes the demolition of one bungalow and its replacement with two dormer bungalows. In principle, therefore, the site represents the redevelopment of a 'brownfield' site, with a more efficient land use, in line with both national and local policies. This however, cannot be achieved at the expense of other requirements for new development. The existing garden is oversized for the property that sits upon it, having the largest garden in Warwickshire Drive by some margin.

Looked at in their own right, notwithstanding the surrounding buildings for the moment, the size of the site allows for two dwellings of a reasonable size, with gardens in proportion to their level of intended accommodation, a double garage and off-street parking for each. The proposed dwellings present the opportunity for traditional family accommodation on an established housing estate, with good links to local shops, schools and footpath / cycle links to the nearby countryside.

Objectors consider the proposed dwellings out of scale with the existing properties in the cul-de-sac. The dwellings proposed are bungalows incorporating accommodation in their roof-spaces, the 'L' shaped design being formed of one 'leg' of the building (that incorporating the garage) of directly comparable height to the other properties in the street, with the remaining 'leg' 1.2m higher (or 1.0m higher than the existing building – not the 1.6m 'estimated' by objectors). In a site enclosed on two sides by a backdrop of two-storey properties, and utilising a design that includes single storey elements on two levels, officers are of the opinion that the proposals can be judged to be in scale and character with the surroundings. The urban form of the cul-de-sac, set within the larger estate, is not strong enough to insist that new development must slavishly follow the height and massing of the existing structure. Officers do not therefore believe that a refusal on these grounds could be sustained, and note that this is the reason for the lack of such a refusal reason on the last application.

The previous application was refused on the relationships to, and the affect on the amenities of, existing adjacent residential properties. The applicants attempts to improve these relationships are thus; the deletion of the kitchen window from Plot 2, to avoid directly facing 8 Warwickshire Drive; the deletion of the conservatory from the same property to improve the relationship to 126 Devonshire Road, and 8 Warwickshire Drive; and, the replacement of the rear dormers on Plot 1 with obscure glazed velux-style windows, to change the relationship with that property from two two storey windows facing each other, to effectively two storey facing single storey.

Objectors point out that the distances are below those set out in the Local Plan. The figure in Policy Q8 of the Local Plan, given in the justification, and not within the policy itself are guidelines, to allow for the interpretation of individual relationships on individual sites. The likely level of use of windows, their relative heights, and the types of rooms they relate to are all assessed in making this judgement. It is officers opinion that the relationship to Shropshire Drive, taking into account both the differences in level between the two properties, and their separating fence, and the alterations to make the new property effectively single storey in window relationship results in a scheme that gives an acceptable level of privacy and amenity to both properties. The deletion of the conservatory and kitchen window (the continuation of which can be ensured by condition removing 'permitted development rights') remove any affect on the privacy of 8 Warwickshire Drive. The removal of the conservatory improves the relationship to 126 Devonshire Road, with the presence of the dormers facing the rear of that property mitigated by the layout of the windows on the rear of the existing property and its extension. From an officer viewpoint the alterations to the proposals have, overcome the previous reasons for refusal. Given the distance from that property, and an increase in height of 1.0m any loss of light to that property will be marginal.

Members will be aware of the lack of weight able to be given to disruption during any building works. A skip and building materials have been present in the cul-de-sac head for some time now.

Whilst a response from Northumbrian Water is outstanding as the report is written, the effective increase of one property in the street is not considered likely to illicit an objection from that statutory undertaker.

The tenure of the property and the moralities of property investment and speculation are outside the remit of the application. Likewise this scheme must be considered on its own merits, and perceived similarities to recent applications, whether in the vicinity, or elsewhere in the district, are of marginal relevance.

Officers consider that the proposals accord with the policies of the Council and are able to support them.

RECOMMENDATION

That the application be **APPROVED** subject to the following conditions:

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
2. Notwithstanding the information shown on the submitted application details of all materials to be used externally and the standard of their finish shall be submitted to and approved by the Local Planning Authority in writing before the development is commenced, and thereafter implemented in accordance with the approved scheme.
3. Notwithstanding the information shown on the submitted plans details of the surface treatment of all vehicle hardstanding areas shall be submitted to and approved in writing by the Local Planning Authority before work commences, and thereafter implemented in accordance with the approved scheme.
4. Details of any fences, walls or other means of enclosure to be erected on any of the site boundaries or within the site shall be submitted to and approved by the Local Planning Authority in writing before development commences. Development shall thereafter be completed in accordance with the approved details.
5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any order revoking or re-enacting that Order, no conservatories or windows shall be added or constructed at any time to the dwelling house(s) without the grant of further specific permission from the Local Planning Authority.
6. No development shall take place until a scheme showing the means by which foul sewage and surface water generated as a result of the development are to be catered for has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall thereafter be carried out in accordance with the approved details before any part of the development is occupied.

