

**CITY OF DURHAM**  
**DEVELOPMENT CONTROL COMMITTEE**

**20th September 2007**

**REPORT OF THE HEAD OF PLANNING SERVICES**

**1. Reports for Information**

Members are asked to note that reports in relation to the following items are placed in the Members Library: -

**1.1 Notice of Outcome of Planning / Enforcement Appeals which have been lodged with the City Council**

- a) Appeals by Mr C Kell  
Site at 27 Steetley Terrace, Quarrington Hill, Durham, DH6 4QJ
- b) Appeal by Mr J McManus  
Site at 17 Malvern Villas, Gilesgate, Durham
- c) Appeal by Mr J Petrie  
Site at St Aidans Church, Front Street, Framwellgate Moor, Durham

**1.2 Planning Applications - Determined under Plenary Powers**

**1.3 Building Control Applications – Determined under Plenary Powers**

**2. Decisions made by the County Council**

**2.1**

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**App No:** CM4/07/705  
**Applicant:** Northumbrian Water Limited  
**Location:** Barkers Haugh S T W, Frankland Lane, Durham, DH1 5TA  
**Proposal:** Erection of 2.4 high palisade fence to perimeter of existing sewage treatment plant

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The above application was considered by the City Council under delegated powers on 1st August 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.

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**2.2**

**App No:** CM4/07/746  
**Applicant:** Entec UK Limited  
**Location:** Sewage Disposal Works, Browney Lane, Browney, Durham, DH7 8HW  
**Proposal:** Erection of 2 no. control kiosks

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The above application was considered by the City Council under delegated powers on 10th August 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.

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**2.3**

**App No:** CM4/07/748  
**Applicant:** Durham County Council  
**Location:** Durham Johnston School, Red Hills Lane, Durham, DH1 4SU  
**Proposal:** Proposed erection of school, demolition of existing buildings & landscape re-modelling (revised and resubmitted)

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The above application was considered by the City Council under delegated powers on 8th August 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.

### 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 & Applicant	Location	Proposal	Recommendation
<b>ITEM 1</b>			
07/00533/FPA & 07/00735/LB  Chesterford Properties	Avenue House, North Road, Durham City	Internal & external alterations in association with change of use & conversion of existing building to form 4 no. apartments together with extension to side to form 3 no. dwellings	<b>Refuse</b>
<b>ITEM 2</b>			
07/00662/FPA  City of Durham Council	Land at: Park Avenue, Parkhill, Coxhoe, Durham	Erection of play equipment on existing recreation ground	<b>Minded to Approve</b>
<b>ITEM 3</b>			
07/00679/FPA  A C T Construction	10 Yorkshire Drive Belmont, Durham	Demolition of existing bungalow, & erection of 1 no. bungalow, & 1 no. two storey dwelling house	<b>Approve</b>
<b>ITEM 4</b>			
07/00688/FPA  City of Durham Council	Land at: Park Avenue, Parkhill, Coxhoe, Durham	Change of use of public open space to children's play area with installation of play equipment	<b>Approve</b>
<b>ITEM 5</b>			
07/00717/FPA  Mr W J Rimmer	Elddis Business Park, Finchale Road, Pity Me, Durham	Change of use of car park and part buildings, for use of motorcycle training business, including erection of fencing & hardstanding areas	<b>Approve</b>
<b>ITEM 6</b>			
07/00738/FPA  City of Durham Council	Land at: Flass Vale, Durham	Selective thinning/removal of existing sycamore trees	<b>Approve</b>
<b>ITEM 7</b>			
07/00792/FPA  The Durham Centre	Former Esschem Europe, Unit 2, Belmont Industrial Estate, Durham	Change of use & conversion of existing warehouse to use as offices (Class B1) & conferencing facility (Class D1) with associated car parking & landscaping (further revised & resubmitted)	<b>Approve</b>



**ITEM 1**

<b>07/00533/FPA &amp; 07/00735/LB</b>  <b>Chesterford Properties</b>	<b>Avenue House, North Road, Durham City</b>  <b>Internal and external alterations in association with change of use and conversion of existing building to form 4 no. apartments together with extension to side to form 3 no. dwellings.</b>
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**SITE APPLICATION AND DESCRIPTION**

The application refers to Avenue House, situated to the south-east of the existing bus station located on North Road within Durham City. Avenue House has been occupied for a number of different uses throughout its lifetime, with a number of alterations taking place internally.

Avenue House dates from 1842 and was constructed as a house by J. L. Pearson. The property features coursed square sandstone with chamfered quoins, ashlar plinth and dressings and a low-pitched hipped roof featuring welsh slate. Avenue House features two storeys, and three bays, with renewed steps leading up to a six-panelled double door, with flat stone lintels and projecting stone sills. Sash windows are also present at the property.

The application proposes a number of internal and external alterations in association with the creation of 4 no. apartments within Avenue House itself. In addition to this it is also proposed to construct an extension to the side of Avenue House to accommodate 3 no. dwellings.

Surrounding the site are a variety of uses, to the east, south and west is residential accommodation in the form of terraced developments, many of these properties are Grade II Listed and possess a variety of design styles. To the north of the site is the North Road Bus Station and a variety of A1, A2 and A3 premises. The site is located within the City Centre Conservation Area.

**RELEVANT HISTORY**

There are a number of previous planning applications in relation to this property.

Three applications were received in the 1980's, these related to internal alterations and erection of a rear porch, change of use of part of staff canteen to offices.

One application was received in the 1990's relating to internal alterations to the canteen/offices to provide office accommodation.

One application was received in 2002, this related to erection of three, three storey dwellings incorporating integral workshop and office space.

One application was received in 2005, this related to the conversion and extension of the building to form 4 no. flats and 3 no. dwellings.

One application was also received in 2006 this related to the conversion of existing building to 4 no. dwellings and erection of 3 no. new dwellings.

Three applications (a Full Planning, Listed Building and Advertisement Consent) are at present pending consideration on this site. These relate to external alterations including removal of existing window and insertion of door to rear elevation, erection of railings to side, and erection of 5 no. CCTV cameras, and erection of 1 no. non-illuminated sign to front elevation and 1 no. double sided non illuminated sign to entrance gates. Internal alterations involving removal of stud partition walls, provision of new stud partition walls and provision of

new WC and kitchen facilities and erection of vehicular entrance gates with side railings, railings to side of existing building, 5 no. CCTV cameras and insertion of door to rear elevation.

## **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 sets out the Governments approach to delivering its housing objectives through the planning system. These are:

1. High quality housing that is well-designed and built to a high standard.
2. A mix of housing, both market and affordable, particularly in terms of tenure and price, to support a wide variety of households in all areas, both urban and rural.
3. A sufficient quantity of housing taking into account need and demand and seeking to improve choice.
4. Housing developments in suitable locations, which offer a good range of community facilities and with good access to jobs, key services and infrastructure.
5. A flexible, responsive supply of land – managed in a way that makes efficient and effective use of land, including re-use of previously-developed land, where appropriate.

Planning Policy Guidance note 15: Planning and the Historic Environment lays out government policies for the identification and protection of historic buildings, conservation areas, and other elements of the historic environment. It explains the role of the planning system in their protection.

The frequently close link between controls over 'listed' buildings and conservation areas and development control decisions means that development and conservation generally need to be considered together. Part One of PPG 15 deals with those aspects of conservation policy which interact most directly with the planning system. These include matters of economic prosperity, visual impact, building alterations, traffic and affect on the character of conservation areas. Part Two addresses the identification and recording of the historic environment including listing procedures, upkeep and repairs and church buildings.

### Local Plan Policies

The following sets out to summarise the relevant criteria from those policies in the City of Durham Local Plan 2004 used to determine this application.

Policy E23 (Listed Buildings) states that the Council will seek to safeguard listed buildings and their settings.

Policy E6 (Durham (City Centre) Conservation Area) states that the character, appearance and setting of the Durham City Centre Conservation Area will be preserved or enhanced by encouraging all proposals to fulfil an identified set of requirements.

Policy E22 (Conservation Areas) states that the Council will seek to preserve or enhance the character or appearance of the Conservation Areas within the City of Durham District.

Policy E14 (Protection of Existing Trees and Hedgerows) states that in considering proposals affecting Trees and Hedgerows the Council will require development proposals 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 H2 (New Housing Development within Durham City) states that new housing development comprising: windfall development of previously developed land and conversions will be permitted within the settlement boundary of Durham City provided that the site satisfies a number of criteria.

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 H7 (City Centre Housing) states that the Council will encourage new housing development and conversions within or conveniently close to the City Centre provided there is no conflict with any other policy or proposal of this plan.

Policy Q1 (General Principles – Designing for People) states that the layout and design of all new development should take into account the requirements of users.

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.

## **REPRESENTATIONS**

**STATUTORY RESPONSES** : Responses have been received from the Integrated Transport Unit at Durham County Council. No objection was raised to the application, however concerns were expressed with regards to the impact of the bus station upon the proposed development, particularly in terms of lighting, noise and access.

Durham County Council Highways Department raises no objection to the application. However, a condition was requested regarding approval of the proposed access barrier.

Northumbrian Water raises no objection to the proposed development.

**INTERNAL RESPONSES** : Responses were received from the Property Services Section relating to the naming and numbering of the proposed development.

Cultural Services has expressed a number of detailed concerns regarding the proposals and these are set out in the main body of the report.

The Environmental Health Section has raised no adverse comments related to the application.

**PUBLIC RESPONSES** : Responses have been received from a number of members of the public. The City of Durham Trust commented upon the proposed use of an access barrier into the site, but raised no objection to the application.

Concerns were expressed by a number of residents, these related to the impact upon the existing trees and wildlife on site, the impact of the potential removal of the existing retaining wall, traffic impacts and loss of privacy through the insertion of new windows.

An objection was also received from 1 The Grove relating to the further removal of trees from the site, other than those identified within the Tree Survey submitted. Concerns were also expressed regarding traffic on North Road and the impact upon wildlife.

## **PLANNING CONSIDERATIONS**

The application proposes a variety of internal alterations to Avenue House, in conjunction with the proposed conversion to 4 no. residential apartments. In association with this it is also proposed to construct a two storey extension to the side of the existing building to accommodate 3 dwellings.

The creation of residential accommodation upon this site would result in a reduced level of residential amenity for future residents due to the sites proximity to the North Road Bus Station. The bus station itself is in operation between the hours of 05.30 until 00.30, therefore the level of both noise and light pollution emanating from the site would be considered to be significant. However, a noise survey was not submitted with the application, therefore the exact level of noise produced cannot be identified.

The applicant proposes the removal of the existing relatively modern partition walls that were constructed to serve the various requirements of altering uses. These have varied from use as a canteen for the United Bus Company, to Office accommodation. In association with the removal of internal walls, the applicant also proposes to remove the existing wall at ground floor level between the hall way area and the room to the right of the principal entrance. This wall appears to be of substantial construction and forms part of the original subdivision between the room to the right of the principal entrance and the existing hallway area. The removal of this wall, which forms one of the few remaining original room subdivisions would be regrettable, and would result in a detrimental impact upon the character and appearance of the Listed Building. The application proposes the reinstatement of this wall line with a modern partition. However, it is considered that the potential loss of the last vestige of internal historic fabric would result in a significant loss to the character of the property, and should be resisted. To the first floor it is also proposed to remove the internal partition walls, these appear to form relatively modern insertions, and their removal would not be considered to have a negative effect upon the character of the property.

Following the removal of these existing subdivisions, it is proposed to insert new partition walling in order to create the subdivision necessary to create 4 no. apartments. It is considered that these would be modern partitions and their insertion would not adversely affect the character or appearance of the property.

In addition to the proposed internal alterations, it is also proposed to create two sets of double door openings to the rear (southern) elevation, with two window openings also inserted at ground floor level. One additional window is proposed for insertion to the southern elevation at first floor level. In order for the proposed new window locations to be met, several of the existing windows on this elevation would need to be relocated, therefore necessitating the sealing of a number of the existing openings. The relocation of the existing window openings would have a significant harmful effect upon the character and appearance of the Grade II Listed Building, which derives much of its character from its geometric simplicity and solid to void ratio, present within the property. The two sets of double doors proposed for insertion at ground floor level, would be out of character with the simplistic nature and appearance of the southern elevation. At present the rear elevation contains few openings, and those that are present are of a small, domesticated scale, that is appropriate to the appearance and intended use of the property. There appears to be discrepancies between the proposed elevation treatments to the rear of the property. Within the proposed floor plan at ground floor level it is proposed to insert two sets of double doors to the rear. However, on the proposed rear elevation plan, the one existing opening and one new opening are proposed to be occupied by windows. This discrepancy is not considered



acceptable on a Full Planning and Listed Building Consent Application, and is considered to have a detrimental impact upon the character, quality and appearance of the Listed Building.

In conjunction with the proposed relocation of existing openings etc. it is also proposed to seal two existing window openings due to the proposed location of the two storey extension. It is considered that the loss of these windows would have a detrimental impact upon the visual appearance and historic integrity of the property due to their original design intention to be read as two pairs of windows of equal distance apart. The intended approach created a simplistic geometric elevation and the presence of these windows forms an integral part of the original design emphasis.

It is further considered that the modern internal fittings, walls etc. will have little impact upon the character and appearance of the Listed Building. However the removal of the remaining original wall at ground floor level and the insertion and removal of existing openings would be considered to have a significant detrimental impact upon the character, appearance and quality of the property.

Externally, in addition to the proposed alteration and insertion of window openings, it is also proposed to erect a two storey extension to the western elevation of the Grade II Listed Building. These extensions would be set back from the frontage of the existing building. The proposed extensions feature a drop in roof height compared to that of the existing property. However the junction formed between the hipped roof structure of the existing property and the gable of the proposed extension is considered to be out of keeping with the character of the Listed Building. The junction of these two roof slopes sits awry with the intended geometric character of the property, and would appear clumsy in its appearance. The subsequent addition of a further extension to be attached to the gable of the previous would also appear awkward in its design, particularly with the use of a hipped roof structure. Although reflecting that of the original property this approach would form an uncomfortable visual arrangement when viewed from the proposed car park area. In order to facilitate these extensions, as identified above, two window openings would be sacrificed. Both of these provide an important visual contribution towards the planned geometric appearance of Avenue House and their loss would be considered detrimental to both the character and appearance of the Listed Building.

The material treatment proposed for the two extensions is considered inappropriate also. As identified within the Design and Access Statement, the extensions are to be stone clad, with lintels, sills and roof coverings to match the original. The use of stone cladding adjacent to a Grade II Listed Building would be considered inappropriate. Avenue House itself is constructed of coursed squared sandstone, therefore the use of a stone cladding approach would appear incompatible with the quality of materials used within the original construction.

The design of the proposed extensions attempts to follow that of a 'service wing approach', with a reduction in scale, massing and quality when compared with Avenue House itself. Although this approach may be found within other properties, the intended design and appearance of Avenue House, prevents this design approach from being successful. The design integrity of Avenue House is derived from its geometric simplicity, which does not lend itself to later extensions or interventions with ease.

In order to successfully undertake the proposed scheme, the surrounding landscaping of the site must be addressed. The area to the rear of Avenue is a tree covered slope. This is augmented by other trees to frontage that help screen the site. Some are planted and others self seeded. There are trees that have significance as individuals and their value is combined with the general screening effect of the more recently established trees. The combination of these is to offer a green backdrop to Avenue House and to screen it from the Bus Station forecourt area. The combination of building and back-drop is a significant feature of the character of the area and effectively forms a small enclave of building and trees. The trees also act as a visual buffer to adjacent residential areas and soften general

views across the area. In addition to this the trees also form part of the green back-drop to the lower levels of the historic city core and are likely to be visible from the World Heritage Site itself.

Trees are in need of management but the implications of impact of the new proposals on trees are more severe than initially indicated in the applicant's tree survey provided by Batson Environment and Leisure Ltd. Advice has been sought in the form of a tree inspection and report by AllAboutTrees Ltd.

The impact will be the loss of two significant trees from the rear slope adjacent to the existing building and the potential deterioration of a third. Other changes to the forecourt may also weaken the screening to the site frontage.

The loss of these trees will affect the immediate setting of Avenue House and its character. It will also weaken the general character of the area and the separation between the residential areas (Allergate) and the Bus Station.

The proposed extension and removal of the rear retaining wall are unacceptable in respect of the loss of trees and adverse impact on the character of the area.

In conclusion it is considered that the cumulative effect upon the Grade II Listed Building, and the surrounding natural environment would be such that it would result in a substantial detrimental impact upon the quality, character and appearance of the Grade II Listed Building, the surrounding natural environment and the present and future occupiers both within and surrounding the application site.

## **RECOMMENDATION**

That the application No. 07/00533/FPA be **REFUSED** subject to the following reasons:

1. The Local Planning Authority considers that the proposed extension to the building and demolition of the retaining wall are unacceptable by virtue of the loss of existing mature trees and adverse impact upon the character and appearance of the Durham (City Centre) Conservation Area, contrary to Policies E6, E14, E22 and H2 of the City of Durham Local Plan 2004.
2. The Local Planning Authority considers that the proposed extension would have a detrimental impact upon the setting of the listed building by virtue of the scale, design, massing and appearance of the proposed extension, contrary to Policies E6, E22, E23 and H2 of the City of Durham Local Plan 2004.
3. The Local Planning Authority considers that the proposed extension would be detrimental to the character and appearance of the Durham (City Centre) Conservation Area by virtue of the unsympathetic scale, design and inappropriate materials, contrary to Policies E6, E22, H2 and Q8 of the City of Durham Local Plan 2004.
4. The Local Planning Authority considers that the proposed development would fail to provide a level of residential amenity that prospective occupiers should reasonably expect to enjoy by virtue of noise and disturbance from the unsociable hours operated by the adjacent bus station, contrary to the requirements of Policies H13 and Q8 of the City of Durham Local Plan 2004.