BACKGROUND PAPERS

Submitted Application Forms and Plans

Design and Access Statement

City of Durham Local Plan 2004

Responses from Statutory undertakers

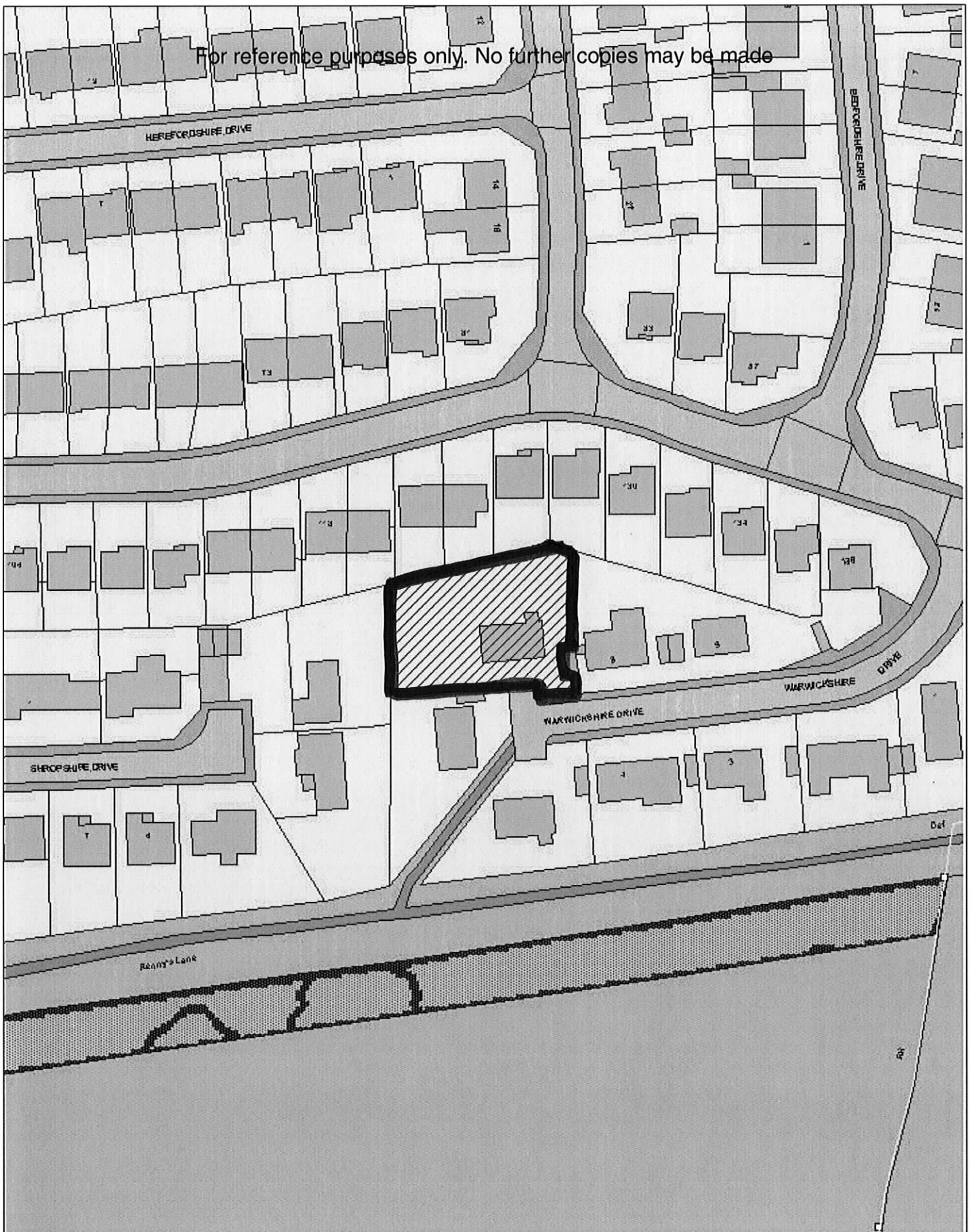
Public Consultation Responses

Various File Notes and Correspondence

Planning Policy Statements (PPS) No's 1 & 3

Regional Planning Guidance for the North East (RPG1)

For reference purposes only. No further copies may be made



City of Durham
Planning Services

Application No. 4/07/00553/FPA
7 Warwickshire Drive, Belmont, Durham

Comments

Date 29 June 2007

Scale 1:1000

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CITY OF DURHAM

DEVELOPMENT CONTROL COMMITTEE 19 July 2007

Reports for Information

CITY OF DURHAM

DEVELOPMENT CONTROL COMMITTEE

19 July 2007

REPORT OF THE HEAD OF PLANNING SERVICES

1. Notice of Planning / Enforcement Appeals which have been lodged with the City Council

**a) Appeal by Mr P Stott
Site at Cassop Farm, Old Cassop, Durham, DH6 4QB**

An appeal has been lodged by Mr P Stott against the Council's refusal to grant planning permission for the erection of detached dwellinghouse (revised and resubmitted) at Cassop Farm, Old Cassop, Durham, DH6 4QB

The appeal is to be dealt with by way of written representations and the Committee will be advised of the outcome in due course.

Recommendation

That the report be noted.

1.2 Planning Applications determined under Plenary Powers

Attached in Appendix A are the lists of applications and conditions where decisions have been made under the Plenary Powers since the previous Committee.

1.3 Building Control Applications determined under Plenary Powers

Attached in Appendix B are the lists of applications where decisions have been made under Plenary Powers. I have also listed the building notices received.

CITY OF DURHAM

APPLICATIONS DETERMINED UNDER PLENARY POWERS

PRINTED ON 14 June 2007

WEEK NO.22/2007

1. The following applications were **REFUSED** for the reasons set out in Appendix A.

Number and Applicant	Location	Proposal
07/00349/FPA Mr G Dresser	32 Wolsingham Drive Newton Hall Durham DH1 5SP	Erection of two and single storey pitched roof extensions to front of existing dwelling and single storey pitched roof extension to rear
*07/00373/FPA J H Holmes And Sons	Land At Kimbleswoth Grange Kimblesworth Durham	Erection of agricultural livestock building (resubmission)
*07/00374/FPA J H Holmes And Sons	Land At Kimblesworth Grange Kimblesworth Durham	Erection of agricultural storage building (resubmission)
*07/00379/FPA J H Holmes And Sons	Land At Kimblesworth Grange Kimblesworth Durham	Erection of agricultural workers dwelling and erection of agricultural livestock building (resubmission)
*07/00436/AD JC Decaux Uk Ltd	16 Commercial Road East Coxhoe Durham DH6 4LD	Erection of 3m x 6m externally illuminated billboard on gable elevation of commercial premises

2. The following applications were **APPROVED** subject to the conditions set out in Appendix B.

Number and Applicant	Location	Proposal
07/00115/FPA Mr J Robinson	83 Rowan Drive Brasside Durham DH1 5YE	Erection of single storey pitched roof extensions to side and rear of existing dwelling

07/00212/FPA Ravensworth Homes	Whitfield Court Pity Me Durham	Erection of vehicular barrier across entrance road to Whitfield Court
*07/00265/FPA Hedley Park Developments	Land Adjacent Springwell House Whitesmocks Durham	Erection of detached two storey dwelling
07/00270/TPO City Of Durham Council	Land To Front Bay Cottage/West Farm Cottages Sunderland Bridge Durham	Crown lift to 3m and give clearance of 2.5m from adjacent dwelling for 1 no. Horse Chestnut and 1 no. Prunus
*07/00352/FPA Mr C Gill	8 Aykley Green Durham DH1 4LN	Demolition of existing conservatory and erection of single storey pitched roof extension to rear of existing dwelling
07/00371/FPA CI (Holdings) Limited	Former A And A Window Components Dragonville Industrial Park Dragon Lane Durham DH1 2XD	Change of use from warehouse (Class B8) to garage with MOT testing facility (Class B2)
07/00390/FPA Mr And Mrs Spaventa	10 Alston Way Meadowfield Durham DH7 8XF	Erection of single storey pitched roof extension to rear elevation of existing dwelling
*07/00391/FPA City Of Durham	Land At Front Street Sherburn Hill Durham	Construction of vehicular access onto B1283 in association with existing parking area
07/00393/FPA Mr M Williams	Braeside Newcastle Road Crossgate Moor Durham DH1 4HZ	Erection of two storey pitched roof extension to rear of existing dwelling and erection of replacement pitched roof garage to front
07/00395/FPA Mrs L Keenan	Longmeadows 12 Pit House Lane West Rainton Houghton Le Spring Tyne And Wear DH4 6QR	Construction of new access to serve previously approved livery business (ref: 4/06/01171/FPA)

*07/00398/FPA Mr A Armstrong	19/20 Quarryheads Lane Durham DH1 3DY	Change of use to revert single dwelling to use as two (retrospective)
07/00405/FPA Mr S Argument	91 Moor Crescent Gilesgate Moor Durham DH1 1DJ	Erection of two-storey pitched roof extension to front elevation of existing dwelling and extension to and erection of pitched roof to existing garage (revised and resubmitted)
07/00408/FPA Mr And Mrs Langley	Plot 4 Roslyn Mews Coxhoe Durham DH6 4BP	Erection of detached two storey dwellinghouse incorporating attic accommodation
#07/00410/LB Stateplus Ltd	18 Elvet Bridge Durham DH1 3AA	Repair and refurbishment of existing building to provide two retail units to bridge level, storage at lower level, and two residential flats to upper floors
07/00414/FPA Mr Pritchard	18 Herefordshire Drive Belmont Durham DH1 2DQ	Erection of single storey pitched roof extension to rear of existing dwelling
07/00415/FPA Mr And Mrs J And A Wilkinson	5 The Wynds Esh Winning Durham DH7 9DT	Erection of single storey pitched roof extension to rear of existing dwelling (amended to extend 300mm further into the garden)
07/00416/FPA Mr Brooks	7 Cross Valley Court Nevilles Cross Durham DH1 4GD	Erection of single storey pitched roof extension to rear, incorporating raised rooflight, and pitched roof porch to front of existing building
07/00435/FPA Mr G Cook	Shincliffe Grange Ancroft Garth High Shincliffe Durham DH1 2PR	Erection of wooden cabin/games room to side of dwelling (amended to include WC)
07/00441/LB Mr J C Creaner	106-107 Gilesgate Durham DH1 1JA	Replacement of front entrance door, door frame and side windows, replacement of existing

casement windows with sliding sashes and doors on front elevation

3. Raise objection to the County Matter listed below.

Number and Applicant	Location	Proposal
07/00508/CM Bearpark Primary School	Bearpark Primary School Colliery Road Bearpark Durham	Erection of 2.4 metre high palisade fence to front elevation of existing dwelling

The City Council raise objection to the above proposal on the grounds that it is considered detrimental to the visual amenities of the area, due to its size, position and detailed design, contrary to Policy Q1 of the City of the City of Durham Local Plan 2004. In addition the proposals are considered to detract from the outlook from the main school building by reason of their height and location.

* Determined under Chairman and Vice Chairman Delegated Authority

To be ratified by G.O.N.E

APPENDIX A

**City of Durham
Applications Determined Under Plenary Powers
Printed on 14 June 2007
Week No.22/2007**

Applications recommended for refusal – reasons

4/07/00349/FPA

The proposed extensions to the front of the dwelling, by virtue of their size, scale and location are considered to be unsympathetic to the existing dwelling and as a result contrary to Policy Q9 of the City of Durham Local Plan 2004.

The proposed extensions to the front of the dwelling, by virtue of their size, scale and location are considered to create an incongruous feature causing a detrimental impact upon the character and appearance of the area and as a result considered contrary to Policy Q9 of the City of Durham Local Plan 2004.

4/07/00373/FPA

The proposed agricultural building would be located in open countryside and insufficient information has been submitted to demonstrate the functional need for an agricultural building in this location. In particular the proposed use of the agricultural building would require adequate animal husbandry. From the submitted information the Local Planning Authority does not consider that the agent has adequately demonstrated that the agricultural building could not be sited elsewhere and adequately served by an existing dwelling. This is contrary to Policies E1, E7 and EMP17A of the City of Durham Local Plan 2004 and PPS7.

The proposed agricultural building is sited in open countryside which detracts from the visual amenity of the area. As insufficient functional justification has been submitted for the agricultural building it is not considered to be appropriate development in the open countryside. The proposal is therefore not considered to be acceptable and is contrary to Policies E1, EMP17a and PPG2.

4/07/00374/FPA

The proposed agricultural building would be located in open countryside and insufficient information has been submitted to demonstrate the functional need for an agricultural building in this location. This is contrary to Policies E1, E7 of the City of Durham Local Plan 2004 and PPS7.

The proposed agricultural building is sited in open countryside which detracts from the visual amenity of the area. As insufficient functional justification has been submitted for the agricultural building it is not considered to be appropriate development in the open countryside. The proposal is therefore not considered to be acceptable and is contrary to Policies E1, EMP17a and PPG2.