That the application No. 07/00735/LB be **REFUSED** subject to the following reasons:

1. The Local Planning Authority considers that the proposed insertion of additional openings would be detrimental to the character and appearance and special interest of the Listed Building, contrary to Policy E23 of the City of Durham Local Plan 2004.

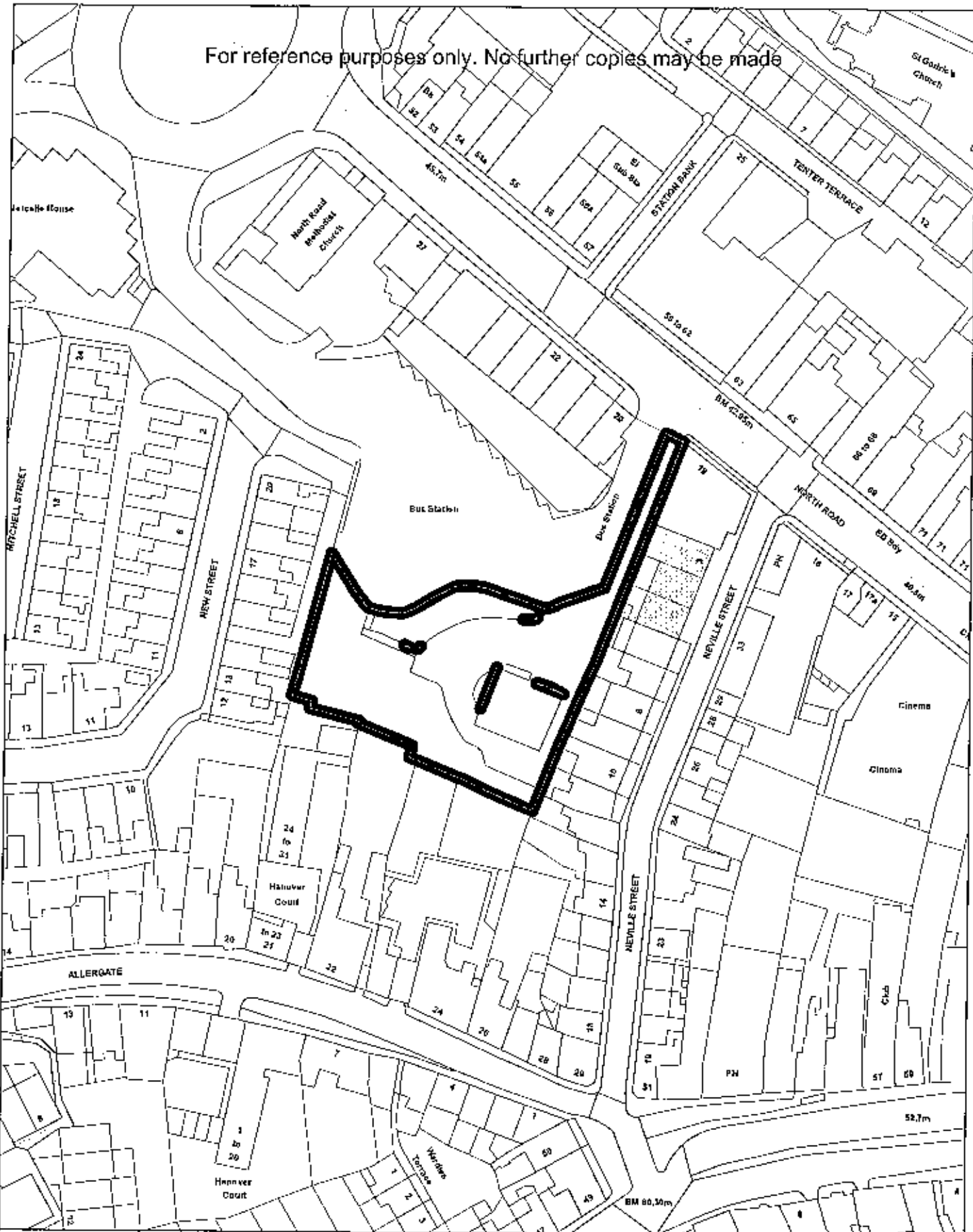
2. The Local Planning Authority considers that the relocation and sealing of existing openings would fail to be sympathetic to the special interest and architectural features of the Listed Building, contrary to Policy E23 of the City of Durham Local Plan 2004.
3. The Local Planning Authority considers that the proposed removal of internal walls to the room in the north western corner (ground floor) of the building would result in the loss of an original internal wall and would therefore be unsympathetic to the character and appearance of the Listed Building, contrary to Policy E23 of the City of Durham Local Plan 2004.
4. The Local planning Authority considers that the sealing of two visually prominent openings to the western elevation of the building would detract from the character, appearance and quality of the Listed Building, by virtue of the loss of the simplistic geometric form of the original building, contrary to Policy E23 of the City of Durham Local Plan 2004.

## **BACKGROUND PAPERS**

Submitted Planning Application Forms and Plans  
City of Durham Local Plan 2004  
Consultation Responses and Various File Notes  
Planning Policy Statements PPS1 and PPS3  
Planning Policy Guidance Note PPG15



For reference purposes only. No further copies may be made



City of  
Durham

Planning Services

Application No. 07/00533/FPA & 07/00735/LB

Avenue House, North Road, Durham

Comments

Date

06 September 2007

Scale

1:1000

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**ITEM 2**

<b>07/00662/FPA</b>	<b>Land at Park Avenue, Parkhill, Coxhoe, Durham</b>
<b>City of Durham Council</b>	<b>Erection of play equipment on existing recreation ground</b>

**SITE AND APPLICATION DESCRIPTION**

The application site lies to the north west of Coxhoe in the residential settlement of Parkhill, and is situated to the west of the Park Avenue residential area. The application site is currently a relatively large recreational area being 2.4 hectares with some play equipment, small BMX track and football pitch. Access to the area is via an unadopted road. The site is relatively level and bounded to the north east by residential dwellings and fields to the remaining sides. A tree belt borders the south east and northeast boundaries of the site.

A supporting statement with the planning application states that the proposed scheme has been submitted following extensive consultation with the residents of Parkhill. The existing use of the land is proposed to be retained as a recreation area and the access and BMX track retained. In addition a multi use games area with a tarmac surface is to be installed, a small skate area, a four cell meeting area, a set of climbing rocks with safety surfacing, a new climbing frame, a swing with safety surfacing and the existing football pitched is proposed to be re-marked out.

**RELEVANT HISTORY**

There is no planning history on this site.

**POLICIES**National Planning Policies

PPS1 Delivering Sustainable Development sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system. This PPS replaces Planning Policy Guidance Note 1, General Policies and Principles, published in February 1997.

PPS3 Housing underpins the delivery of the Government's strategic housing policy objectives and our goal to ensure that everyone has the opportunity to live in a decent home, which they can afford in a community where they want to live.

PPS7 sets out the Government's planning policies for rural areas, which local authorities should have regard to when preparing local development documents, and when taking planning decisions.

PPG17 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.

The guidance observes that it is part of the function of the planning system to ensure that through the preparation of development plans adequate land and water resources are allocated for organised sport and informal recreation.

Local planning authorities should furthermore take account of the community's need for recreational space, having regard to current levels of provision and deficiencies and resisting pressures for development of open space which conflict with the wider public interest.

PPG17 refers to the role of all levels of plan, planning agreements, and the use of local authority land and compulsory purchase powers. Guidance is offered on provision in urban areas, the urban fringe, the Green Belts, and the countryside and particular sports including football, water sports and golf.

### Local Plan Policies

City of Durham Local Plan 2004

Policy E7: Development outside the settlement boundary in the countryside, strictly limits development within the countryside to protect rural areas.

Policy R3: Protection of Outdoor Recreation Facilities, recognises the valuable resource of the outdoor recreational facilities and seeks to protect them.

Policy Q1: General Principles – Designing for People, on the needs of users in the design and layout of new developments.

Policy Q2: General Principles – Designing for Accessibility, seeks to ensure careful consideration is given to the access requirements of pedestrians, and all public and private transport arrangements.

### Other relevant Strategies/Procedures

The City of Durham has conducted a survey of play facilities and has developed a Durham Strategy for Play provision.

## **REPRESENTATIONS**

**STATUTORY RESPONSES** : The County Highway Authority raises no objection to the application.

Sport England raised an objection to the scheme due to the concern that the location of the play facilities reduces the opportunity to accommodate an additional mini or junior football pitch.

**PUBLIC RESPONSES** : None.

## **PLANNING CONSIDERATIONS**

The application site is an existing recreational facility in a rural area outside the settlement boundary, but immediately adjacent to the residential enclave of Parkhill. Site area is approximately 2.4 Ha and is currently used for informal recreation for all ages of the local community. The use for this area of land is proposed to be retained and the application is for the new and altered location of the play equipment. The proposed facilities are to serve the local community in Parkhill and allow local children and residents the opportunity to walk to the facilities.

The main planning issues relate to the protection and enhancement of the existing community facilities, impact on trees and the visual amenity of the area, and consideration of potential noise and disturbance to local residents.

In accordance with the Local Plan Policy R3 the application retains the existing recreational use of the land. In support of the application the applicant has explained that extensive public consultation has been undertaken with the residents of Parkhill, and the proposed equipment and layout has been proposed in response to this consultation.



The existing recreational area has a perimeter mature tree belt to the south east and northeast of the site. These trees will be retained, and are not detrimentally affected by the proposal. With regard to the visual amenity of the area the proposal is for well designed play equipment which is appropriate in colour, size and materials to the recreational area. The siting of the play equipment is positioned with consideration to the potential disturbance to the local residents with the proposed skate area to the south of the site, and a distance of 45 metres from the multi sports area to the local resident's properties. No alterations to the access to the site are proposed.

Sport England submitted an objection to the application on the grounds that the siting of the play equipment prevents the opportunity to provide an additional mini or junior pitch. With regard to their concerns the following information is relevant.

1. Extensive consultation has taken place over several months with the local residents of Parkhill Estate in formulating the submitted proposal. The need to enhance the recreational facilities was identified by local residents and the plans drawn and modified in close consultation with the community.
2. Sport England are concerned that the siting of the play equipment prevents the opportunity to provide an additional mini or junior pitch. The provision of the proposed facilities were developed in consultation with local residents and the siting is proposed to minimise the noise and disturbance to local residents. This siting does restrict the pitch provision to one full size football pitch on the recreation field. However local residents have identified one pitch as meeting their need within Parkhill and the multi sports area will extend the time available to play team games in the year. It is also relevant that excellent facilities are available for pitch provision at Coxhoe and Bowburn which are within 2 kilometres of the application site.

In conclusion the application is considered to enhance the existing recreational facilities in Parkhill. The proposed new recreational facilities have been proposed following close consultation with local residents. The siting and design of the recreational area retains a football pitch and also provides a variety of equipment for climbing, multi sports, BMX, swings and a meeting place. These local facilities for the Parkhill Area are considered to enhance to existing recreational facilities in the local area.

## **RECOMMENDATION**

The Committee be **MINDED TO APPROVE** the application subject to the application being referred to the Government Office for the North East. This is required as the proposal has lead to the loss of part of a sports pitch.

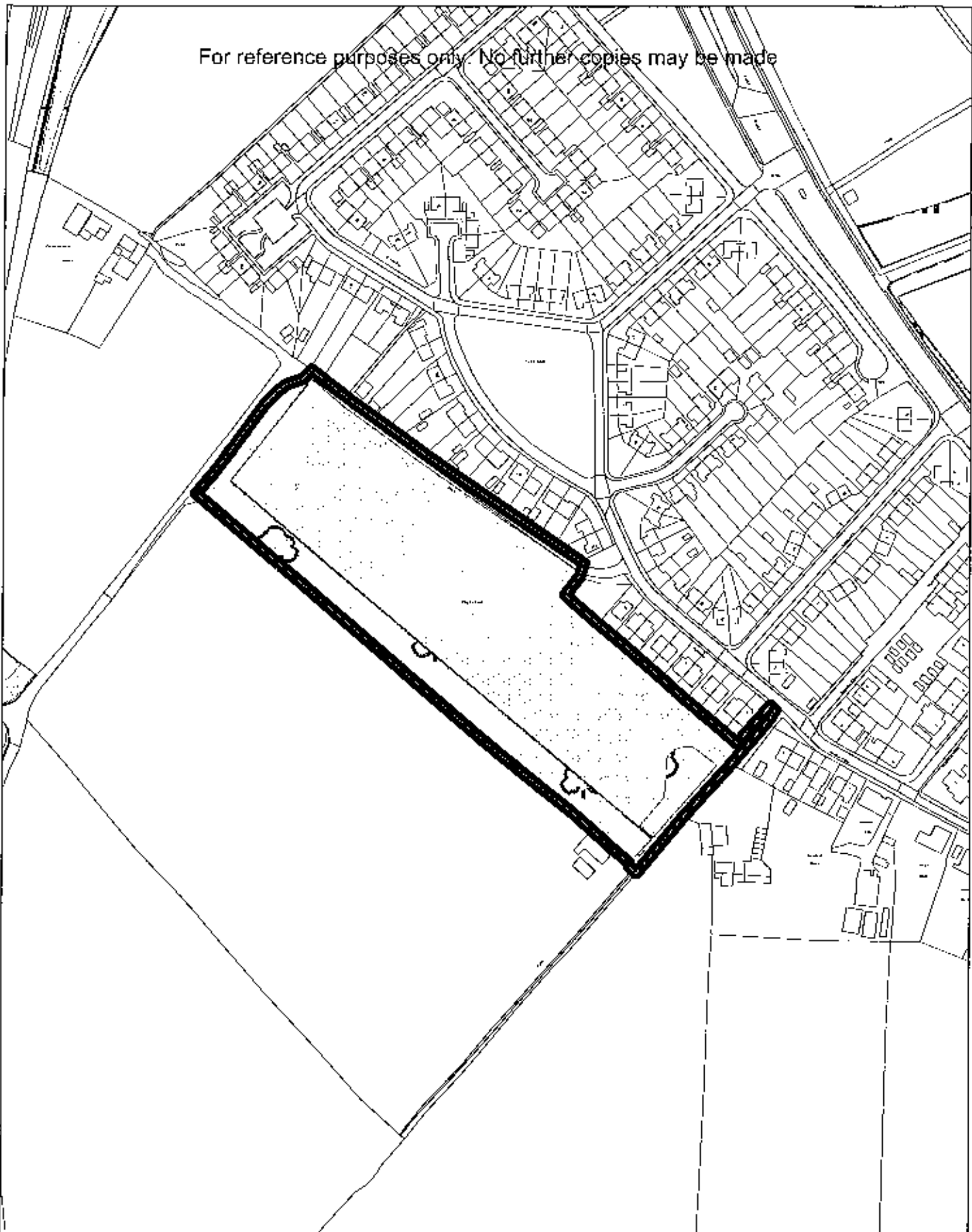
1. The development to which this permission relates shall be begun not later than three years from the date of this permission.

## **BACKGROUND PAPERS**

Submitted Planning Application Forms and Plans  
Planning Policy Statements 1, 3 and 7  
Planning Policy Guidance Note 17  
City of Durham Local Plan 2004  
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. 07/00662/1/PA

Land at Park Avenue, Parkhill, Coxhoe, Durham

Comments

Date

05 September 2007

Scale

1:2500

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### ITEM 3

<b>4/07/679/FPA</b>	<b>Demolition of existing bungalow, and erection of 1 no. bungalow, and 1 no. two storey dwelling house</b>
<b>A C T Construction</b>	<b>10 Yorkshire Drive, Belmont, Durham</b>

### SITE AND APPLICATION DESCRIPTION

The application site is currently occupied by a single bungalow, facing the cul-de-sac head on Yorkshire Drive, at the heart of a modern housing estate in Belmont. The head of the cul-de-sac is located on rising ground, with two storey dwellings, detached and semi-detached rising to bungalows at the road end. Areas of Council maintained open space, including a small but mature 'prunus' type tree bound the property to the front and side, with public footpaths to the front, side and rear. Current vehicular access is a little unusual, the single garage to the rear of the bungalow being accessed from the cul-de-sac head of Lancashire Drive. The rear garden of the dwelling is longer than that of the adjacent house, projecting further towards the estate footpath to the rear. The boundary shared with the adjacent dwelling features a leylandii type hedge, and a lighting column.

The application proposes demolition of the existing bungalow, with replacement with one detached two storey dwelling, and one bungalow each with a garage – the bungalow maintaining the existing arrangement, the house incorporating an integral garage with a new access from Yorkshire Drive. The bungalow proposes a new pedestrian access across the Council-maintained land in Cornwall Walk. The Council maintained land to the front and site, including the tree, are unaffected by the proposals, save this pedestrian link, and the new driveway. The open-plan aspect of the front of the site is maintained. The two properties proposed have rear gardens of 94.5 sq metres and 85 sq metres (approx) in length.

### RELEVANT HISTORY

In April 2007 an application for two residential dwellings was refused by members at Committee following a site visit. Refusal reasons cited were the effect on the privacy and amenity of the residents of the bungalow to the side at 4 Cornwall Walk, and the detriment to the character and appearance of the area from the erection of two detached two storey dwellings, and the effect on the balance of the community.

### POLICIES

#### National Policy

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 Note 3 (Housing) gives priority to the development of housing on previously developed land, and the need for a range of housing types to achieve balanced communities.

#### Local Plan Policies

Local Plan Policy Q8 sets out the requirements developers must achieve when proposing new housing. These include ensuring that developments are in scale, character, and density with their surroundings, that the privacy and amenities of new and existing residents are provided for, that important site features are retained, and that means of enclosure are well designed.

Policy H2 set the Councils interpretation of elements of PPG3, allowing for development of previously developed land within the settlement boundary of Durham City.

Policy H13 states permission will not be granted for new development which has a significant effect on the character or appearance of residential areas, or the amenities of residents within them.

Policies T1 and T10 cover the requirements for general highway safety and parking arrangements

### 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.

## **REPRESENTATIONS**

**STATUTORY RESPONSES** : The response from the County Highway Authority is still outstanding as the report is written however, the previous scheme had a similar vehicular impact and no objection was raised to those proposals. The formal response will be reported verbally at the Committee meeting.

**PUBLIC RESPONSES** : Representation are still being received as this Committee report is written. The following is a summary of the points raised in the letters received to date. The total number of representations, and points not covered below will be reported verbally at the meeting. The full text of all letters is available for Members inspection both on the Council's website, and on the application file on request.

Thirteen letters of objection had been received to the application as the report is written. The development is once more considered to detrimentally affect the character of the area, both in the appearance and density of development proposed, and in breaking a perceived 'building line'. There is a belief that any approval on this site will set a precedent for the wider estate which is considered by residents a beacon of good design. Objectors do not consider the differences between the refused and resubmitted schemes sufficient to overcome the reasons for that refusal.

The effect on the specific residential amenities and privacy of both 4 and 11 Cornwall Walk are objected to.

The effects on highways are objected to, both in introducing a new vehicular access onto Yorkshire Drive, the loss of green estate land that that driveway would require, and the danger of introducing a pedestrian link to the side of the bungalow onto the existing footway of Cornwall Walk.

Objections are further raised on the grounds that an additional property of the type proposed will further overwhelm a drainage system they consider over-capacity. Disruption during building works is a concern to one resident, with the scheme not being 'affordable' to young people, a worry to another. One resident considers the proposals, 'the thin edge of the wedge, for who knows what.'

## **PLANNING CONSIDERATIONS**

This application proposes the redevelopment of land currently occupied by a bungalow, within a settlement boundary. As 'brownfield' land within an existing residential area there is therefore a presumption in favour of development, providing all necessary standards are

achieved, and there is not an unreasonable effect on the privacy and amenity of existing residents. Government advice in Planning Policy Guidance notes requires a balance between maintaining the character of residential areas and making the most efficient use of such previously developed land, in order to protect green spaces and the countryside.

The housing estate within which the development site is set is an attractive, mature modern estate, albeit set out to densities that could be considered low today, given the need to make the most efficient use of housing land (as noted above). Resident's perception of the estate as pristine and sacrosanct are potentially misplaced given the plethora of alterations to the original layout, by way of extensions, change of use open plan space with fencing, and new development. Each of these has led to an incremental increase in the density of the original estate over recent decades. Such alterations are readily apparent in the immediate area, and on adjacent properties.

The proposed bungalow and detached house each have private rear gardens of a size directly comparable to those of the surrounding estate, and are likewise of a footprint appropriate to the area. Each provides for a garage and drive to ensure the requirements for off road parking is met, whilst maintaining an open frontage in character with the estate. Elevational detailing of the properties is likewise appropriate to the surroundings. The presence of a 'building line' as claimed by residents is debateable, noting that there is no specific policy or requirement for such. No. 10 Cornwall Walk and 11 Yorkshire Drive currently step slightly forward of the gable of the dwelling currently on site. The difference in line between nos. 10 and 11 Cornwall Walk, at 3.9 metres is within 0.3 metres (1'0") of the proposed difference between 10 Cornwall Walk and the proposed bungalow's gable. The development does not compromise the openness of the existing estate open-space to any degree.

To address arguments relating to the character of the area, it is noted that the proposed built form of a bungalow and a two-storey detached house, are the same basic type of development to those immediately adjacent, and common to those of the surrounding area. The elevational treatment proposed is generic for the estate, and the style of open plan garden to front, and 2m high fence to rear gardens is likewise a feature of the estate. Neither the use of Council-maintained land for the pedestrian or driveway access, nor the vehicular impact of a single additional driveway onto a cul-de-sac currently serving 23 dwellings are such that detriment to highway safety could be demonstrated to a degree as to be able to sustain a viable refusal. Likewise informal discussions with Northumbrian Water (whose response is outstanding) has indicated that the undoubted problems with the drainage in the Cheveley Park area relate more to surface run off problems rather than inadequate foul sewage capacity.

The refusal reason on the previous application specifically refers to the detrimental effect on the privacy and amenity of the residents of 4 Cornwall Walk. One function of refusal reasons is to direct applicants to those areas of deficiency in a scheme that should be overcome to give a chance of approval. Policy Q8 of the City of Durham Local Plan, the determining planning document against which consideration of this application must be assessed sets out guideline for separation distances between properties.

Albeit no guideline addresses the specific relationship proposed, for distances between single storey dwellings, for windows facing a blank single storey gable, 6.0 metres is suggested, with 13.0 metres suggested between living room windows and a blank two storey elevation. The application proposes 13.0 metres between the existing front elevation of 4 Cornwall Walk, incorporating its main living-room windows, and the side elevation of the proposed bungalow, which incorporates an obscure-glazed bathroom window, and the main entrance door. There is a difference in levels between the two properties of 2.0 metres. The existing bungalow has two large windows facing across the footpath to 4 Cornwall Walk at present with a separation distance of 15.9 metres. The effects on the privacy and amenity of the facing residents are not considered such that a refusal could be sustained in the event of an appeal. The reduction in massing of the current scheme over that previously submitted,

offers a significant improvement over the relationship with regard to the previously refused application.

With each application assessed on its own merits against planning policy, local and national, no weight can be attached to claims of precedent, either from the proposals, or against recent decisions in the locality. Likewise, little weight can be given to potential disruption during the construction process, with specific separate legislation available to Environmental Health officers to address any nuisance that may occur. Requirements for affordable housing on housing developments are set at a threshold well above the two units proposed. (Local Plan Policy H12 is therefore not applicable.)

This planning application proposes two detached dwellings, of a form and character appropriate to the location, a mix of one and two storey development, with gardens and parking provision likewise. The scale of the houses proposed is considered by officers appropriate to the area and consistent with the requirements of Government advice and the City of Durham Local Plan. The changes to the application from that previously submitted have improved the relationship to the residential property at 4 Cornwall Walk in terms of both massing and privacy.

Officers have fully considered the representations offered by objectors, and statutory consultees, balanced with government advice, and the Councils own policies, and have concluded that support is appropriate in this case.

## **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. 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 Planning Application Forms and Plans  
Design and Access Statement  
City of Durham Local Plan 2004  
Responses from Statutory Consultees  
Public Consultation Responses



Various File Notes and Correspondence  
National Planning Policy Guidance (PPS 1 and PPS 3)  
Regional Planning Guidance (RPG 1) and Draft Regional Spatial Strategy







**ITEM 4**

<b>07/00688/FPA</b>	<b>Land at Park Avenue, Parkhill, Coxhoe, Durham</b>
<b>City of Durham Council</b>	<b>Change of use of public open space to children's play area with installation of play equipment</b>

**SITE AND APPLICATION DESCRIPTION**

The application site lies to the north west of Coxhoe in the residential settlement of Parkhill, and is situated centrally within the Park Avenue residential area. The application site is currently an area of landscaped open space. The site is relatively level and bounded on all sides by an estate road and the residential properties of Park Avenue. To the southern boundary of the application site and outside the application site there is a stretch of lay-by parking.

A supporting statement with the planning application states that children from Parkhill have been actively involved in choosing the layout, design and types of individual pieces of play equipment which have been submitted for the proposed play area. The play area is designed for children up to ten years of age.

**RELEVANT HISTORY**

There is no planning history on this site.

**POLICIES**National Policies

PPS1: Delivering Sustainable Development, sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system. This PPS replaces Planning Policy Guidance Note 1, General Policies and Principles, published in February 1997.

PPG17 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.

The guidance observes that it is part of the function of the planning system to ensure that through the preparation of development plans adequate land and water resources are allocated for organised sport and informal recreation.

Local planning authorities should furthermore take account of the community's need for recreational space, having regard to current levels of provision and deficiencies and resisting pressures for development of open space which conflict with the wider public interest.

PPG 17 refers to the role of all levels of plan, planning agreements, and the use of local authority land and compulsory purchase powers. Guidance is offered on provision in urban areas, the urban fringe, the Green Belts, and the countryside and particular sports including football, water sports and golf.

PPS3: Housing, underpins the delivery of the Government's strategic housing policy objectives and our goal to ensure that everyone has the opportunity to live in a decent home, which they can afford in a community where they want to live.

## Local Plan Policies

City of Durham Local Plan 2004

Policy E5A Open space within settlement boundaries. This policy recognises the important function of amenity areas within housing estates and protects the open spaces that contribute to a settlements character.

Policy Q1: General Principles – Designing for People, on the needs of users in the design and layout of new developments.

Policy Q2: General Principles – Designing for Accessibility, seeks to ensure careful consideration is given to the access requirements of pedestrians, and all public and private transport arrangements.

## Other relevant Strategies/Policies

The City of Durham has conducted a survey of play facilities and has developed a Durham Strategy for Play provision

## **REPRESENTATIONS**

Three letters of objection have been received from local residents on the grounds that the site is an attractive landscaped area that the local residents appreciate which will be detrimentally affected by proposed children's play area. The introduction of play equipment will encourage older children to loiter in the area, and possibly lead to vandalism and litter. The site is surrounded by roads which may affect the children's safety. The large playing fields on land to the south west of the application site could accommodate a young children's play area.

**STATUTORY RESPONSES** : The County Highway Authority raises no objection to the application.

**INTERNAL RESPONSES** : None.

**PUBLIC RESPONSES** : None.

## **PLANNING CONSIDERATIONS**

The application site is an attractive grassed area that has several trees and shrubs. As submitted the planning application seeks to include a children's playground within the area of public open space in a central location. The existing established trees and shrubs are retained and the play equipment is proposed on an existing grassed area.

The siting of the children's play area has the advantage of the surrounding houses on Park Avenue being able to observe the children's play ground which may help to limit anti social behaviour. The central location also has a minimum distance of 25 metres to all properties which reduces disturbance from noise. The retention of the trees and shrubs retains the attractive visual amenity benefit of the public open space. Open access is retained to the land outside the children's playground.

With regard to the local residents concerns, the trees and shrubs are retained on the site which retains the pleasant visual amenity of this area. With regard to the highway concerns, the site is surrounded by a residential road network however the play facilities are provided in a fenced area to protect the young children from highway danger. With regard to the concerns about possible anti social behaviour by older children an enhanced play area is proposed for older children on the land to the south west of the application site. There are

also strategies in place to address management issues and possible anti-social behaviour. The application site for the younger children is surrounded by housing which provides some observation of the site. The choice of siting the younger children's play area separately from the older children's play area is noted.

The proposed play area provides a community facility for well designed play equipment for children up to the age of ten. The siting of the play area is in a central location, overlooked by houses but with sufficient space to reduce concerns of disturbance. Established trees and shrubs are retained on the site and enhance the visual amenity of the area.

## **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.

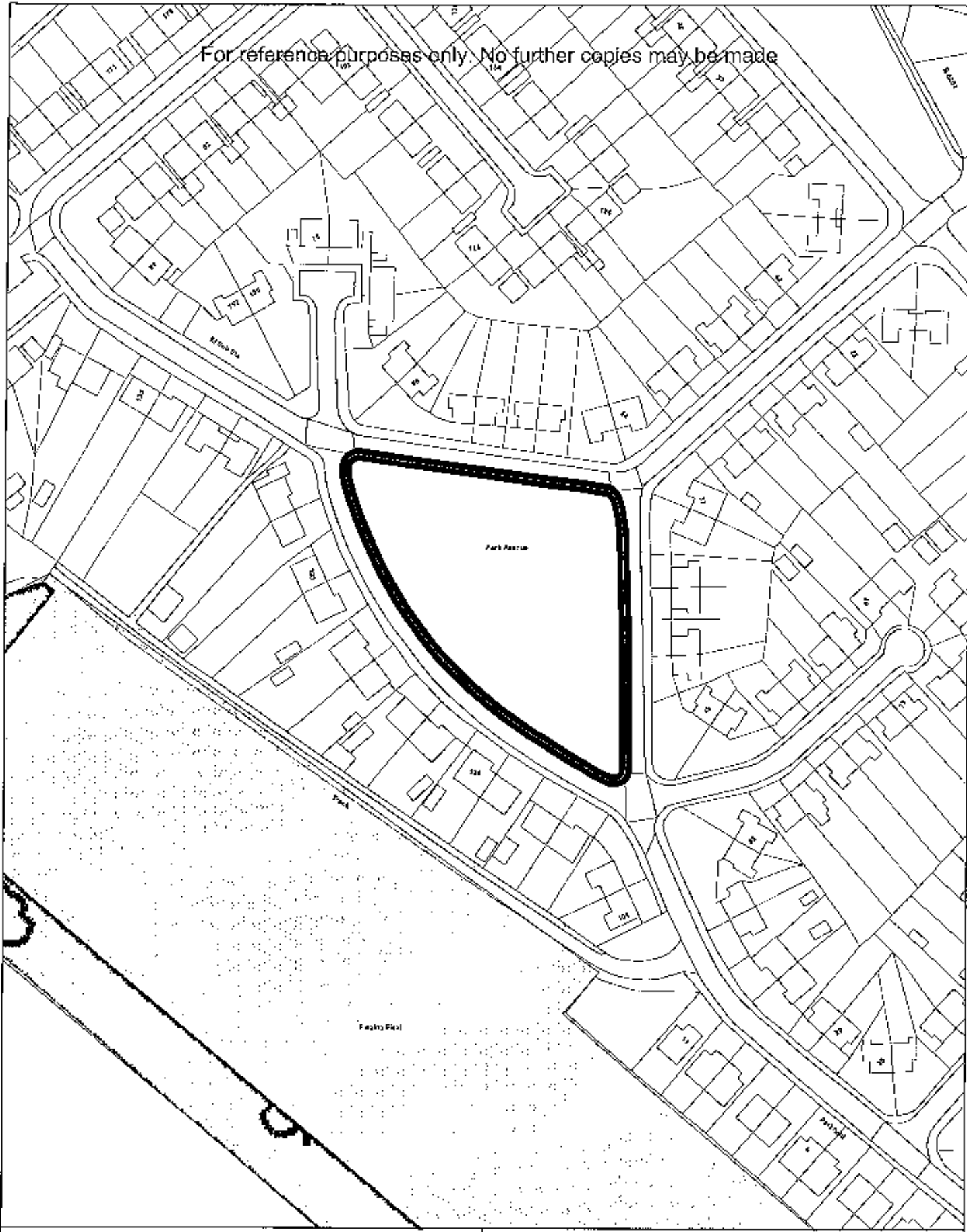
## **BACKGROUND PAPERS**

Submitted Planning Application Forms and Plans  
Planning Policy Statement 1 and 3  
Planning Policy Guidance Note 17  
City of Durham Local Plan 2004  
Responses from  
Public Consultation Responses  
Various File Notes and Correspondence





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City of  
Durham

Planning Services

Application No. 07/00688/FPA

Land at Park Avenue, Parkhill, Coxhoe, Durham

Comments

Date

06 September 2007

Scale

1:1250

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ITEM 5

<b>07/00717/FPA</b> <b>Mr W J Rimmer</b>	<b>Elddis Business Park, Finchale Road, Pity Me, Durham</b> <b>Change of use of car park and part buildings, for use of motorcycle training business, including erection of fencing and hardstanding areas</b>
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**SITE AND APPLICATION DESCRIPTION**

The application proposes relocation of the ACE Motorcycle Training School a short distance from its present site to that currently accessed from Finchale Road, Pity Me, and occupied by Elddis Business Park. Part of two existing buildings will be used for office/classroom training and maintenance aspects of the business, with the main training facility located in the existing hard-surfaced compound to the rear of the site, to be surrounded by security fencing. This hard-standing area is currently used as a manoeuvring area for Elddis articulated lorries, and for the open storage of new cars by a nearby large car retailer. The north-east part of the site has two telecom poles sited along with their equipment cabins and secure fencing.

The site is surrounded in a mixed use area predominantly of industry and commercial uses. The proposed land to be used for outdoor training occupies an area 35 metres by 65 metres to the north of the Elddis compound, with medium sized industrial units to the north, and the aforementioned telecom poles, and the main parking area for the Northumbrian Water offices to the west. Around 70 metres of the existing storage/manoeuvring compound is retained to the south of the proposed site, which bounds the Low Carrs Park Homes Site. Whilst the majority of this boundary benefits from the existence of an earth bund covered in bushes and small trees, it does stop short of the first of the adjacent industrial sheds, leaving an open section.

**RELEVANT HISTORY**

None relevant.

**POLICIES**

National Policies

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

Planning Guidance Note 24: Planning and Noise guides local authorities in England on the use of their planning powers to minimise the adverse impact of noise. It outlines the considerations to be taken into account in determining planning applications both for noise-sensitive developments and for those activities which generate noise.

Local Plan Policies

Policy EMP8 identifies Abbey Road, Pity Me as a location designated for general industrial activity.

Policy EMP10 seeks to protect from 'bad behaviour' activities where the use or expansion of employment designations would have an adverse effect on the occupiers of adjoining premises on the basis of noise, dust, smell, smoke and visual intrusion.