4/07/00379/FPA

Insufficient information has been submitted to demonstrate the functional need for an agricultural workers dwelling and an agricultural building. In particular the agent has not demonstrated whether the proposed agricultural building could be sited elsewhere and adequately served by an existing dwelling occupied by a farm worker. This is contrary to Policy H5 of the City of Durham Local Plan and PPS7.

In the opinion of the Local Planning Authority the financial assessment of the proposed business does not adequately demonstrate the financial viability of the proposed enterprise to support an agricultural workers dwelling. The enterprise has not yet been established and no financial viability over the previous three years has been proven and no business plan to demonstrate the enterprise is financially viable in the future has been submitted. This is contrary to Policy H5 of the City of Durham Local Plan and PPS7.

From the information submitted the proposed dwelling is of a disproportionate size to the functional requirement of the enterprise. In addition insufficient information has been submitted to demonstrate that the property is commensurate with the financial viability of the agricultural holding. This is contrary to Policy H5 of the City of Durham Local Plan and PPS7.

As insufficient functional need and financial viability has been submitted for the dwelling there is insufficient justification for the functional need for the agricultural building without the provision of on site supervision. The proposed dwelling and barn without adequate justification would harm the openness of the greenbelt and be contrary to Policies E1 and E7 of the Local Plan and PPG2.

The submitted plans appear to have inaccuracies on the scale of the plans for the agricultural workers dwelling, siting, layout and the red line application site for the dwelling.

4/07/00436/AD

The proposed advertisement hoarding will appear incongruous with the surroundings. Causing harm to the visual amenity of the area and the character of the location contrary to Policy Q17 of the City of Durham Local Plan 2004.

APPENDIX B

City of Durham
Applications Determined Under Plenary Powers
Printed on 14 June 2007
Week No.22/2007

Applications recommended for conditional approval – conditions

4/07/00115/FPA

T1 Time Limit Full Approval 2004
DT4 External Materials
DT7A Complete Accord

The proposed development must be served by a new vehicular access to the public highway, constructed in accordance with Section 184 (3) of the Highways Act 1980. Please contact the Durham County Council Northern Area Office, Pity Me, Durham prior to undertaking any works in the public highway, and in order to agree access construction details.

4/07/00212/FPA

T1 Time Limit Full Approval 2004
DT7A Complete Accord

4/07/00265/FPA

T1 Time Limit Full Approval 2004
DT4 External Materials
DT8 Enclosure Details to be Agreed
DT10 Hardstanding Surface Materials
LA2 Landscaping Scheme Full Reserved Matter
DT23 Drainage Scheme

Notwithstanding the site layout plan hereby approved no development shall commence on the dwelling house until the dwelling hereby approved is pegged out to the satisfaction of the Local Planning Authority.

The proposed development must be served by a new vehicular access to the public highway, constructed in accordance with Section 184 (3) of the Highways Act 1980.

Prior to any works commencing on site and notwithstanding any of the information submitted on the application the trees marked for felling on plan 416-01 b shall be felled and the tree protection fencing shall then immediately be erected and sited on site until development is completed in agreement with the Local Planning Authority and in accordance with BS5837, 2005.

Notwithstanding the information shown on the submitted plans the tree works hereby approved shall be carried out in accordance with the provisions of BS3998, 1989 as agreed with the Local Planning Authority.

Notwithstanding the information shown on the submitted plans no tree felling shall take place in the months March to June unless otherwise agreed in writing with the Local Planning Authority.

Immediately following the erection of the tree protection fencing the access road shall be implemented on site and remain so thereafter in accordance with an engineers construction scheme that shall first be submitted to and approved in writing by the Local Planning Authority.

No materials shall be stored on site within any root protection area of any of the protected trees on site.

Prior to the siting and erection of any temporary site office and other associated facilities required during the development a scheme shall first be submitted to and agreed in writing by the Local Planning Authority as to a method of mounting these facilities within the Root Protection Area as indicated on plan 416-04 b.

Notwithstanding the information shown on the submitted plans where any vehicular or pedestrian access is required within the Root Protection Area of protected trees a scheme shall first be submitted to and approved in writing by the Local Planning Authority as to a suitable surface treatment and implemented in accordance with this scheme thereafter and removed once development is complete.

Notwithstanding the information shown on the submitted plans any scaffolding required for construction shall be erected in accordance with the provisions of BS 5837, 2005 and to the satisfaction of the Local Planning Authority and remain so for the entire period of development as required.

Notwithstanding the information shown on the submitted plans no service trenches shall be dug within the root protection area of any of the trees on site without prior agreement with the Local Planning Authority

Notwithstanding the information shown on the submitted plans foundation details of the dwelling house shall be submitted to and agreed in writing with Local Planning Authority prior to any works commencing on the dwelling house and shall then be carried out in accordance with these agreed details thereafter.

Notwithstanding the provision of Article 3 and Classes A, B, C, E, F, G of Part 1 and Classes A and B of Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 et seq none of the categories of development described therein shall be carried out on the site without an application for planning permission having been made to and approved in writing by the Local Planning Authority.

4/07/00270/TPO

TL8 Time Limit Full Approval 2 yrs

Notwithstanding the information shown on the submitted plans the tree works hereby approved shall be carried out in accordance with the provisions of BS3998:1989 agreed with the Local Planning Authority.

Notwithstanding the information shown on the submitted plans at no point shall any major scaffold branches be removed unless the Local Planning Authority has first provided written consent to do so.

4/07/00352/FPA

T1 Time Limit Full Approval 2004
DT3 Finish of Materials

4/07/00371/FPA

T1 Time Limit Full Approval 2004

4/07/00390/FPA

T1 Time Limit Full Approval 2004
DT4 External Materials
DT7A Complete Accord

4/07/00391/FPA

T1 Time Limit Full Approval 2004

4/07/00393/FPA

T1 Time Limit Full Approval 2004
DT4 External Materials
DT7A Complete Accord

4/07/00395/FPA

T1 Time Limit Full Approval 2004
DT7A Complete Accord

4/07/00405/FPA

T1 Time Limit Full Approval 2004
DT4 External Materials
DT7A Complete Accord

The garage extension hereby approved shall include a roller shutter door which should be maintained and thereafter retained.

4/07/00408/FPA

T1 Time Limit Full Approval 2004
DT4 External Materials
DT8 Enclosure Details to be Agreed
DT10 Hardstanding Surface Materials

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any order revoking or re-enacting that order, no new windows or openings shall be formed in the west or east elevation of the dwelling hereby approved without an application for planning permission having first been submitted to and approved in writing by the Local Planning Authority.

Notwithstanding the site layout plan hereby approved no development shall commence on site until

the dwelling hereby approved is pegged out to the satisfaction of the Local Planning Authority.

4/07/00410/LB

T1 Time Limit Full Approval 2004
DT11 Fenestration Details
DT28 Flues Vents and Extracts

Notwithstanding the information shown in the submitted plans, precise details of all proposed renewal to the joists and floorboards including measured plans shall be submitted to, and approved in writing by, the Local Planning Authority before development commences.

Notwithstanding the information shown in the submitted plans, precise details of all stitching and strapping works to the exterior walls including measured drawings at a scale of 1:20 shall be submitted to, and approved in writing by, the Local Planning Authority before development commences.

Notwithstanding the information shown in the submitted plans, precise details of all mortar mixes and renders shall be submitted to, and approved in writing by, the Local Planning Authority before development commences.

Notwithstanding the information shown on the submitted plans, the lintol above the door at ground level of the South Eastern elevation shall be retained in situ and remain so thereafter in accordance with the approved scheme

4/07/00414/FPA

T1 Time Limit Full Approval 2004
DT3 Finish of Materials

4/07/00415/FPA

T1 Time Limit Full Approval 2004
DT3 Finish of Materials

4/07/00416/FPA

T1 Time Limit Full Approval 2004
DT3 Finish of Materials

4/07/00435/FPA

TL1 Time Limit Full Approval
DT4 External Materials
DT7A Complete Accord
LA6 Replacement Trees

The cabin hereby approved shall be used for domestic purposes only incidental to the enjoyment of the dwelling and not for any industrial, commercial or business use.

4/07/00441/LB

T1 Time Limit Full Approval 2004

DT11 Fenestration Details

DT12 Windows in Reveal

DT30 Shopfront Joinery Details

CITY OF DURHAM

APPLICATIONS DETERMINED UNDER PLENARY POWERS

PRINTED ON 26 June 2007

WEEK NO. 23/2007

1. The following applications were **REFUSED** for the reasons set out in Appendix A.

Number and Applicant	Location	Proposal
*07/00384/LB Mrs C Jeffery	44 Crossgate Durham DH1 4PS	Enlargement of existing basement window to front elevation, erection of timber studding and plasterboard wall, shelving, stairwell handrails and new stair treads
*07/00464/RM Johnson Bros	Quarrington Farm Old Quarrington Durham DH6 5NN	Application for discharge of reserved matters for the erection of agricultural workers dwelling pursuant to outline approval 4/04/437/OUT (revised and resubmitted proposal)

2. The following applications were **APPROVED** subject to the conditions set out in Appendix B.

Number and Applicant	Location	Proposal
*07/00071/FPA Square Mango	17 Cheveley Park Shopping Centre Carrville Durham DH1 2AA	Change of use from shop (A1) to restaurant and takeaway (A3 and A5)
07/00276/FPA Mr G Hazell	31 Frederick Street North Meadowfield Durham DH7 8NB	Change of use and conversion of existing dwelling to form 2 no. dwellings including erection of single storey pitched roof extension to rear elevation, alterations to front and rear elevation and extension/alteration of existing garage block

07/00285/FPA M And C Curry	9 Beech Road Sherburn Durham DH6 1JB	Erection of conservatory to rear elevation of existing dwelling
07/00296/FPA Mr B Wilkinson	8 Oxley Terrace Pity Me Durham DH1 5DU	Erection of porch to front elevation of existing dwelling
*07/00378/FPA L Carver	45 Cavendish Court Brandon Durham DH7 8UL	Erection of first floor pitched roof extension to side with open car port beneath to side of existing dwelling
07/00381/FPA Hedley Park Developments	Kingfisher House St Johns Road Meadowfield Industrial Estate Durham DH7 8TZ	Erection of two storey pitched roof extension to rear of existing office building
07/00402/FPA Mrs D Staveley	14 Lambton Field Sherburn Durham DH6 1NX	Erection of conservatory to rear elevation of existing dwelling
07/00403/FPA Mr And Mrs J And C Stoker	18 Newcastle Terrace Framwellgate Moor Durham DH1 5EG	Erection of single storey pitched roof extension to rear of existing dwelling
07/00404/FPA Mr C Royal	5 Cartington Road Newton Hall Durham DH1 5YR	Erection of two-storey pitched roof extension to side elevation of existing dwelling (revised and resubmitted)
07/00406/FPA Mr A Lake	14 Leyland Close Bowburn Durham DH6 5DD	Erection of single storey pitched roof extension to rear of existing dwelling
07/00407/FPA C Devoy	16 Lea Rigg West Rainton Durham DH4 6SR	Erection of 2 no. single storey pitched roof extension to rear elevation of existing dwelling

07/00418/FPA Mr And Mrs Bell	24 Edlingham Road Newton Hall Durham DH1 5YS	Conversion of existing garage to habitable room, together with proposed porch and pitched roof to front of existing dwelling
07/00430/FPA Mr Mahan	6 Berkshire Close Belmont Durham DH1 2BW	Demolition of existing conservatory and erection of single storey pitched roof extension to rear of existing bungalow
07/00437/FPA Mr A Mayhew	2 Roslyn Mews Coxhoe Durham DH6 4BP	Erection of two storey pitched roof dwellinghouse with detached garage
07/00446/FPA Utopian (Two) Ltd	Unit 6B Walkergate Durham DH1 1SQ	Erection of shopfront to north and west elevations of unit 6B
07/00447/AD Utopian (Two) Ltd	Unit 6B And 6C Walkergate Durham DH1 1SQ	Erection of 3 no. halo illuminated fascia signs
07/00448/FPA Mr B C Katakay	The Cottage Whinney Hill Durham DH1 3BE	Erection of two storey pitched roof extension to rear, canopy over front door and pitched roof over existing flat roofed bay window to front of existing dwelling
07/00450/FPA Tesco Stores Ltd	Tesco Stores Ltd Dragon Lane Gilesgate Durham	Pedestrian link between existing retail parks
*07/00466/FPA Aquila Refurbishment Ltd	49 High Street South Langley Moor Durham DH7 8EU	Subdivision of existing house to form 5 no. flats with erection of 4 no. dormer windows and use of existing outbuilding to form garage block
07/00470/FPA Mr And Mrs Pinkney	High Grange Farm West Street Hett Durham DH6 5LS	Removal of existing outbuildings and erection of 1 no. two storey pitched roof extension to rear of existing dwellings