Policy T1 sets out general criteria for determining highways implications for schemes.

The full text and justification for all of the above policies is available for inspection in the City of Durham Local Plan, 2004.

## **REPRESENTATIONS**

**STATUTORY RESPONSES** : The County Highway Authority raise no objection to the proposals.

**INTERNAL RESPONSES** : Environmental Health Officers recommend a restriction in working hours, noting that whilst the training should not be overly noisy, it is still a concern.

**PUBLIC RESPONSES** : The local Parish Council objected to the scheme as originally submitted, without restriction on business hours. Suggested hours have since been submitted.

Four objections were received from residents of the Park Homes, and one from a business user of one of the offices on the Business Park. Objections were raised on the basis of the unlimited working hours originally proposed, and the potential for noise disturbance from the use of the motorcycles. The objection from the business user was along similar lines. One of the letters directs itself to perceived deficiencies of the standard Planning Consultation exercise as opposed to the proposals themselves.

The full text of all public correspondence is available for Members inspection, both on the Council's website and on the case file upon request.

## **PLANNING CONSIDERATIONS**

Members will be aware that the existing site use by ACE Motorcycles between the former County Council Depot, and M & S Motorcycles was a contentious element in the recent assessment of a housing scheme submitted by Miller Homes. The current proposals for this new site must be considered on their own merits and in relation to the specifics of this location.

ACE Motorcycles is a well established employer in Durham with 22 full and part-time staff. As a motorcycle training business they teach clients classroom, yard based manoeuvring and basic skills (CBT – Compulsory Basic Training) and road riding for the motorcycle driving test. With imminent legislation requiring inclusion of additional elements into such training, larger sites will be required by those businesses providing these services, most likely leading to a reduction in the number of such facilities.

The application was submitted in a basic form, identifying the areas of the Eddis Business Park proposed to be used by ACE Motorcycles. In general land-use terms the site has many benefits. Screened from the main road, the site is surrounded by industrial and commercial uses, appropriate to its designation in the Local Plan. The site has excellent access to the public highway in an area which is already accustomed to its operation, given the proximity to ACE's existing base. In general terms, motorcycling has potential sustainability benefits which are relevant here.

The main potential problem to the proposed siting of the use is the proximity to the Low Carrs Park Homes site to the south. Whilst this is separated by a distance of nearly 100 metres of car storage area and lorry manoeuvring space, and the above mentioned earth bund, the impact on the residential amenity of its occupants is the prime relationship to consider.

Initially the application was submitted without suggested hours of use, and this potentially unlimited arrangement was objected to by both residents and Environmental Health Officers.

Discussion and correspondence with the applicants have established a business requirement for hours of 8.30 am – 5.00 pm (excluding Bank Holidays and Christmas) for the overall use, with the training yard – effectively the generator of any potential disturbance – used for CBT training between the hours of 9.00 am – 2.00 pm. These hours can be conditioned by any approval. The machines used for training on the yard will be small capacity – no more than 500 cc and fully legally silenced. It is relevant to note also the general level of background noise apparent on the industrial estate, which will also mitigate to a degree that generated by the proposed use.

The applicants have met with a number of the objectors and representatives from the Parish Council to demonstrate the implications of the use, and claim to have overcome many of their concerns with a demonstration and with two objectors formally withdrawing their objections.

Given the separation distance from the proposed training yard to the nearby residential site, the presence of the bund and the existing surrounding uses, officers consider that the use and the jobs it represents are appropriate in this location subject to the hours of operation stated and recommend the application accordingly.

## **RECOMMENDATIONS**

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

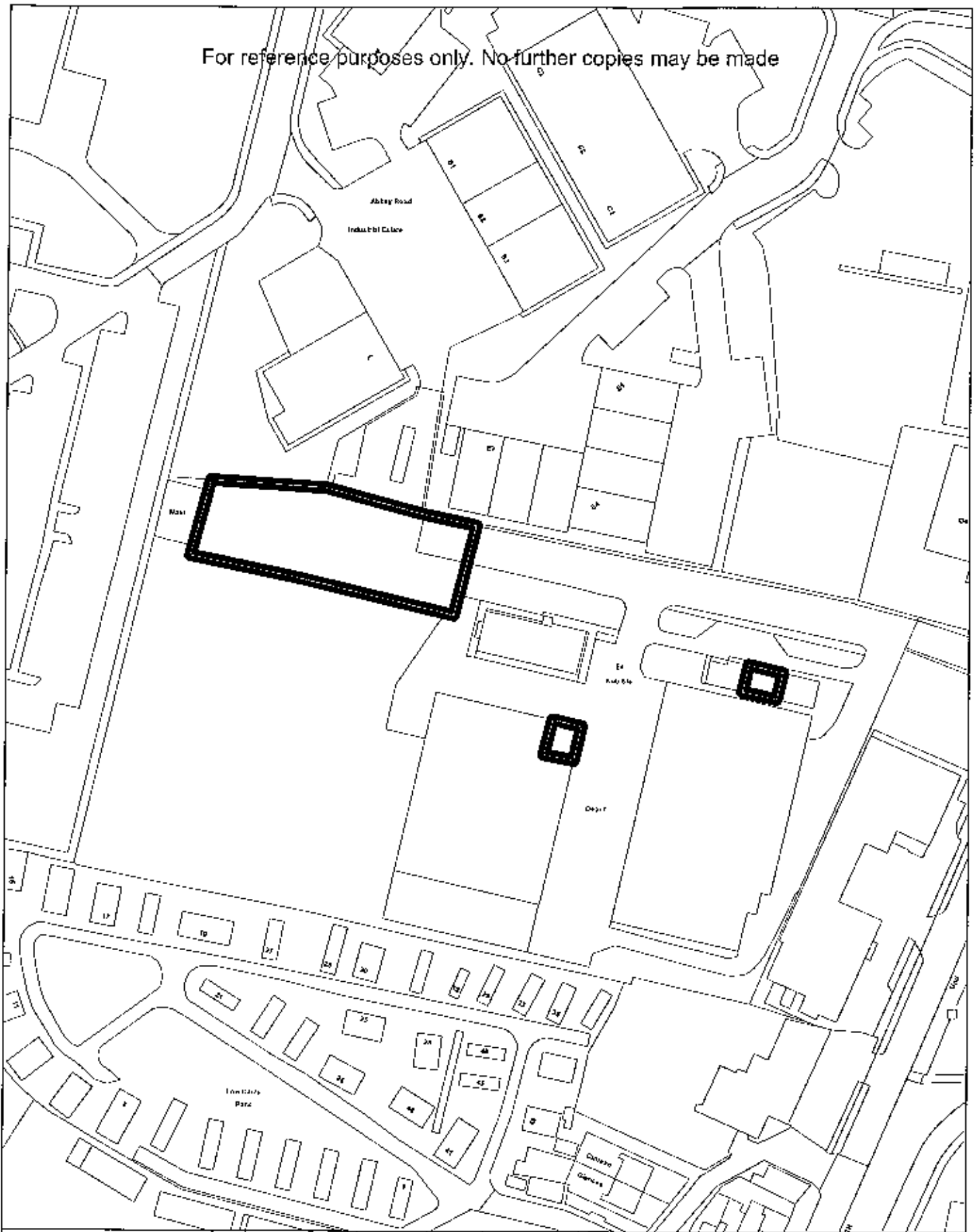
1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
2. Notwithstanding the information shown on the submitted application details of all materials to be used externally and the standard of their finish shall be submitted to and 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. The business hereby approved must operate within the hours of 0830 - 1700 hrs, excluding Christmas and Bank Holidays, with the training yard only used for CBT purposes between the hours of 0900 - 1400 hrs.

## **BACKGROUND PAPERS**

Submitted Planning Application Forms and Plans  
Design and Access Statement  
Planning Policy Statement 1  
Planning Policy Guidance Note 24  
City of Durham Local Plan 2004  
Responses from Internal and Statutory Consultees  
Public Consultation Responses including Parish Council  
Various File Notes and Correspondence



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City of  
Durham

Planning Services

Application No. 07/00717/1/PA

Elddis Business Park, Finchale Road, Pity Me,  
Durham

Comments

Date

07 September 2007

Scale

1:1250

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**ITEM 6**

<b>07/00738/FPA</b>	<b>Land at Flass Vale, Durham</b>
<b>City of Durham Council</b>	<b>Selective thinning/removal of existing sycamore trees</b>

**SITE AND APPLICATION DESCRIPTION**

Flass Vale is a large area of established woodland within a valley that stretches into Durham City. It is an attractive wooded area close to the city centre and also lies within Durham City Conservation Area. It lies close to the residential properties of North End and Crossgate Moor and the area is well used for walking and recreational purposes.

The planning application is to thin the sycamore trees and undertake management of an area of the woodland at its eastern end. The tree thinning is proposed to improve the woodland structure by allowing the remaining native trees to grow and develop a more balanced crown, and will also assist the wildlife and amenity value of the area.

**RELEVANT HISTORY**

There is no planning history on this site.

**POLICIES**

National Policies

PPS1: Delivering Sustainable Development sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system. This PPS replaces Planning Policy Guidance Note 1, General Policies and Principles, published in February 1997.

PPS7 sets out the Government's planning policies for rural areas, which local authorities should have regard to when preparing local development documents, and when taking planning decisions.

PPG15 lays out government policies for the identification and protection of historic buildings, conservation areas, and other elements of the historic environment. It explains the role of the planning system in their protection.

The frequently close link between controls over 'listed' buildings and conservation areas and development control decisions means that development and conservation generally need to be considered together. Part one of the PPG deals with those aspects of conservation policy which interact most directly with the planning system.

These include matters of economic prosperity, visual impact, building alterations, traffic and affect on the character of conservation areas. Part Two addresses the identification and recording of the historic environment including listing procedures, upkeep and repairs and church buildings.

PPG 16 sets out the government's policy on archaeological remains on land and how they should be preserved or recorded both in an urban setting and in the countryside. It gives advice on the handling of archaeological remains and discoveries through the development plan and development control systems, including the weight to be given to them in planning decisions and planning conditions.

Explanation is given of the importance of archaeology and of procedures in the event of archaeological remains being discovered during development.

### Local Plan Policies

City of Durham Local Plan 2004.

Policy E5A Open space within settlement boundaries. This policy recognises the important function of amenity areas within housing estates and protects the open spaces that contribute to a settlements character.

Policy E18 Seeks to safeguard the Sites of Nature Conservation Importance.

Policy E24 Seeks to preserve the ancient monuments and archaeological remains and their setting in situ.

Policy E22 seeks to preserve or enhance the character or appearance of the Conservation Area within the City of Durham.

Policy Q1 (General Principles – Designing for People) General principles on the needs of users in the design and layout of new developments.

Policy Q2 (General Principles – Designing for Accessibility) seeks to ensure careful consideration is given to the access requirements of pedestrians, and all public and private transport arrangements.

### **REPRESENTATIONS**

**STATUTORY RESPONSES** : None.

**PUBLIC RESPONSES** : None.

### **PLANNING CONSIDERATIONS**

As the list of Local Plan Policies demonstrate Flass Vale is an important area of mature woodland both in terms of its location which provides a green wooded valley stretching into the city, as part of the Conservation Area, and as a site of nature conservation and archaeological importance. The main planning issue is whether the proposed development protects and enhances Flass Vale.

The application is to provide management of the woodland by the selective removal of existing sycamore trees. The work will involve the selective removal of young and semi-mature sycamore trees with a stem diameter under 200 mm which are currently preventing the growth of more desirable but less vigorous native trees such as oak, beach and ash trees. In the applicants supporting statement it is explained that the absolute maximum number of trees to be removed will be 2 out of 3 trees. This is necessary to allow the remaining trees to develop fully.

The management of the woodland is considered to be good arboricultural practice and the thinning will have a long term positive impact on the local amenity. Remaining trees will have more space to grow, leading to the development of more balanced crowns. In addition within the woodland sight lines will also be improved which will enhance perceived safety to users of the adjacent right of way.

### **RECOMMENDATION**

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

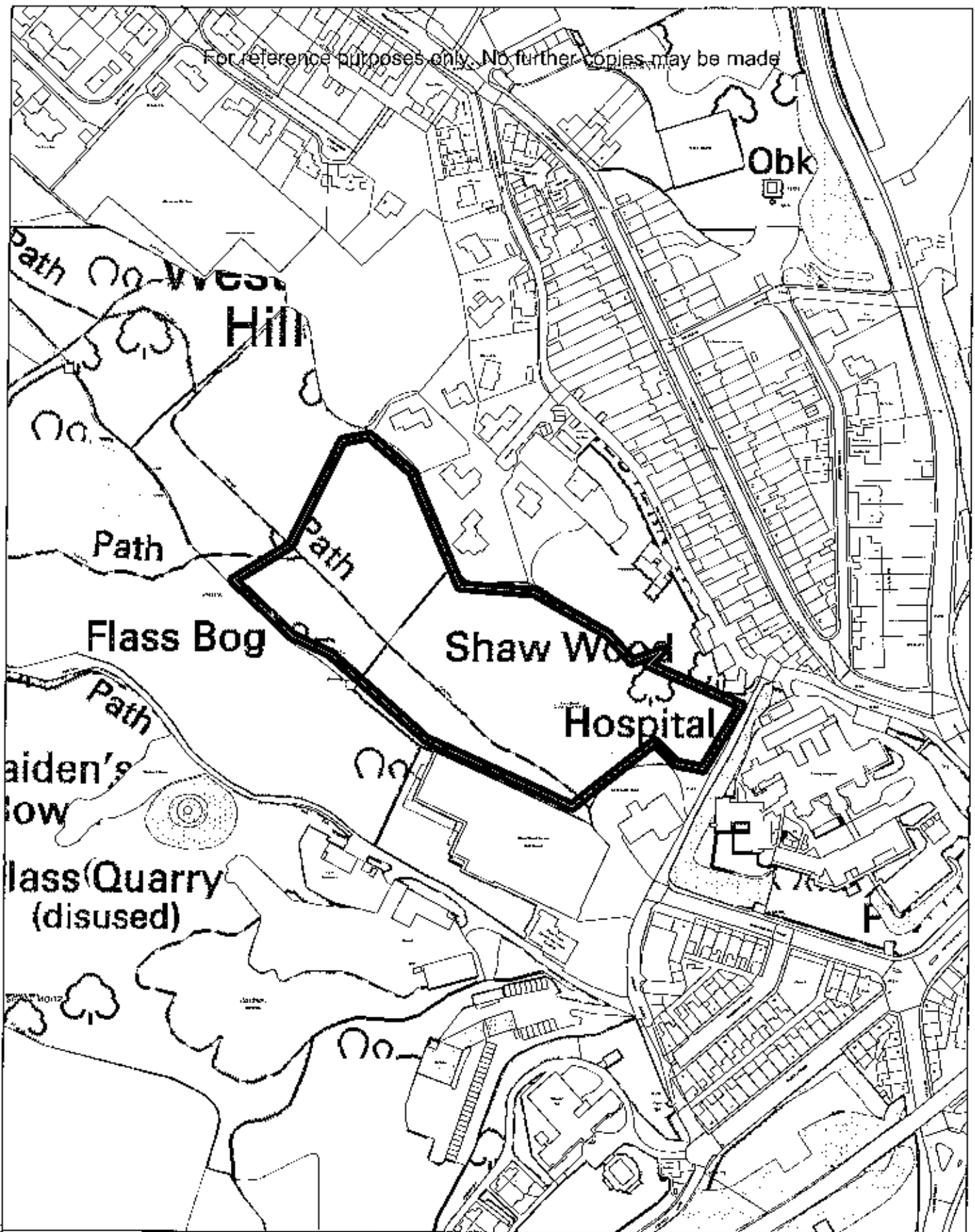
1. The development to which this permission relates shall be begun not later than three years from the date of this permission.

## **BACKGROUND PAPERS**

Submitted Planning Application Forms and Plans  
City of Durham Local Plan 2004  
Responses from consultees  
Public Consultation Responses  
Various File Notes and Correspondence  
Planning Policy Statements, PPS 1 and PPS 7  
Planning Policy Guidance, PPG 15 and PPG 17



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City of  
Durham

Planning Services

Application No. 07/00738/TPO

Flass Vale, Durham

Comments

Date

06 September 2007

Scale

1:2500

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**ITEM 7**

<b>07/00792/FPA</b> <b>The Durham Centre</b>	<b>Change of use and conversion of existing warehouse to use as offices (ClassB1) and conferencing facility (ClassD1) with associated car parking and landscaping (further revised and resubmitted)</b>  <b>Former Esschem Europe, Unit 2, Belmont Industrial Estate, Durham</b>
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**SITE AND APPLICATION DESCRIPTION**

The application site relates to the former Esschem premises on the Belmont Industrial Estate. The site consists of a large former offices building which is currently unoccupied, along with existing parking areas and an area of land to the west. The forecourt to the front of the building is shared with Microchem. The access road into this part of the Industrial Estate is shared with several other businesses.

The application is described as being a 'business centre with offices and mixed conferencing within an existing office / warehouse environment to include D1 (Non-residential institutions) classification'. The facility would be called 'The Durham Centre'.

The proposals include the creation of an auditorium to seat approximately 300 people within the existing building. At most times, it is envisaged that the facility would be used for conferences and subdivided for smaller gatherings of not more than 120. However, it is also intended to hold religious worship services in the auditorium, although it is envisaged that the facility would only be fully used for this use on Sundays for 3-4 hours.