07/00475/LB Mr And Mrs Pinkney	High Grange Farm West Street Hett Durham DH6 5LS	Demolition of existing extensions to farmhouse and erection of two storey pitched roofed extension to rear, with additional internal refurbishment works
07/00478/FPA Ms J Hunter	49 St Godrics Drive West Rainton Durham DH4 6SZ	Erection of conservatory to rear of existing dwelling
07/00527/TPO Diocese Of Durham	The Vicarage 8 Woodland Close Bearpark Durham DH7 7EB	Crown, clean and deadwood of 4 no. Oak trees, and pruning of 1 no. Sycamore tree
07/00529/FPA Mr A Kimura	54 Middleham Road Newton Hall Durham DH1 5QH	Erection of single storey pitched roof extension to front and rear elevations of existing dwelling and pitched roof over existing garage

* Determined under Chairman and Vice Chairman Delegated Authority

APPENDIX A

**City of Durham
Applications Determined Under Plenary Powers
Printed on 26 June 2007
Week No.23/2007**

Applications recommended for refusal – reasons

4/07/00384/LB

The proposal fails to preserve and enhance the character and appearance of the Listed Building and therefore will be in accord with Policy E23 of the City of Durham Local Plan 2004.

4/07/00464/RM

The Local Planning Authority considers that the proposed agricultural workers dwelling is without adequate financial justification in terms of previous, current and future profitability of the existing enterprise, contrary to the requirements of Planning Policy Statement 7: Sustainable Development in Rural Areas, Annex A, and Policies H5 and E7 of the City of Durham Local Plan 2004.

The Local Planning Authority considers that the size of the dwelling which the income from the unit can sustain in the long-term has not been demonstrated and that the dwelling is of a size significantly beyond the established functional requirements of the enterprise, contrary to the requirements of Planning Policy Statement 7: Sustainable Development in Rural Areas, Annex A, and Policies H5 and E7 of the City of Durham Local Plan 2004.

The Local Planning Authority considers that the proposed dwelling does not respect the character of its landscape setting in terms of its siting and scale and will appear as a conspicuous dwelling on raised ground level which would not be well related to the existing farm buildings or other dwellings, contrary to the requirements of Planning Policy Statement 7: Sustainable Development in Rural Areas, Annex A, and Policies H5 and E7 of the City of Durham Local Plan 2004.

APPENDIX B

City of Durham
Applications Determined Under Plenary Powers
Printed on 26 June 2007
Week No.23/2007

Applications recommended for conditional approval – conditions

4/07/00071/FPA

T1 Time Limit Full Approval 2004
DT7A Complete Accord
DT4 External Materials
FD1 Ventilation Scheme
FD2 Operation of Ventilation Scheme

The premises shall not be open to customers outside the hours of 17:00 to 23:30 Monday to Friday and 18:00 to 23:00 on Saturday and Sunday.

4/07/00276/FPA

T1 Time Limit Full Approval 2004
DT7A Complete Accord

4/07/00285/FPA

T1 Time Limit Full Approval 2004
DT3 Finish of Materials

4/07/00296/FPA

T1 Time Limit Full Approval 2004
DT3 Finish of Materials

4/07/00378/FPA

T1 Time Limit Full Approval 2004
DT4 External Materials
DT7A Complete Accord

Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 or any order revoking or re-enacting that order, no new windows or openings shall be formed in the gable elevations of the pitched roof extension hereby approved without an application for planning permission having first been submitted to and approved in writing by the Local Planning Authority.

No development shall take place until the parking spaces shown on the submitted plans have been provided within the residential curtilage. The parking areas shall thereafter be retained and shall not be used for any other purpose other than the parking of private vehicles.

4/07/00381/FPA

T1 Time Limit Full Approval 2004
DT4 External Materials
DT7A Complete Accord

4/07/00402/FPA

T1 Time Limit Full Approval 2004
DT4 External Materials
DT7A Complete Accord
DT19 Obscure Glazing

4/07/00403/FPA

T1 Time Limit Full Approval 2004
DT3 Finish of Materials

4/07/00404/FPA

T1 Time Limit Full Approval 2004
DT4 External Materials
DT7A Complete Accord

4/07/00406/FPA

T1 Time Limit Full Approval 2004
DT3 Finish of Materials

4/07/00407/FPA

T1 Time Limit Full Approval 2004
DT3 Finish of Materials

4/07/00418/FPA

T1 Time Limit Full Approval 2004
DT3 Finish of Materials

4/07/00430/FPA

T1 Time Limit Full Approval 2004
DT3 Finish of Materials

4/07/00437/FPA

T1 Time Limit Full Approval 2004
DT4 External Materials
DT8 Enclosure Details to be Agreed
DT8 Enclosure Details to be Agreed
DT10 Hardstanding Surface Materials
LA4 Retention of Existing Trees and Hedges

LA5 Protection of Trees Hedges during Const

The garage and vehicular hardstanding areas hereby approved shall not be used for commercial purposes and shall not be used for the storage and parking of vehicles other than private motor vehicles relating to the use of the residential dwelling.