The existing building would also be adapted to accommodate some offices, a reception area, a crèche and ancillary facilities. External alterations would be made to the building to make it suitable for its use, with window openings added. It is proposed to undertake these works as a first phase.

The second phase of works involves constructing an extension to the west side of the existing building which would primarily consist of offices with a central circulation area. Facilities would also be provided at first floor level within both the existing building and the new extension.

It is proposed to provide 43 parking spaces although the applicant's agent envisages that only nine or ten vehicles would visit each day. Cycle parking and disabled access and parking would also be provided. It is envisaged that eight staff would be employed with a possible five or six staff being employed at a later date. The weekday opening hours would be 9.00 to 17.30, although there would be some late evening work on a very occasional basis involving 'mini-conferences'. The premises would only be open for four or five hours on weekends.

The applicant's agent has explained that the operations of the applicant are currently fragmented and so it is difficult to sustain development and grow the operation. It is proposed to make significant financial investment into the property, entirely privately funded, to support the development. The centre would offer a variety of services to business as well as the local community, including counselling, training, meeting room facilities, office space and conference facilities.

A business plan and details of financial projections have been submitted with the application to show how the business would grow. The facilities would be advertised through methods including a major launch event, direct marketing, promotions and the development of a website. It is envisaged that educational establishments such as the University would use 'The Durham Centre' along with counsellors, support groups, charities, publicity groups, IT companies and government bodies. The applicant's agent considers that the local area does not offer a great deal of choice with regard to conference / business facilities. Many conference facilities locally are expensive, whereas the proposal here would be aimed at the mid range market. The main auditorium could be subdivided to offer smaller venues for a variety of purposes.

An outline for a Green Travel Plan has been included with the application. Car sharing would be encouraged on Sundays when church services take place. Free mini buses would also be provided to limit the number of cars visiting the site. Additionally, there are existing bus stops nearby close to the entrance to the industrial estate. There would also be cycle parking provision at the site.

The applicant has been looking for suitable premises for over ten years. It is felt that the current site is ideal because it is well served by good road and rail networks. Details of other properties considered have been provided to demonstrate the efforts that have gone into finding a suitable location. Sites have not been progressed for various reasons, with some buildings ultimately considered to be of the wrong size or too expensive. Some other sites were sold on before they could be fully considered.

The applicant's agent contends that the scheme would enhance the whole area and offer facilities which are not already available. It is noted that some units nearby are empty and detract from the appearance of the estate. It is also felt that the locality is being developed for very diverse usages in any event, with commercial and leisure facilities such as the Travel Inn, bar and restaurant, car showrooms, indoor soccer pitches and commercial outlets.

The applicant's agent has stated that the proposal involves 'delivering a service to the community through conferences, IT, under the umbrella of a religious based organisation, interacting with people from all environments'.

## **RELEVANT HISTORY**

Applications in November 2006 and July 2007 for the same use were withdrawn to allow for further refinement of the proposal now under consideration.

## **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) takes a positive approach to the location of new business developments and assisting small firms through the planning system. The main message is that economic growth and a high-quality environment have to be pursued together.

The objectives of Planning Policy Guidance Note 13 (Transport) are to integrate planning and transport at the national, regional, strategic and local level and to promote more sustainable transport choices both for carrying people and for moving freight. It also aims to promote accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling and to reduce the need to travel, especially by car.



## Regional Policy

Regional Planning Guidance for the North East RPG1 (now the statutory Regional Spatial Strategy) builds on national guidance stating that sustainable economic growth should take place whilst balancing the provision of a range of opportunities for development with the protection of community interests and the environment. A range of employment sites should be provided to allow existing firms to expand and to cater for the varied needs of new businesses.

## Local Plan Policies

Policy EMP5 of the City of Durham Local Plan 2004 designates the site within a Prestige Industrial Site. Business Use (Class B1) will be permitted in such sites. General industry (Class B2) will be permitted provided there is no significant detrimental effect on the environment or on the amenities of the occupiers of adjoining or neighbouring properties and the development of neighbouring areas. New development proposals will be required to be of a high standard of design and landscaping in accordance with Policies Q5, Q6 and Q7.

Policy Q7 states that the siting, design and external appearance of all new industrial and business development will be required to be of a standard appropriate to the designated area in which it is located. Regard should also be had to the requirements of Policies Q1 and Q2.

Policy T1 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 effect on the amenity of occupiers of neighbouring property.

Policy T10 seeks to limit the amount of vehicle parking off the public highway in new development so as to promote sustainable transport choices and reduce the land-development should take into account the requirements of all users.

Policy Q3 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 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 Q6 requires all new developments on the edge of settlements or exposed sites to include peripheral structural landscaping within the site in order to minimise any adverse visual impacts.

Policy E11 requires the Council to protect and enhance areas visible from the road network, railway lines and recreation routes whilst Policy E3 affords protection to/from the World Heritage Site arising from development in exposed locations.

Policy C8 states that new community facilities will be permitted provided that they are located within settlement boundaries and are well related to residential areas and local facilities; and they are of flexible design which could serve more than one use; and they would not adversely affect the amenity of occupiers of nearby or adjoining land or property; and they allow access to people with disabilities; and they do not create or contribute to a traffic hazard; and they are accessible to users of all modes of travel including public transport, cycling and walking in accordance with Policy Q2.

Policy U8a requires developments to provide satisfactory arrangements for disposing foul and surface water drainage. 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

**STATUTORY RESPONSES** : The County Highway Authority note that there is little experience of the likely traffic generation or car parking requirements that would be required for the mix of uses proposed. Larger gatherings on Sundays are likely to be the major traffic generator but this would not have a severe effect on the highway network as traffic levels are usually light at this time. Car parking would, however, be important. Whilst 43 car parking spaces would at first sight seem inadequate for a 300 seat auditorium, the applicant has submitted details of coach and minibus use which should reduce the number of private cars requiring parking. There is additional parking, unused on Sundays, in the vicinity of this property and the Highway Authority are satisfied that the Sunday use can be accommodated without creating unacceptable car parking on the highway.

Weekday use is likely to be limited to conference and business purposes. The accompanying documents to the application include a draft Travel Plan which is satisfactory to the Highway Authority. The centre should have sufficient parking space during most of the week but large conferences will require special measures to control vehicular activity, as there would be limited spare parking space in the area. Subject to these requirements being met, the Highway Authority have no objections to the development proceeding.

**INTERNAL RESPONSES** : None.

**PUBLIC RESPONSES** : None to date

## PLANNING CONSIDERATIONS

The main issues involved in this proposal are the acceptability of the land use and the loss of prestige industrial land, the acceptability of the design of the proposals, and the traffic related impacts of the development.

In terms of land use, Policy EMP5 of the Local Plan identifies the site as forming part of a Prestige Industrial Site. In such an area, business uses (Class B1) will be permitted. General industry (Class B2) will be permitted provided there is no significant detrimental effect on the environment or on the amenities of the occupiers of adjoining or neighbouring properties and the development of neighbouring areas.

Part of the current proposals involves offices (Class B1), which are one of the preferred uses for the site. However, an element of the proposals, the D1 auditorium / conference facility has no specific allocation in the Local Plan. Whilst this element of the proposal does not strictly accord with the preferred land uses for the Belmont Industrial Estate the proposed scheme is not one which benefits from any specific land use allocation in the Local Plan, and the judgement as to its acceptability is therefore whether there would be any harm associated with the use in this location in terms of design or traffic impacts.

In design terms, the extension and the alterations to the building are appropriate to the setting of the site. The change in levels and the existing screening along the boundary with the A690 would mitigate the visual impacts of the large extension in wider views. The proposal is considered compliant with Local Plan policies E3 and E11.

The most noticeable impacts of the development would involve the impacts of the traffic generated and the level of parking provision. There is some uncertainty on this issue, because there are no local experiences of this form of development to refer to. However, The Highway Authority has no objections to development proceeding on the basis that a Travel Plan would be provided to minimise the impacts of traffic arrivals and departures.

The County Highway Authority also considers that the main auditorium/conferencing use, likely to be Church services on Sundays, to be the major traffic generator. However, their

view is that this would not have a severe effect on the highway network as traffic levels are usually light at this time. Car parking would, however, be crucial and whilst the amount of parking provision would appear just about adequate, the draft Travel Plan would help mitigate their concerns.

In conclusion it is considered that the use of the building and its extension to create a mixed use incorporating offices and conferencing facilities to support the community network that embraces the "Durham Centre" is an appropriate use at the location proposed. However, there is as a result of the uniqueness of the proposal a degree of uncertainty about how the use will function in practice particularly with regard to car parking demands. It is therefore suggested that a condition is imposed to restrict the use of church services to Sundays so that traffic and parking problems were not caused when industrial traffic is present on the estate throughout the week, and that overspill parking be provided before (phase 2) of the extension is provided.

## **RECOMMENDATION**

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

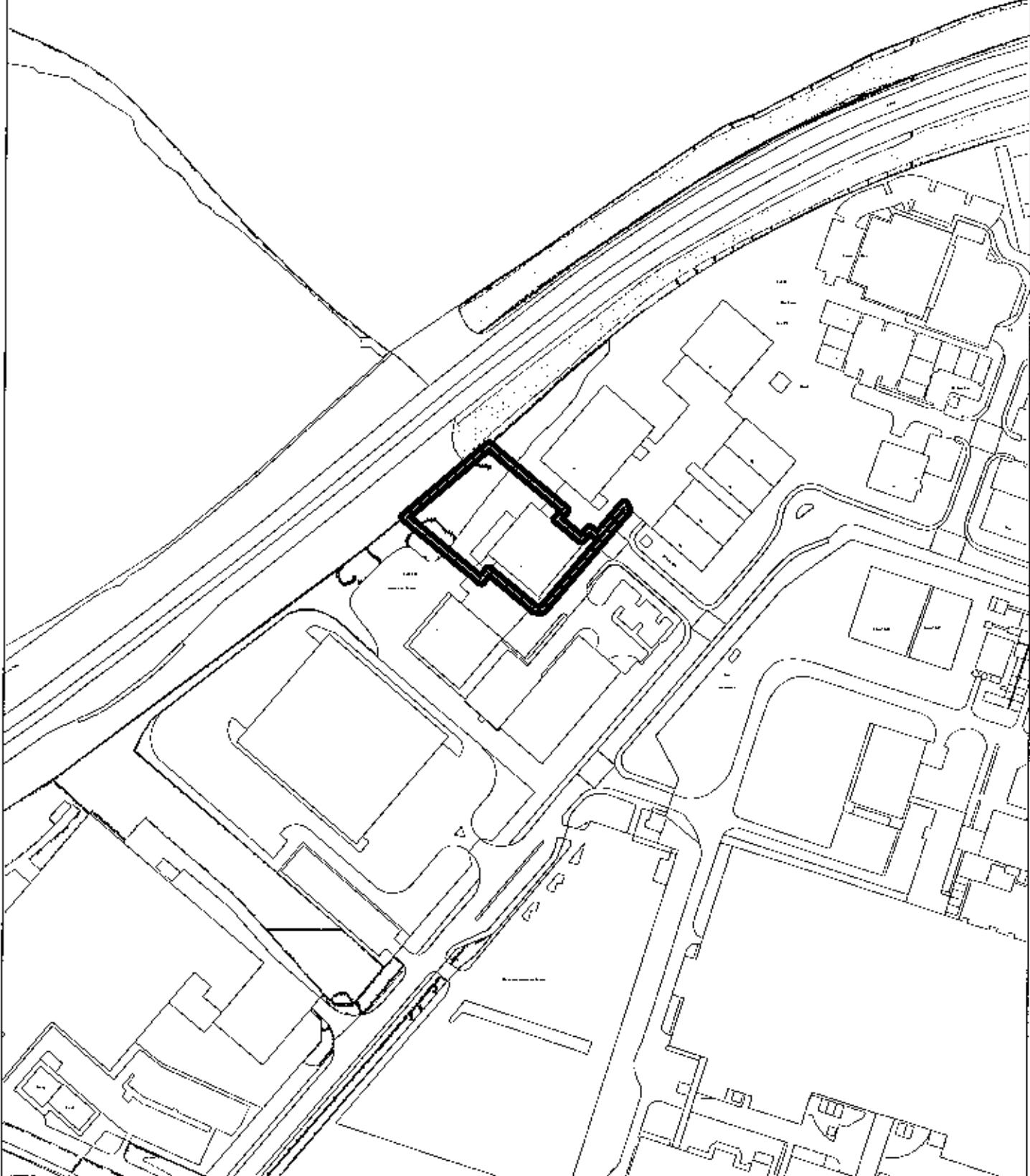
1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
2. Notwithstanding the information shown on the submitted application details of all materials to be used externally and the standard of their finish shall be submitted to and approved by the Local Planning Authority in writing before the development is commenced, and thereafter implemented to the satisfaction of the said Authority.
3. 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.
4. The use of the premises for the church services shall take place on a Sunday only and at no other time without the prior written agreement of the Local Planning Authority.
5. Before the proposed extension (phase 2) is built and brought into use the land on which that extension would be built shall be laid out and used as a temporary car park during the period for which the existing building (phase1) is used on its own.
6. Within a period of 6 months of the first occupation of the building for the use proposed the applicant shall submit and have agreed with the Local Planning Authority a travel plan to include details of its method of implementation and future monitoring.

## **BACKGROUND PAPERS**

Submitted Planning Application Forms and Plans  
Planning Policy Statement 1 (Delivering Sustainable Development)  
Planning Policy Guidance Note 4 (Industrial and Commercial Development and Small Firms)  
Planning Policy Guidance Note 13 (Transport)  
Circular 11/95 (Use of conditions in planning permission)

City of Durham Local Plan 2004  
RPG1 regional Planning Guidance for the North East  
Response from County Highway Authority  
Collins Dictionary and Thesaurus (1995) Harper Collins Publishing  
Various File Notes and Correspondence

For reference purposes only. No further copies may be made



City of  
Durham

Planning Services

Application No. 07/00792/PPA

Former Bsschem Europe, Unit 2, Belmont  
Industrial Estate, Durham

Comments

Date

04 September 2007

Scale

1:2500

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# **DURHAM CITY COUNCIL**

## **DEVELOPMENT CONTROL COMMITTEE 20 September 2007**

### **Reports for Information**





**CITY OF DURHAM**

**DEVELOPMENT CONTROL COMMITTEE**

**20th September 2007**

**REPORT OF THE HEAD OF PLANNING SERVICES**

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

**1.1 Appeal by Mr C Kell  
Site at 27 Steetley Terrace, Quarrington Hill, Durham, DH6 4QJ**

The above appeal against the Council's refusal to grant planning permission for the erection of detached garage on land to the south west of Steetley Terrace, Quarrington Hill, Durham, DH6 4QJ has been dismissed in the Council's favour. (See Appendix (A))

**Recommendation**

That the report be noted.

**1.2 Appeal by Mr J McManus  
Site at 17 Malvern Villas, Gilesgate, Durham**

The above appeal against the Council's refusal to grant planning permission for the change of use of land to provide hard surfaced low maintenance garden area on land to rear of 17 Malvern Villas, Gilesgate, has been dismissed in the Council's favour. (See Appendix (B))

**Recommendation**

That the report be noted.

**1.3 Appeal by Mr J Petrie  
Site at St Aidans Church, Front Street, Framwellgate Moor, Durham**

The above appeal against the Council's refusal to grant planning permission for the erection of a porch at St Aidans Church, Front Street, Framwellgate Moor, Durham, DH1 5BL has been allowed. (See Appendix (C))

**Recommendation**

That the report be noted.

**2. Planning Applications determined under Plenary Powers**

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

**3. Building Control Applications determined under Plenary Powers**

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





## Appeal Decision

Site visit made on 25 July 2007

by **Robert M Barker** BEng(Hons) CEng  
MICE FIHT

an Inspector appointed by the Secretary of State  
for Communities and Local Government

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Date: 14 August 2007

**Appeal Ref: APP/Z1320/A/07/2034957/WF**

**Land to the East of Steetley Terrace, Quarrington Hill, Durham, DH6 4QJ**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr C Kelf against the decision of Durham City Council.
- The application Ref 4/06/00602/FPA, dated 21 June 2006, was refused by notice dated 3 August 2006.
- The development proposed is a domestic garage.

### Decision

1. I dismiss the appeal.

### Main Issue

2. Whether the arguments in support of the proposed development are sufficient to justify an exception to policies designed to protect the countryside.

### Reasons

3. The appeal site lies on the south western edge<sup>1</sup> of Quarrington Hill. It comprises a detached rectangular area of land, mainly grassed but with a dividing internal trellis and some planted roses. It has the appearance of a garden area. It is surrounded by a close-boarded timber fence some 2 metres high. Its south western boundary adjoins open countryside; grass, shrubs and some saplings, all of which border the north eastern side of the B6291 as it approaches the limits of the settlement down a gentle hill from the south west.
4. It is not disputed that the appeal site lies outside the settlement boundary, in the countryside. Policy E7 of the City of Durham Local Plan seeks to restrict new development in the countryside solely to sites which meet specific criteria; none of which apply at the appeal site.
5. The justification for this Policy stresses the need to protect the countryside for its own sake. Furthermore general areas such as allotment gardens and the like on the edge of settlements have been excluded from settlement boundaries to make clear that development will not be appropriate in these peripheral locations. In my view therefore the proposal on this appeal site is quite clearly at odds with Policy E7.

<sup>1</sup> Inspector's Note: The planning application document refer to the site as 'Land to the East of Steetley Terrace...'. However I note from the plans and my site inspection that it actually lies to the south west of this terrace.