4/07/00446/FPA

T1 Time Limit Full Approval 2004
DT4 External Materials

4/07/00447/AD

TL3 Advert Approvals

4/07/00448/FPA

T1 Time Limit Full Approval 2004
DT3 Finish of Materials

4/07/00450/FPA

T1 Time Limit Full Approval 2004
LA2 Landscaping Scheme Full Reserved Matter

4/07/00466/FPA

T1 Time Limit Full Approval 2004
DT7A Complete Accord
DT4 External Materials

4/07/00470/FPA

T1 Time Limit Full Approval 2004
DT4 External Materials
DT5 Materials Sample
DT12 Windows in Reveal
DT13 Sash Windows
DT16 Dry Pointed Verges
DT31 Rainwater Goods

Notwithstanding the information shown in the accompanying plans, a drawing at a scale of 1:50 showing the junction between the new garage and existing farm buildings, including details of any structural repairs, shall be submitted to and approved in writing by the Local Planning Authority before development commences.

4/07/00475/LB

T1 Time Limit Full Approval 2004
DT4 External Materials
DT5 Materials Sample

DT12	Windows in Reveal
DT13	Sash Windows
DT16	Dry Pointed Verges
DT31	Rainwater Goods

Notwithstanding the information shown in the accompanying plans, a drawing at a scale of 1:50 showing the junction between the new garage and existing farm buildings, including details of any structural repairs, shall be submitted to and approved in writing by the Local Planning Authority before development commences.

4/07/00478/FPA

T1	Time Limit Full Approval 2004
DT3	Finish of Materials

4/07/00527/TPO

TL8	Time Limit Full Approval 2 yrs
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Notwithstanding the information shown on the submitted plans the tree works hereby approved shall be carried out in accordance with the provisions of BS3998:1989 agreed with the Local Planning Authority.

4/07/00529/FPA

T1	Time Limit Full Approval 2004
DT4	External Materials
DT7A	Complete Accord

List of Approvals

From 06/06/2007 to 29/06/2007

Number and Applicant	Location	Proposal
07/00040/DEX Keith Denham	64 Birkdale Gardens Belmont Durham DH1 2UL	Front porch with W.C and en- suite to bedroom
07/00378/DEX Mr Mckenna	1 Stack Garth Brandon Durham DH7 8QR	Single Storey Extension To
07/00379/OTHC Scottish & Newcastle	39/40 North Road Durham DH1 4SE	Alterations and extension to existing public house
07/00413/DRO Mr Gardner	3 Frederick Street North Meadowfield Durham DH7 8NB	Attic Conversion
07/00437/DEX Mr Tognarelli	Springwell House Whitesmocks Durham DH1 4LL	Alterations & Extension to existing dwelling and detached garage
07/00456/PARTNR Mr Whitaker	Plot 3 Low Farm Bradbury	Detached House
07/00473/OTHDOM Dr M R Amin	30 Front Street Framwellgate Moor Durham DH6 5HY	Division of existing 1st floor flat into two separate flats
07/00681/DOM Catherine Holder	49 High Street South Langley Moor Durham DH7 8EU	Conversion Into 5 dwellings
07/00686/DRO Janet Claire Yusuf	25 Hall Gardens Sherburn Durham DH6 1EB	Loft Conversion
07/00698/DOM Mr D Grooms	Site Of Ragpath Cottage Esh Winning Durham DH7 9QE	New Dwelling

Number and Applicant	Location	Proposal
07/00719/DOM Robinson & Taylor	Land Adjacent To 12 Fairfalls Terrace New Brancepeth Durham DH7 7HB	4 No Terraced Houses
07/00724/DEX Mr Henderson	26 Bridgemere Drive Framwellgate Moor Durham DH1 5FG	Bedroom & En-Suite
07/00725/DEX Mrs Connelley	28 Langton Lea High Shincliffe Durham DH1 2QF	Kitchen/Garage/Porch Extension & Alterations
07/00728/DEX Mr Przyborski	3 Foxton Way High Shincliffe Durham DH1 2PJ	Family Room Extension
07/00732/PARTNR Mr Henry	8 Hamilton Terrace Daisy Hill County	Kitchen/Family Room
07/00733/PARTNR Mr Mitford	17B Harrogate Village Darlington County Durham DL1 3AA	Bedroom Extension
07/00734/PARTNR Mr Ramsay	Land At Braithwaite Street Bishop Auckland County Durham	2 No Semi Detached Houses
07/00739/DOM Mr S Schofield	Land Adjacent To 21A Hallgarth Street Durham DH1 3AT	Two Storey Dwelling
07/00740/DEX Mark Rennie	8 Holmlands Crescent Framwellgate Moor Durham DH1 5AR	Ground Floor single Storey Extension
07/00746/PARTNR Durham County Council	Teesdale School Of Technology Propsect Place Barnard Castle County Durham DL12 8HH	Kitchen refurbishment including ventillation works

Number and Applicant	Location	Proposal
07/00747/PARTNR Durham County Council	Stanley School Of Technology Tyne Road South Stanley County Durham DH9 692	Kitchen Refurbishment including ventilation works
07/00748/OTHC Taylormade Timber	Taylormade Timber Products Sherburn Hill Durham DH6 1PS	Timber Treatment Building
07/00760/PARTNR Mr Edwards	6 North Close Kirk Merrington County Durham	Kitchen & Family Room Extension
07/00765/OTHC Durham University	St Marys College Elvet Hill Road Durham City DH1 3TJ	Refurbishment of building with internal alterations.
07/00766/DEX Mr P Barker	15 Springwell Road Durham City DH1 4LR	Extension
07/00772/RESUB Mr Simon Williams	Land At 3-4 South Terrace Framwellgate Moor Durham DH1 5EN	2 no Dwellings
07/00773/RESUB Mrs Carol Devoy	16 Lea Rigg West Rainton Durham DH4	Bedroom & Family Room Extension
07/00776/DEX Mrs H Dale	36 Park Hill Coxhoe Durham DH6 4JH	Kitchen & Utility Extension
07/00780/OTHDOM Henry Broxson	7, 8, 9 The Sidings Gilesgate Durham DH1 1HS	Garage Conversion to lounge at each property
07/00785/OTHDOM 3r Land & Property Ltd	3 Prospect Terrace Durham DH1 4JF	Alterations to 1st floor to provide 2 No to en-suite
07/00786/DEX Hope Estates Ltd	51 Hawthorn Terrace Durham City DH1 4EQ	Extension & Alterations