6. I turn then to the Appellant's arguments in support of the appeal. I am not persuaded that the presence of other garages to the rear of Steetley Terrace justifies the erection of a 4 metre-high double garage in this prominent location. The existing garages, which are somewhat lower than the proposal, are set to the rear of the group of dwellings, have an affinity with the developed area and are not readily visible on the approach to the village from the south west.
7. Whereas I consider that the proposal, which would be readily visible above the fencing, trellis and roses, would be an alien feature encroaching into the countryside, a characteristic already portrayed by the fence, which I consider it would significantly exacerbate. In my view attempts to match the materials with the adjacent dwelling, as suggested by the Appellant, would not overcome the fundamental problem of encroachment in the countryside. Furthermore it would not be readily masked from view from the slightly elevated road when approaching from the south west. The highway hedge is far from complete and adjacent planting would take some considerable time before it started to mask this development.
8. On the question of highway safety I noted that the main road past the appeal site, B6291, is straight and affords reasonable forward visibility. During my site inspection a number of vehicles were parked outside Steetley Terrace and did not interfere noticeably with the safe flow of traffic.
9. In my view neither these nor any of the other arguments in support of the proposed development are sufficient to justify an exception to policies designed to protect the countryside that I have identified above and consequently the appeal is dismissed.

*R M Barker*

R M BARKER  
INSPECTOR



## Appeal Decision

Site visit made on 25 July 2007

by **Robert M Barker** BEng(Hons) CEng  
MICE FIHT

an Inspector appointed by the Secretary of State  
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Date: 15 August 2007

**Appeal Ref: APP/Z1320/A/07/2040058/WF**

**Land to rear Malvern Villas, 17 Malvern Villas, Durham, DH1 2JW**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Jonathan McManus against the decision of Durham City Council.
- The application Ref 4/06/00/04/FPA, dated 6 July 2007, was refused by notice dated 21 September 2007.
- The development proposed is described as *use of land garden formation hard surface low maintenance*.

### Decision

1. I dismiss the appeal.

### Main Issue

2. The effect of the proposed development on the character and appearance of the surrounding area.

### Reasons

3. The appeal site is an untidy area of land, bounded by a close-boarded fence, sitting behind Malvern Villas in a prominent position overlooking a shallow valley of open scrubland. Other houses lie to the south and overlook this area towards the appeal site. A track runs down the east side of the appeal site. The appeal site can be seen from Sherburn Road along the street that lies adjacent to the east side of No.17 Malvern Terrace.
4. The appeal site is positioned directly behind No.17 Malvern Terrace from which it is separated by an unmade road. It lies directly adjacent to other smaller areas or strips of land which are similarly related to other dwellings in Malvern Terrace.
5. I observed that these associated strips of land contain, in some cases, garages and are primarily grassed. Some of the areas have been formed into more formal gardens with lawns, shrubs, flowers and occasional trees. They are largely bounded by low fences or hedges. I saw none that resembled the appeal proposal.
6. In my view the form of development proposed for the appeal site would be completely at odds with these adjacent areas. In coming to this conclusion I have taken into account the lack of grass, the large expanse of gravel, the hard

paved areas, the harsh fencing and the large gates which would all be a feature of the development. All these matters are exacerbated by the size of the appeal site compared with its neighbouring areas and by its prominent position.

7. In my view therefore the proposed development would have a significant adverse and unacceptably harmful effect on the character and appearance of this residential area. This is something that Policy H13 of the City of Durham Local Plan 2004 seeks to avoid. I therefore conclude that the appeal should be dismissed.

*R M Barker*

R M BARKER

INSPECTOR



## Appeal Decision

Site visit made on 24 July 2007

by **Kevin Ward BA (Hons) MRTPI**

an Inspector appointed by the Secretary of State  
for Communities and Local Government

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Bristol BS1 6PN

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Date: 17 August 2007

**Appeal Ref: APP/Z1320/A/07/2035226**

**St Aidan's Church, Front Street, Framwellgate, Durham DH1 5BL**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by The Incumbent and Church Council of the Parish of St Cuthbert, Durham with St Aidan, Framwellgate Moor against the decision of Durham City Council.
- The application Ref 4/06/01036/FPA, dated 20 October 2006, was refused by notice dated 18 December 2006.
- The development proposed is an extension to the south elevation of St Aidan's Church to create a porch.

### Decision

1. I allow the appeal and grant planning permission for an extension to the south elevation of St Aidan's Church to create a porch at St Aidan's Church, Front Street, Framwellgate, Durham DH1 5BL in accordance with the terms of the application Ref 4/06/01036/FPA, dated 20 October 2006 and the plans submitted with it, subject to the following conditions:
  - 1) The development hereby permitted shall begin before the expiration of three years from the date of this decision.
  - 2) No development shall take place until details of the materials to be used in the construction of the external surfaces of the extension and the surface treatment of the paved area hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
  - 3) No development shall take place until details of the species and location of a tree to be planted to replace that removed due to the development hereby permitted have been submitted to and approved in writing by the local planning authority. The tree shall be planted within 1 year of the completion of the development hereby permitted in accordance with the approved details. Should the tree die, be removed or become seriously damaged or diseased within 5 years of planting it shall be replaced by another tree in accordance with the approved details unless the local planning authority gives written consent to any variation.

### Main Issue

2. The Council does not object to the design of the porch itself, but to the loss of a sycamore tree which it entails. The main issue therefore is the potential

effect of the loss of the sycamore tree to the south of the church on the character and appearance of the area.

### **Reasons**

3. There is agreement between the parties that the proposed porch and ancillary paving would involve the loss of the sycamore tree which sits some 6.5m to the south of the church. It is not clear whether this tree was part of the original landscaping of the church but in any case there is no doubt that it is a very mature tree.
4. Views of St Aidan's Church and its grounds from Front Street are obscured by the hall to the west, the community centre to the south west and trees and other landscaping to the north. The group of trees along the northern boundary of the church grounds and in front of the hall are prominent and important features in the wider view and make a significant and positive contribution to the character and appearance of the area.
5. The sycamore tree that would be lost is an attractive feature which benefits the immediate setting of the church and to some extent the character and appearance of the area. However, whilst I note the Council's comments about the nature of the tree itself, it is only clearly visible from a limited stretch of Front Street through the gap between the hall and the community centre. It is visible from the rear of the community centre and its car park but this is not a particularly sensitive viewpoint. Due to its lack of prominence, the loss of the tree would cause only limited harm to the character and appearance of the area. I consider that this limited harm is outweighed by the benefits of a sensitively designed porch which improves accessibility to the church and would be further reduced by the planting of an appropriately located replacement tree.
6. I note that the Council has suggested alternative methods of improving access to the church which may not result in the loss of the tree. However, I have dealt with this appeal on the basis of the application as submitted and in any case consider that the loss of the tree would not cause unacceptable harm to the character and appearance of the area.
7. The sycamore tree that would be lost was the subject of a tree preservation order, along with five other trees in the church grounds, which came into force on 24 November 2006 for a period of six months (Ref. PN1/394). I have no information as to whether this order has subsequently been extended or made permanent. It is also not clear whether the tree is causing structural damage to the church. Again, in any case I consider that the loss of the tree would not cause unacceptable harm to the character and appearance of the area.

### **Conditions**

8. The Council has suggested conditions should the appeal be allowed. I agree that details of the materials to be used in the extension and the surface treatment of the paved area should be submitted and approved in the interests of the character and appearance of the area although I have combined the suggested conditions and altered their wording to reflect the advice in Circular 11/95. I also agree that a condition relating to the planting of a replacement



tree is required in the interests of the character and appearance of the area although I have clarified the suggested wording.

**Conclusion**

9. For the reasons given above and taking account of other matters raised I conclude that the proposed development would not significantly harm the character and appearance of the area and so would comply with Policy E14 of the City of Durham Local Plan and that the appeal should succeed.

*Kevin Ward*

INSPECTOR



**CITY OF DURHAM**

**APPLICATIONS DETERMINED UNDER PLENARY POWERS**

**PRINTED ON 17 August 2007**

**WEEK NO.30/2007**

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

Number and Applicant	Location	Proposal
*07/00591/FPA S Afsahi	4 Chantry House Benridge Bank West Rainton Durham DH4 6SW	Erection of conservatory and raised decking to front elevation of existing dwelling
*07/00630/FPA Mr N Swift	13 Mitchell Street Durham DH1 4DQ	Removal of existing two storey extension and erection of two and single storey pitched roof extensions to rear elevation of existing dwelling
07/00633/FPA Mr P Rowley-Conwy	17 St Johns Road Nevilles Cross Durham DH1 4NU	Erection of 1 no. dwelling to side of existing dwelling (revised and resubmitted)
*07/00638/FPA Hope Estates	11 New Street Durham DH1 4DH	Erection of single storey pitched roof extension to rear of existing dwelling
*07/00645/FPA Closegate Hotel Development (Durham) Ltd	Framwelgate Waterside Hotel Framwelgate Waterside Durham DH1 5TL	Erection of 2 no. roof mounted satellite antennae

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

Number and Applicant	Location	Proposal
*07/00538/FPA Mr J Minns	Bearpark Workmens Club And Institute Field View Terrace Bearpark Durham DH7 7AE	Erection of detached smoking shelter

07/00539/FPA Mr And Mrs Joyce	8 School Avenue Coxhoe Durham DH6 4EB	Erection of detached, pitched roof garage/store to rear of existing dwelling
07/00543/FPA M S And J Rennie	8 Holmlands Crescent Framwellgate Moor Durham DH1 5AR	Erection of single storey part flat, part pitched roof extension to rear elevation of existing dwelling
07/00568/FPA K Ferro	The Lambton Hounds 62 Front Street Pity Me Durham DH1 5DE	Erection of shelter and raised decking area to rear of existing public house
*07/00569/FPA Mr And Mrs Purvis	1 Meadow View Coxhoe Durham DH6 4DZ	Erection of single storey pitched roof extension to rear elevation of existing dwelling
07/00579/FPA G And M Newlife Properties Ltd	37 Hartside View Pity Me Durham DH1 5DX	Erection of porch to front elevation, two storey pitched roof extension to side/rear, and erection of detached garage to rear of existing dwelling
07/00607/FPA Mr A Wheeler	HM Prison Durham 19B Old Elvet Durham DH1 3HU	Erection of satellite dish to roof of existing administration building within prison compound
07/00609/FPA Mr and Mrs R DGLISH	6 Kirkwood Drive Nevilles Cross Durham DH1 4FF	Erection of conservatory to rear elevation of existing dwelling
07/00610/FPA Ministry Of Justice	H M Low Newton Prison Finchale Avenue Brasside Durham DH1 5YA	Erection of satellite antenna to roof of existing substation within prison compound
07/00611/FPA Mr C Lowther	6 Woodland Terrace Esh Winning Durham DH7 9NL	Erection of single storey pitched roof extension to rear of existing dwelling
07/00625/FPA Mrs J Napper	30 Millford Way Bowburn Durham DH6 5DE	Erection of two storey pitched roof extension to side elevation of existing dwelling

07/00629/FPA Mr K Facey	14 Ashbrook Close Brandon Durham DH7 8TE	Erection of conservatory to rear of existing dwelling
07/00632/FPA LPW Group Ltd	Durham Motorway Services Tursdale Road Bowburn Durham DH6 5NP	Proposed HGV brush wash and associated container
07/00635/LB Durham Marriott Royal County Hotel	Durham Marriott Royal County Hotel Old Elvet Durham DH1 3HL	External repair and redecoration, including renewal of areas of roof covering, structural repairs comprising crack stitching, and renewal of an area of structural roof timbers
*07/00636/FPA Hope Estates	34 Young Street Gilesgate Durham DH1 2JU	Erection of single storey pitched roof extension to rear of existing dwelling
07/00637/FPA Mr Ness	1 North View Durham DH1 2LE	Erection of single storey pitched roof extension to rear of existing dwelling and construction of vehicular accesses to the front of the existing dwelling
07/00642/FPA Mr R Dennis	8 Devonshire Road Belmont Durham DH1 2BQ	Erection of single storey pitched roof extension to rear of existing dwelling
07/00643/FPA Mrs H Dunn	19 Copperfield Merryoaks Durham DH1 3QT	Erection of single storey pitched roof extensions to front and rear elevation of existing dwelling
07/00644/FPA Mr And Mrs Hubery	15 Birch Place Esh Winning Durham DH7 9JA	Extension of existing offshoot and erection of conservatory to side elevation of existing dwelling
07/00647/FPA Palmer/Winter	61 Cavendish Court Brandon Durham DH7 8UL	Erection of conservatory to rear elevation of existing dwelling

*07/00655/AD Mrs K Forster	Owengate House Saddler Street Durham DH1 3NU	Erection of non-illuminated projecting sign and bracket and 2 no. non-illuminated brass wall mounted plates
07/00659/FPA Mr Urwin	6 Hatfield Close Framwellgate Moor Durham DH1 5FD	Erection of two storey pitched roof extension to side of existing dwelling
07/00665/FPA Wavin UK	Wavin UK Meadowfield Industrial Estate Meadowfield Durham DH7 8RJ	Erection of smoking shelter
07/00691/FPA Mr Hann	26 The Orchard Pity Me Durham DH1 5DA	Erection of single storey pitched roof extension to side of existing dwelling and conversion of garage to habitable room
07/00702/FPA Marks And Spencer Plc	Marks And Spencer Unit J Arnison Retail Centre Pity Me Durham DH1 5GB	Erection of trolley shelter to front of existing retail unit

3. Raise no objection to the County Matter listed below.

Number and Applicant	Location	Proposal
#07/00737/CM Durham County Council	Sixth Form Centre Providence Row Durham DH1 1SG	Erection of demountable building to provide disabled/physio facilities
07/00746/CM Entec UK Ltd	Browney Sewage Treatment Works River View Lane Brandon Durham	Erection of 2 no. control kiosks

# The City Council raise no objection subject to the proposed building being in place for a temporary period of two years only.

\* Determined under Chairman and Vice Chairman Delegated Authority

## **APPENDIX A**

**City of Durham  
Applications Determined Under Plenary Powers  
Printed on 17 August 2007  
Week No.30/2007**

### **Applications recommended for refusal – reasons**

4/07/00591/FPA

The proposed conservatory by virtue of its design and location is considered to appear out of scale with the host property and as an incongruous feature within the immediate streetscene and is hence contrary to Policy Q9 of the City of Durham Local Plan 2004

The proposed conservatory and raised decking is considered to have an unreasonable impact upon the amenity of the occupiers of nearby properties in terms of privacy contrary to Policy Q9 of the City of Durham Plan 2004

4/07/00630/FPA

The proposed two storey extension by virtue of it's size, scale, design and location, is considered to fail to remain sympathetic to the main dwelling and fail to preserve or enhance the character of the Conservation Area. Therefore the proposal is considered contrary to Policies Q9 and E6 of the City of Durham Local Plan 2004.

The proposed two storey extension to rear incorporating first floor rear elevation windows would result in a significant loss of privacy for the occupiers of Nos. 10 and 11 New Street by virtue of unacceptable separation distances between habitable windows and for the occupiers of 11 East Atherton Street by virtue of overlooking private amenity space. The proposal is therefore considered to be contrary to Policy Q9 of the City of Durham Local Plan 2004.

4/07/00633/FPA

The Local Planning Authority considers that the proposed dwelling, by virtue of its scale, design and appearance, together with significant loss of mature vegetation, would be harmful to the character and appearance of the Durham (City Centre) Conservation Area, contrary to Policies E6, E14, E22 and H2 of the City of Durham Local Plan 2004.

The Local Planning Authority considers that the proposed dwelling, by virtue of its scale and relationship with both the host dwelling and with properties in George Street, would be detrimental to the level of residential amenity that existing occupiers should reasonably expect to enjoy, contrary to Policies H2 and Q8 of the City of Durham Local Plan 2004.

4/07/00638/FPA

The proposed single storey rear extension represents an overdevelopment of an already substantially extended terraced property. As a result it is considered that the proposal would have an unreasonable impact upon the amenity of its occupiers as a result of lack of amenity space, character of the property and also the Durham City Conservation area contrary to policies E6 and Q9 of the City of Durham Local Plan 2004.

4/07/00645/FPA

The proposed satellite antennae by virtue of their location are considered to fail to preserve or enhance the character, appearance and setting of the Durham (City Centre) Conservation Area. Therefore the proposal is considered contrary to Policy E6 of the City of Durham Local Plan 2004.

The proposed satellite antennae by virtue of their location are considered to cause an adverse visual impact on the building and as a result the proposal is considered to be contrary to Policy Q13 of the City of Durham Local Plan 2004.



## APPENDIX B

City of Durham  
Applications Determined Under Plenary Powers  
Printed on 17 August 2007  
Week No.30/2007

### **Applications recommended for conditional approval – conditions**

#### 4/07/00538/FPA

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

#### 4/07/00539/FPA

T1 Time Limit Full Approval 2004  
DT3 Finish of Materials  
DT7A Complete Accord  
RU4 Use as Private Garage Only

#### 4/07/00543/FPA

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

#### 4/07/00568/FPA

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

#### 4/07/00569/FPA

T1 Time Limit Full Approval 2004  
DT3 Finish of Materials

#### 4/07/00579/FPA

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

4/07/00607/FPA

T1 Time Limit Full Approval 2004  
DT7A Complete Accord

Notwithstanding the information shown on the submitted application details of all materials to be used externally, standard and colour 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.