Number and Applicant	Location	Proposal
07/00793/OTHC Co-Operative Group Ltd	Co Op Store Front Street Sherburn Durham DH6 1HE	Removal of existing roof lights & structural members, To be replaced with new timber ridge beam & purlins &
07/00794/DEX Mr H Thompson	Tithe Barn Poplar Terrace Shincliffe Durham DH1 2NP	Internal alterations and single storey extension
07/00795/DEX Donald Openshaw	11 Lyndhurst Drive Durham City Durham DH1 4AE	1st Floor Bathroom
07/00796/OTHDOM Stateplus Limited	18 Elvet Bridge Durham DH1 3AD	Repairs & refurbishment of existing building, including new timber framed extension
07/00804/OTHC Ajay Nayyar	3 Broom Lane Ushaw Moor Durham	Alterations to food takeaway and kitchen area.
07/00807/DEX Mr & Mrs Mackenzie	2 St Leonards North Road Durham City DH1	Kitchen Extension To Side Of Property
07/00812/OTHC James Kelly	Tropical Fish Store Dragonville Court Durham DH1 2YB	Remove part of internal wall to make acces into adjoining unit and have use of both.
07/00820/OTHC Kevin Milburn	Unit 2 St Johns Road Meadowfield Inustrial Estate Durham DH7	Installation of fire door to rear
07/00822/OTHDOM Mr Ravinder Singh	3 Ash Terrace Bowburn Durham DH6 5AS	Conversion From Shop Into 3 bedroom house
07/00830/PARTNR Durham County Council	Horndale Infant School Scholars Path Horndale Newton Aycliffe DL4 1ES	Kitchen refurbishment including increased ventillation
07/00951/OTHC Vincenzo Arceri	96 Elvet Bridge Durham DH1 3AG	Replace doorway at entrance to restaurant

Number and Applicant	Location	Proposal
07/00952/OTHC Mrs D Coleman	Windemere House 1 North Brancepeth Terrace Langley Moor Durham DH7 8LB	Fire Improvements
07/00959/DEX Mr & Mrs Sewell	20 Evenwood Road Esh Winning Durham DH7 9PE	Extension to rear of property and some internal adjustments to existing house
07/00960/DEX Mr & Mrs D Raper	18 East Street Hett Durham DH6 5LP	First floor bedroom extension
07/00964/DEX Mr Ness	1 North View Durham DH1 2LE	Family Room, Utility & Kitchen Extension
07/00985/DEX Mr I Dall	20 Osprey Close Esh Winning Durham DH7 9JP	Erection of Garden Tool Shed

List of Refusals

From 06/06/2007 to 29/06/2007

Number and Applicant	Location	Proposal	Decision
07/00383/DEX Mr & Mrs Cheesey	9 Front Street South Cassop Durham DH6	Garden Room, Loft Conversion & Detached Garage	REJ16
07/00384/OTHDOM 3R Land & Property Ltd	3 North Bailey Durham City DH1 3ET	Conversion of ex offices to 3 No flats with single storey extension to rear for student	REJ16
07/00417/DOM Mr Steve Best	Oribi Potters Bank Durham City DH1 3RR	New Dwelling	REJ16

Building Notices

Between 06/06/2007 and 29/06/2007

Number of cavity wall insulation applications 23

Number and Applicant	Location	Proposal
07/00751/DROBN Graham Jackson	3 Harle Street Browney Durham DH7 8HX	Loft Conversion
07/00802/OTHCBN Robert Sleight	Our Lady Queen Of Martyrs Roman Catholic Primary School Durham Road Esh Winning Durham DH7 9PA	New external door to reception classroom
07/00808/OTHDBN B Johnson	High Wooley Farm Stanley Durham DL15 9AP	The halving of a 6 bedroom house into 2, 3 bedroom houses
07/00811/DEXBN Robert Wilson	55 Albert Street Durham City DH1 4RJ	Summer House
07/00823/DEXBN Mr & Mrs McMillan	102 Featherstone Road Newton Hall Durham DH1 5YP	Bedroom Extension and Conservatory
07/00825/OTHCBN Mr & Mrs J Turner	12 Waddington Street Durham City DH1 4BG	Replacement windows
07/00828/DEXBN Mr Philip Oldroyd	53 Rosemount Pity Me Durham DH1 5GA	Extension to kitchen, lounge, sun room and study
07/00953/GLAZBN Nigel Cranston	4 Benville Terrace New Brancepeth Durham DH7 7HX	Replacement Windows
07/00957/DEXBN Dr Truelove	The Old House High Street North Shincliffe Durham DH1 2NJ	Reslating of roof to match existing and creation of bathroom
07/00961/DISBN Major R J Gazzard	Dunelm Court South Street Durham City Durham DH1 4QX	Installation of electrically operated platform lift

Number and Applicant	Location	Proposal
07/00963/GLAZBN Mr & Mrs McKibbin	16 St Lawrence Close High Pitington Durham DH6 1RB	Replacement Windows

List of Regularisations

From 06/06/2007 to 29/06/2007

Number and Applicant	Location	Proposal
07/00821/OTHDRG A Firth	30 The Oaks Esh Winning Durham DH7	Removal of Wall & Installation of lintel
07/00949/DEXRG Mr Hutchinson	37 Millford Way Bowburn Durham DH6	Extension to garage and utility
07/00950/GLAZRG Mr Peter Winters	21 Steetley Terrace Quarrington Hill Durham DH6 4QJ	Replacement window
07/00954/OTHDRG David McNaught	19 Hylton Road Newton Hall Durham DH1 5LS	Pitched roof construction to previously flat roof over extension
07/00971/GLAZRG K & N Crossley	137 High Street North Langley Moor Durham DH7 8JH	UPVC Double glazed windows