4/07/00609/FPA

T1 Time Limit Full Approval 2004  
DT3 Finish of Materials  
DT7A Complete Accord  
DT19 Obscure Glazing

4/07/00610/FPA

T1 Time Limit Full Approval 2004  
DT7A Complete Accord

4/07/00611/FPA

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

4/07/00625/FPA

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

4/07/00629/FPA

T1 Time Limit Full Approval 2004  
DT3 Finish of Materials  
DT7A Complete Accord  
DT19 Obscure Glazing

4/07/00632/FPA

T1 Time Limit Full Approval 2004  
DT7A Complete Accord

The proposed HGV wash pad shall be finished with a "salsa" painted coating and the proposed associated storage container finished with a "waterfall" painted coating in accordance with the submitted colour chart received 15th June 2007.

4/07/00635/LB

T1	Time Limit Full Approval 2004
DT4	External Materials
DT5	Materials Sample
DT15	Roof Details
DT17	Parapet Details
DT31	Rainwater Goods
LB2	Examination of Hidden Features

The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans and specifications.

Notwithstanding the information shown on the submitted plans precise details of the proposed works to all windows on the property shall be submitted at scale 1:20 and approved in writing by the Local Planning Authority prior to development commencing, and thereafter implemented in accordance with the approved plans.

Notwithstanding the information shown on the submitted plans full joinery details of the proposed works including works to doors and window frames, drawn to a scale of 1:20 shall be submitted to and approved in writing by the Local Planning Authority before development commences and thereafter implemented in accordance with the approved scheme.

Notwithstanding the information shown on the submitted plans precise details of the proposed locations of roof repair works shall be submitted at scale 1:20 and approved in writing by the Local Planning Authority before development commences and thereafter implemented in accordance with the approved scheme.

Notwithstanding the information shown on the submitted plans precise details of the proposed areas of render to be replaced shall be submitted at scale 1:50 and approved in writing by the Local Planning Authority before development commences and thereafter implemented in accordance with the approved scheme.

Notwithstanding the information shown on the submitted plans precise details of the proposed method for render removal shall be submitted to the Local Planning Authority and approved in writing before development commences and thereafter implemented in accordance with the approved scheme.

Notwithstanding the information shown on the submitted plans precise details of the proposed render mix to be used on the various areas of the building, and its method of application shall be submitted to the Local Planning Authority and approved in writing prior to development commencing, being thereafter implemented in accordance with the approved scheme.

Notwithstanding the information shown on the submitted plans precise details of the proposed locations of the areas proposed for crack stitching and monitoring shall be submitted at scale 1:20 and approved in writing by the Local Planning Authority prior to development commencing being thereafter implemented in accordance with the approved scheme.

Notwithstanding the information shown on the submitted plans precise details of the proposed mix and method for crack stitching and monitoring shall be submitted to and approved in writing by the Local Planning Authority prior to development commencing being thereafter implemented in accordance with the approved scheme.

Notwithstanding the information shown on the submitted plans precise details of the areas proposed to feature paint removal, and the proposed method of paint removal shall be submitted at scale 1:20 and approved in writing by the Local Planning Authority prior to development commencing being thereafter implemented in accordance with the approved scheme.

4/07/00636/FPA

T1 Time Limit Full Approval 2004  
DT4 External Materials  
DT7A Complete Accord  
DT11 Fenestration Details  
DT12 Windows in Reveal

Notwithstanding the information shown on the submitted plans all windows and doors shall be constructed in timber and the roof constructed of slate.

4/07/00637/FPA

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

4/07/00642/FPA

T1 Time Limit Full Approval 2004  
DT3 Finish of Materials  
DT7A Complete Accord

That notwithstanding the information shown on the submitted plans the windows located on western elevation hereby approved shall be obscure glazed to the satisfaction of the Local Planning Authority and shall remain so thereafter in accordance with the approved scheme.

4/07/00643/FPA

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

4/07/00644/FPA

T1 Time Limit Full Approval 2004  
DT3 Finish of Materials  
DT7A Complete Accord

4/07/00647/FPA

T1 Time Limit Full Approval 2004  
DT3 Finish of Materials  
DT7A Complete Accord  
DT19 Obscure Glazing

4/07/00655/AD

TL3 Advert Approvals

AD1 Removal of Existing Advertisements

The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans and specifications.

Notwithstanding the information shown on the submitted application details of the proposed method of attachment for the projecting sign 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.

Notwithstanding the information shown on the submitted application, precise details of the proposed design of the bracket for the projecting sign shall be submitted at scale 1:20 and approved in writing by the Local Planning Authority before the development is commenced, and thereafter implemented in accordance with the approved scheme.

Notwithstanding the information shown on the submitted application, precise details of the proposed location for the projecting sign shall be submitted at scale 1:20 and approved in writing by the Local Planning Authority before the development is commenced, and thereafter implemented in accordance with the approved scheme.

The proposed sign shall have a minimum clearance of 2.4 metres above the level of the highway.

4/07/00659/FPA

T1 Time Limit Full Approval 2004

DT4 External Materials

4/07/00665/FPA

4/07/00691/FPA

T1 Time Limit Full Approval 2004

DT4 External Materials

DT7A Complete Accord

4/07/00702/FPA

T1 Time Limit Full Approval 2004

DT7A Complete Accord



**CITY OF DURHAM**

**APPLICATIONS DETERMINED UNDER PLENARY POWERS**

**PRINTED ON 24 August 2007**

**WEEK NO.31/2007**

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

Number and Applicant	Location	Proposal
07/00563/FPA Mr A Hodgson	19A Wearside Drive Durham DH1 1LE	Erection of two storey pitched roof extension to side elevation of existing dwelling and insertion of 1 no. dormer window to front and rear elevations
07/00639/FPA Mr Ridland	12 Oatlands Way Pity Me Durham DH1 5GL	Erection of one and two storey extension to rear of existing dwelling
07/00658/FPA Mrs S Clark	25 Rothbury Road Newton Hall Durham DH1 5PG	Erection of first floor pitched roof extension to side elevation of existing dwelling
07/00668/FPA Mr And Mrs Swiatek	110 Priors Grange High Pittington Durham DH6 1DB	Erection of first floor pitched roof extension atop existing pitched roof garage to side of existing dwelling
07/00651/FPA Elliott Holmes Johnson Ltd	3 Sutherland Place Gilesgate Durham DH1 2EF	Erection of single storey flat roof extension with ramped access to rear of existing dwelling
07/00697/FPA Mr J Bayes	6 Meldon Avenue Sherburn Durham DH6 1JX	Erection of single storey pitched roof extension to front of existing dwelling

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

Number and Applicant	Location	Proposal
07/00401/FPA The Co-operative Group	Co Operative Retail Services Limited Auton Stile	Insertion of new doorway to front elevation and erection of new plant equipment with

	Bearpark Durham DH7 7AA	enclosure to rear of existing building
07/00659/FPA Mr Urwin	6 Hatfield Close Framwellgate Moor Durham DH1 5FD	Erection of two storey pitched roof extension to side of existing dwelling
07/00663/LB Durham Cathedral	Chapter Office The College Durham DH1 3EH	Erection of two storey, pitched roof infill building, insertion of rooflights into existing roofslopes, alterations to existing openings, and change of use of existing buildings
07/00666/FPA Durham Cathedral	Chapter Office The College Durham DH1 3EH	Erection of two storey pitched roof infill building, insertion of rooflights into existing roofslopes, alterations to existing openings, and change of use of existing residential and vacant buildings to offices
07/00602/LB Mr And Mrs P A Molloy	10 The Village Brancepeth Durham DH7 8DG	Removal of existing render from front elevation of dwelling and restoration and repair of stonework and mortar
07/00641/AD Mr J Robson	Unit 47 Prince Bishops Shopping Centre Elvet Bridge Durham DH1 3AF	Erection and display of non-illuminated advertisement to rear elevation of existing retail unit
07/00431/FPA Punch Taverns Ltd	Elm Tree Public House Crossgate Durham DH1 4PS	Erection of glazed timber lean-to shelter to rear elevation of existing public house
07/00587/LB Mr And Mrs T N Cotton	11 The Village Brancepeth Durham DH7 8DG	Removal of existing render from front elevation of dwelling and restoration and repair of stonework and mortar
07/00690/FPA A Hinton	9 Huntingdonshire Drive Belmont	Erection of single storey pitched roof extension to



	Durham DH1 2DL	rear of existing garage with pitched roof garage
07/00672/FPA Mrs A Elliott	50 Pilgrims Way Gilesgate Durham DH1 1HQ	Erection of conservatory to rear of existing dwelling
07/00695/FPA Mr R Copsey And Dr J Margetts	Greenwood Springfield Park Durham DH1 4LS	Erection of single storey pitched roof extension to rear elevation and 2 no. rooflights to front of existing dwelling
07/00699/FPA Mrs J Davies	9 Alston Way Meadowfield Durham DH7 8XF	Removal of conservatory and erection of single storey pitched roof extension to rear of existing dwelling



**Applications recommended for refusal – reasons**

4/07/00563/FPA

The proposed side extension, by virtue of its excessive width is considered to be out of scale with host dwelling and hence contrary to Policies E6, E22 and Q9 of the City of Durham Local Plan 2004.

4/07/00639/FPA

The proposed rear extension by virtue of its scale and location will appear as a dominant and overbearing feature to the detriment of residential amenity to the occupiers of no.2 Corriedale contrary to Policy Q9 of the City of Durham Local Plan 2004.

4/07/00658/FPA

The proposed first floor extension to side by virtue of its location, scale and design is considered to fail to remain subordinate and sympathetic to main dwelling and as a result considered to be contrary to the requirements of Policy Q9 of the City of Durham Local Plan 2004.

The proposed creation of roof terrace on flat roof above existing utility will result in a significant loss of privacy for neighbouring occupiers and as a result is considered to be contrary to the requirements of Policy Q9 of the City of Durham Local Plan 2004.

4/07/00668/FPA

The proposed side extension by virtue of the fact that the dwelling is set forward of the neighbouring property would adversely affect the amenity of the neighbouring property in terms of loss of light, massing and outlook. As such it is considered contrary to Policy Q9 of the City of Durham Local Plan 2004.

4/07/00651/FPA

The proposed single storey extension is considered to be excessive in projection and as a result is considered to be of a scale which is unsympathetic to main dwelling. The proposal is therefore considered to be contrary to Policy Q9 of the City of Durham Local Plan 2004.

The proposed extension by virtue of its incorporation of a flat roof is considered to be of an inappropriate design which is unsympathetic to main dwelling and is therefore considered to be contrary to Policy Q9 of the City of Durham Local Plan 2004.

4/07/00697/FPA

The proposed extension to front, which will result in a single storey forward projection of 4.6m from living room is considered to create a feature unsympathetic to main dwelling by virtue of its size, scale and location. The proposal is therefore considered to be contrary to the requirements of Policy Q9 of the City of Durham Local Plan 2004.

**APPENDIX B**

City of Durham  
Applications Determined Under Plenary Powers  
Printed on 24 August 2007  
Week No.31/2007

**Applications recommended for conditional approval – conditions**

4/07/00401/FPA

T1 Time Limit Full Approval 2004  
DT7A Complete Accord  
DT3 Finish of Materials

4/07/00659/FPA

T1 Time Limit Full Approval 2004  
DT4 External Materials

4/07/00663/LB

T1	Time Limit Full Approval 2004
DT4	External Materials
DT5	Materials Sample
DT9	Specified Fences Walls Hedge
DT10	Hardstanding Surface Materials
R41	LBC Safeguard Character
DT11	Fenestration Details
DT12	Windows in Reveal
DT13	Sash Windows
DT15	Roof Details
DT17	Parapet Details
DT29	Fenestration Joinery Details
DT31	Rainwater Goods
AC1	Archaeology Programme
LB2	Examination of Hidden Features

The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans and specifications.

Notwithstanding the information shown on the submitted plan full joinery details drawn to a scale of 1:20 shall be submitted to and approved in writing by the Local Planning Authority before the development commences and thereafter implemented in accordance with the approved scheme.

Notwithstanding the information shown on the submitted plans precise details of the roofing material for the proposed extension shall be submitted to and approved in writing by the Local Planning Authority before development is commenced, and thereafter implemented in accordance with the approved scheme.

Notwithstanding the information shown on the submitted plans precise details of the proposed location and method of attachment for the internal partition walls shall be submitted at scale 1:100 approved in writing by the Local Planning Authority before development commences, and thereafter implemented in accordance with the approved scheme.

Notwithstanding the information shown on the submitted plans precise details of the proposed materials and method for sealing those existing openings identified shall be submitted to and approved in writing by the Local Planning Authority before development commences, and thereafter implemented in accordance with the approved scheme.

Notwithstanding the information shown on the submitted plans precise details of the scale and design of the proposed roof lights shall be submitted at scale 1:20 and approved in writing by the Local Planning Authority before the development commences and thereafter implemented in accordance with the approved scheme.

4/07/00666/FPA

T1	Time Limit Full Approval 2004
DT4	External Materials
DT5	Materials Sample
DT9	Specified Fences Walls Hedge
DT10	Hardstanding Surface Materials

DT11	Fenestration Details
DT12	Windows in Reveal
DT13	Sash Windows
DT15	Roof Details
DT17	Parapet Details
DT29	Fenestration Joinery Details
DT31	Rainwater Goods
AC1	Archaeology Programme
LB2	Examination of Hidden Features

The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans and specifications.

Notwithstanding the information shown on the submitted plan full joinery details drawn to a scale of 1:20 shall be submitted to and approved in writing by the Local Planning Authority before the development commences and thereafter implemented in accordance with the approved scheme.

Notwithstanding the information shown on the submitted plans precise details of the roofing material for the proposed extension shall be submitted to and approved in writing by the Local Planning Authority before development is commenced, and thereafter implemented in accordance with the approved scheme.

Notwithstanding the information shown on the submitted plans precise details of the proposed location and method of attachment for the internal partition walls shall be submitted at scale 1:100 approved in writing by the Local Planning Authority before development commences, and thereafter implemented in accordance with the approved scheme.

Notwithstanding the information shown on the submitted plans precise details of the proposed materials and method for sealing those existing openings identified shall be submitted to and approved in writing by the Local Planning Authority before development commences, and thereafter implemented in accordance with the approved scheme.

Notwithstanding the information shown on the submitted plans precise details of the scale and design of the proposed roof lights shall be submitted at scale 1:20 and approved in writing by the Local Planning Authority before the development commences and thereafter implemented in accordance with the approved scheme.

4/07/00602/LB

T1 Time Limit Full Approval 2004  
LB2 Examination of Hidden Features

The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans and specifications.

Notwithstanding the information shown in the accompanying plans, a full schedule of works shall be submitted to, and approved by, the Local Planning Authority before development commences and thereafter implemented in accordance with the approved plans. This should include details of mortar mix, statement of working methods, proposed method of render removal and details of any further repairs that are required.

Notwithstanding the information shown on the submitted plans precise details of the proposed mortar mix and re-pointing methodology shall be submitted to and approved in writing by the Local Planning Authority before the development commences, and thereafter implemented in accordance with the approved scheme.

Notwithstanding the information shown on the submitted plans precise details of the proposed treatment to the existing lintels above all openings, shall be submitted to, and approved in writing by, the Local Planning Authority before the development commences, and thereafter implemented in accordance with the approved scheme.

Notwithstanding the information shown on the submitted plans precise details of the proposed replacement lintels shall be submitted at scale 1:20 and a sample made available for inspection by the Local Planning Authority prior to development commencing, being thereafter implemented in accordance with the approved scheme.

Notwithstanding the information shown on the submitted plans a sample area of the proposed re-pointing works shall be made available for inspection by the Local Planning Authority.

Notwithstanding the information shown on the submitted plans precise details of any stone repair or restoration work shall be submitted to and approved in writing by the Local Planning Authority and a sample panel made available for inspection, following removal of the existing render.

4/07/00641/AD

TL3 Advert Approvals  
DT7A Complete Accord

4/07/00431/FPA

T1 Time Limit Full Approval 2004  
DT7A Complete Accord

Notwithstanding the information shown on the submitted application details of the treatment and finish of the proposed timber canopy shall be submitted to and approved in writing by the Local Planning Authority before development is commenced and thereafter implemented in accordance with the approved scheme.



4/07/00587/LB

T1 Time Limit Full Approval 2004  
LB2 Examination of Hidden Features

The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans and specifications.

Notwithstanding the information shown in the accompanying plans, a full schedule of works shall be submitted to, and approved by, the Local Planning Authority before development commences and thereafter implemented in accordance with the approved plans. This should include details of mortar mix, statement of working methods, proposed method of render removal and details of any further repairs that are required.

Notwithstanding the information shown on the submitted plans precise details of the proposed mortar mix and re-pointing methodology shall be submitted to and approved in writing by the Local Planning Authority before the development commences, and thereafter implemented in accordance with the approved scheme.

Notwithstanding the information shown on the submitted plans precise details of the proposed treatment to the existing lintels above all openings, shall be submitted to, and approved in writing by, the Local Planning Authority before the development commences, and thereafter implemented in accordance with the approved scheme.

Notwithstanding the information shown on the submitted plans precise details of any proposed replacement lintels shall be submitted at scale 1:20 and a sample made available for inspection by the Local Planning Authority prior to development commencing, being thereafter implemented in accordance with the approved scheme.

Notwithstanding the information shown on the submitted plans a sample area of the proposed re-pointing works shall be made available for inspection by the Local Planning Authority.

Notwithstanding the information shown on the submitted plans precise details of any stone repair or restoration work shall be submitted to and approved in writing by the Local Planning Authority and a sample panel made available for inspection, following removal of the existing render.

4/07/00690/FPA

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

4/07/00672/FPA

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

4/07/00695/FPA

T1 Time Limit Full Approval 2004  
DT3 Finish of Materials

DT7A Complete Accord

4/07/00699/FPA

T1 Time Limit Full Approval 2004

DT3 Finish of Materials

DT7A Complete Accord

**CITY OF DURHAM**

**APPLICATIONS DETERMINED UNDER PLENARY POWERS**

**PRINTED ON 31 August 2007**

**WEEK NO.32/2007**

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

Number and Applicant	Location	Proposal
*07/00531/FPA Hope Estates Ltd	20 May Street Durham DH1 4EN	Demolition of existing single storey extension and erection of two and single storey pitched roof extensions to rear of existing dwelling
*07/00654/AD Primesight Ltd	Dragonville Filling Station Alma Place Dragonville Durham DH1 2HN	Erection and display of free-standing internally illuminated advertisement display unit
07/00657/FPA Mr A Smith	1 Alston Walk Sherburn Durham DH6 1JU	Erection of flat roof dormer to rear elevation of existing dwelling
*07/00689/FPA Mr I Foster	Land East Of Paradise Cottages Ludworth Durham	Erection of agricultural building, siting of residential caravan, creation of outdoor training area and use of existing stable block in connection with new agricultural business (revised and resubmitted proposal)
*07/00718/OUT Mr And Mrs J Parkin	Glenmoor Farm High Street Low Pittington Durham DH6 1BE	Outline application for the erection of a dwellinghouse and detached garage
*07/00721/FPA Mr N Swift	16 Whinney Hill Durham DH1 3BE	Erection of two storey pitched roof extension to rear of existing dwelling

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

Number and Applicant	Location	Proposal
07/00248/FPA Consol Suncenters Ltd	7 North Road Durham DH1 4SB	Change of use of building from offices to hairdresser/sunbed salon
07/00606/FPA S Johnson And J Batey	5 Local Avenue Sherburn Hill Durham DH6 1HG	Erection of conservatory to rear of existing dwelling (retrospective)
07/00661/FPA Mr I Dall	20 Osprey Close Esh Winning Durham DH7 9JP	Erection of pitched roof extension to rear of existing detached garage
*07/00677/FPA Kingswood Properties NE	24 The Avenue Durham DH1 4ED	Creation of additional 1 No. flat within loft in association with previously approved change of use to 3 No. flats, with associated erection of 2 No. dormer windows to front and rear elevations of existing building
07/00692/FPA Mr And Mrs Schofield	Chandler House Linden Terrace Coxhoe Durham DH6 4DT	Erection of conservatory to rear of existing dwelling
07/00700/FPA Mr And Mrs Jackson	29 Bishops Way Pity Me Durham DH1 5DB	Erection of two storey pitched roof extension to side of existing dwelling
07/00701/FPA Mrs Potter	26 Cherry Park Brandon Durham DH7 8TN	Erection of single storey pitched roof extension to rear elevation of existing dwelling
07/00703/FPA Mr B Cummings	2 Cuthbert Avenue Sherburn Road Estate Durham DH1 2EE	Erection of conservatory to rear of existing dwelling

*07/00704/FPA Mr M Frostwick	32 Rochester Road Newton Hall Durham DH1 5QD	Erection of single storey pitched roof extension to rear, pitched roofs above existing garage and lounge window, and porch to front of existing dwelling
07/00716/AD Black Rock	Prince Bishop Shopping Centre High Street Durham DH1 3UL	Erection of 2 no. spotlit arch signs over High Street entrances, 1 no. halo illuminated sign to car park entrance, and 1 no. halo illuminated sign to rear of units 1 and 2
07/00725/FPA Mr Spooner	6 Derbyshire Drive Belmont Durham DH1 2DN	Erection of two storey pitched roof extension to side/rear of existing dwelling and erection of forward projecting garage and porch to front
07/00727/FPA Mr Sheraton	11 Wellington Street High Pittington Durham DH6 1AZ	Erection of two storey pitched roof extension to rear of existing dwelling
07/00728/FPA Mr Harper	17 Leyland Close Bowburn Durham DH6 5DD	Erection of two storey pitched roof extension to side of existing dwelling
07/00740/RM Miss Z Dewdney	Land At Junction With The Crescent Adventure Lane West Rainton Durham	Erection of detached two storey dwellinghouse (Reserved Matters)
07/00784/AD Kelloe Parish Council	5 Locations Around Kelloe Village, Near Greyhound Public House, Former Mineral Railway Crossing, Church Kelloe Cemetery And Road To North Of Church Kelloe	Erection of 5 no. 'Heritage Trail' notice boards (non-illuminated)

3. Prior Approval is required for the application listed below.

Number and Applicant	Location	Proposal
07/00759/PNA Mr And Mrs Green	Land East Of West Rainton Stables Farm West Rainton Durham	Prior notification for erection of general purpose agricultural building

4. The following application was **PART-APPROVED/PART-REFUSED**. The conditions of approval and reasons for refusal are set out in Appendix C.

Number and Applicant	Location	Proposal
07/00696/AD Stoneacre	Stoneacre Sawmills Lane Brandon Durham DH7 6AB	Erection and display of 1 no. free standing totem sign (internally illuminated) 1 no. freestanding entrance sign (non-illuminated), 1 no. fascia sign (internally illuminated) and 1 no. information board (non- illuminated)

\* Determined under Chairman and Vice Chairman Delegated Authority

## APPENDIX A

City of Durham  
Applications Determined Under Plenary Powers  
Printed on 31 August 2007  
Week No.32/2007

### **Applications recommended for refusal – reasons**

4/07/00531/FPA

The proposed extensions and alterations by virtue of their size and scale are considered to represent an overdevelopment of the plot with insufficient outdoor amenity space remaining. The proposal is therefore considered to be contrary to the requirements of Policy Q9 of the City of Durham Local Plan 2004.

4/07/00654/AD

The unit represents unnecessary and unjustified visual clutter in a mixed use area of residential and commercial properties. It does not relate to the business use of the premises to which it is displayed, with its form, illumination and location emphasising its detrimental visual impact upon the amenities of the area and therefore in conflict with policy Q16 of the City of Durham Local Plan 2004.

4/07/00657/FPA

The proposed dormer window is considered to be of a scale and design contrary to Policy Q10 of the City of Durham Local Plan 2004.

The proposed dormer window by virtue of its scale and design neither preserves nor enhances the Sherburn Conservation Area and hence is contrary to Policy E22 of the City of Durham Local Plan 2004.

4/07/00689/FPA

The Local Planning Authority considers that the proposed livery business would not be located sufficiently close to exiting residential accommodation to allow proper supervision at all times, contrary to Policy R16 of the City of Durham Local Plan 2004.

The Local Planning Authority considers that insufficient information has been provided to support the requirement for the proposed agricultural building, and it is not justified therefore in terms of its size and location, contrary to Policies E7 and EMP17A of the City of Durham Local Plan 2004.

The Local Planning Authority considers that that proposed residential caravan would represent new residential accommodation in open countryside and without adequate justification in terms of a functional need and is therefore considered contrary to Planning Policy Statement 7: Sustainable Development in Rural Areas and Policies E7 and H5 of the City of Durham Local Plan 2004.

4/07/00718/OUT

In the opinion of the Local Planning Authority the proposed dwelling is not considered to be sited on previously developed land. As such the proposal is contrary to Policy H3 of the City of Durham Local Plan 2004 and PPS3.

The proposed outline application for one detached dwelling is considered to be inappropriate tandem development in the street scene by virtue of the siting of the property behind the existing building line, and with a front elevation perpendicular to the adjacent houses. For these reasons the application is not considered to be acceptable and the proposal is contrary to Policies Q8 and H10 of the City of Durham Local Plan 2004.

4/07/00721/FPA

The proposed development is considered detrimental to the adjoining occupier by overshadowing the primary windows in their rear elevation, reducing daylight harmful to their residential amenity contrary to Policy Q9 of the City of Durham Local Plan 2004.

The scale of the proposed extension is not considered subservient to the existing house detrimental to the character of the original dwelling and surrounding area contrary to Policies Q9 and E22 of the City of Durham Local Plan 2004.



## APPENDIX B

City of Durham  
Applications Determined Under Plenary Powers  
Printed on 31 August 2007  
Week No.32/2007

### **Applications recommended for conditional approval – conditions**

4/07/00248/FPA

T1 Time Limit Full Approval 2004  
DT4 External Materials

Within one month of the consent hereby granted 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.

4/07/00606/FPA

DT7A Complete Accord  
DT19 Obscure Glazing

4/07/00661/FPA

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

The extension hereby permitted shall only be used for purposes ancillary to the enjoyment of the residential dwelling and for no other purposes.

4/07/00677/FPA

T1 Time Limit Full Approval 2004  
DT34A Timber Windows  
DT35A Slates  
DT11 Fenestration Details  
DT7A Complete Accord

4/07/00692/FPA

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

4/07/00700/FPA

T1 Time Limit Full Approval 2004  
DT3 Finish of Materials

4/07/00701/FPA

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

4/07/00703/FPA

T1 Time Limit Full Approval 2004  
DT3 Finish of Materials  
DT19 Obscure Glazing

4/07/00704/FPA

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

4/07/00716/AD

TL3 Advert Approvals

Notwithstanding the information shown on the submitted forms and plans, before development commences a full specification of all materials used for the approved signs and their fixings, including those of the lighting units, must be submitted to, and approved in writing by the Local Planning Authority.

Notwithstanding the information shown on the submitted forms and plans, before development commences a full specification of all lighting units, including size, shape, colour, fitting, level and direction of illumination, and hours of operation must be submitted to, and approved in writing by the Local Planning Authority, said approved scheme being thereafter operated wholly in accordance with that approval.

4/07/00725/FPA

T1 Time Limit Full Approval 2004  
DT3 Finish of Materials

4/07/00727/FPA

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

4/07/00728/FPA

T1 Time Limit Full Approval 2004  
DT3 Finish of Materials

4/07/00740/RM

DT4	External Materials
DT8	Enclosure Details to be Agreed
DT10	Hardstanding Surface Materials
LA2	Landscaping Scheme Full Reserved Matter
DT23	Drainage Scheme
PD4	Removal of PD Extensions

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 east and west elevation of the extension hereby approved without an application for planning permission having first been submitted to and approved in writing by the Local Planning Authority.

4/07/00784/AD

TL3	Advert Approvals
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Notwithstanding the information shown on the submitted plans the proposed board 5 shall be positioned at least 1 metre behind the rear of the footway.



## **APPENDIX C**

City of Durham  
Applications Determined Under Plenary Powers  
Printed on 31 August 2007  
Week No.32/2007

### **Applications recommended for PART-APPROVAL/PART-REFUSAL – Conditions and Reasons**

4/07/00696/AD

#### **Conditions for Approved Signage No's 1 (fascia), 2 (directional sign) and 4 (welcome sign)**

This permission is given for the fascia, directional, and welcome sign and is given for a period of 5 years commencing on 28 August 2007 and expiring on 28 August 2012.

The illuminated fascia sign hereby approved shall only be illuminated between the hours of 8.30am to 7.00pm Monday - Friday and 10.00am to 4.00pm Saturday, Sundays and Bank Holidays.

#### **Refusal Reasons for Refused Sign No. 3 (4m Pylon sign)**

The 4m pylon sign is deemed detrimental to highway safety by obstructing the view of drivers exiting and entering the site as well as shielding traffic turning into Sawmills Lane from approaching drivers, contrary to Policy Q16 of the City of Durham Local Plan 2004.



**CITY OF DURHAM**

**APPLICATIONS DETERMINED UNDER PLENARY POWERS**

**PRINTED ON 6 September 2007**

**WEEK NO.33/2007**

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

Number and Applicant	Location	Proposal
07/00670/FPA Mr And Mrs P Carter	20 - 21 Newcastle Terrace Framwellgate Moor Durham DH1 5EG	Erection of flat roofed detached garage to rear of existing dwelling

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

Number and Applicant	Location	Proposal
07/00432/FPA Mrs Armitage	5 Darlington Road Durham DH1 4PE	Erection of single storey pitched roof extension to front with small retaining wall to side
07/00566/LB Bradley Hall	17 Old Elvet Durham DH1 3HL	Alterations to previously approved two storey rear extension, comprising rendering of 3 no. external walls, retention of roof detail, replacement rear door and window and replacement of cast iron rainwater goods
07/00660/FPA Mr S Swainston	The Hall Byers Garth Sherburn House Durham DH1 2SN	Erection of car port/garage to side elevation of existing dwelling
07/00694/FPA Mr G Weiglen	1 Kings Grove Durham DH1 3QD	Erection of two-storey pitched roof extension to side of existing dwelling and single storey pitched roof extension to front
07/00706/CAC Durham Cathedral	Durham Cathedral Palace Green Durham	Demolition of boundary wall, north of Galilee Chapel

07/00707/FPA Durham Cathedral	Durham Cathedral Palace Green Durham	Demolition and erection of boundary wall, north of Galilee Chapel
07/00712/FPA Ms A Keelty	11 Langton Lea High Shincliffe Durham DH1 2QF	Erection of two-storey pitched roof extension to side of existing dwelling and pitched roof with porch to front
07/00715/FPA Mr And Mrs Holmes	8 Cherry Park Brandon Durham DH7 8TN	Erection of conservatory to rear of existing dwelling
07/00719/FPA Mr S Millward	10 Birkdale Gardens Belmont Durham DH1 2UJ	Erection of single storey pitched roof extension to rear of existing dwelling
07/00720/FPA K Ferguson	25 Orchard Drive Durham DH1 1LA	Erection of two storey pitched roof extension to side of existing dwelling, erection of pitched canopy on front elevation and replacement of pebbledash and tiling on front elevation with timber boarding
07/00726/FPA Mr Dunn	16 Whitwell Acres High Shincliffe Durham DH1 2PX	Erection of single storey pitched roof extensions to front and rear of existing dwelling
07/00730/FPA Mr Clark	9 Buckinghamshire Road Belmont Durham DH1 2BD	Erection of single storey pitched roof extension to front with roof extending over existing porch/garage, two storey pitched roof extensions to side and one and two storey extensions to rear of existing dwelling (revised and resubmitted)
07/00731/FPA Mr C Hutton	76 High Street South Langley Moor Durham DH7 8EX	Change of use and conversion of existing dwelling to form 2 no. flats
07/00806/FPA Mr R Hitchins And Ms J Tumogi	32 Archery Rise Durham DH1 4LA	Erection of single storey pitched roof extensions to side and rear of existing dwelling, with alterations to windows



## **APPENDIX A**

**City of Durham  
Applications Determined Under Plenary Powers  
Printed on 6 September 2007  
Week No.33/2007**

### **Applications recommended for refusal – reasons**

4/07/00670/FPA

The detached garage, by virtue of its scale, design and location would appear unsympathetic to the main dwellinghouse contrary to Policy Q9 of the City of Durham Local Plan 2004

The detached garage by virtue of its scale and location is would have an unreasonable impact upon the residential amenity of the occupiers of no.19 Newcastle Terrace through outlook and tunnelling contrary to Policy Q9 of the City of Durham Local Plan 2004



## **APPENDIX B**

City of Durham  
Applications Determined Under Plenary Powers  
Printed on 6 September 2007  
Week No.33/2007

### **Applications recommended for conditional approval – conditions**

4/07/00432/FPA

T1 Time Limit Full Approval 2004  
DT3 Finish of Materials

4/07/00566/LB

T1 Time Limit Full Approval 2004  
DT5 Materials Sample  
DT12 Windows in Reveal  
DT15 Roof Details  
DT31 Rainwater Goods  
LB2 Examination of Hidden Features

The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans and specifications.

Notwithstanding the information shown on 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, and thereafter implemented in accordance with the approved scheme.

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 by the Local Planning Authority prior to development commencing and thereafter implemented in accordance with the approved scheme.

Notwithstanding the information shown on the submitted plans a sample area of the proposed pointing and rendering works shall be made available for inspection by the Local Planning Authority.

4/07/00660/FPA

T1 Time Limit Full Approval 2004  
DT4 External Materials  
RU4 Use as Private Garage Only  
DT7A Complete Accord

4/07/00694/FPA

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

No development shall take place until a scheme for providing additional parking space within the site has been submitted and approved in writing by the Local Planning Authority. The scheme shall thereafter be implemented in accordance with that agreed scheme.

4/07/00706/CAC

T1 Time Limit Full Approval 2004  
AC1 Archaeology Programme  
LB2 Examination of Hidden Features

The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans and specifications.

Demolition and reconstruction with an approved development scheme shall be undertaken within 12 months of the clearance of the site, or a scheme to tidy and secure the land must be submitted to an approved by the Local Planning Authority, said scheme being implemented within 12 months of the clearance of the site.

4/07/00707/FPA

T1 Time Limit Full Approval 2004  
DT5 Materials Sample  
AC1 Archaeology Programme  
LB2 Examination of Hidden Features

The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans and specifications.

Notwithstanding the information shown on the submitted plans precise details of the proposed mortar mix shall be submitted to, and approved in writing by, the Local Planning Authority before development commences, and thereafter implemented in accordance with the approved scheme.

4/07/00712/FPA

T1 Time Limit Full Approval 2004  
DT3 Finish of Materials

4/07/00715/FPA

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

4/07/00719/FPA

T1 Time Limit Full Approval 2004  
DT3 Finish of Materials  
DT7A Complete Accord

4/07/00720/FPA

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

4/07/00726/FPA

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

4/07/00730/FPA

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

4/07/00731/FPA

T1 Time Limit Full Approval 2004  
DT3 Finish of Materials

4/07/00806/FPA

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



## List of Approvals

From 17/08/2007 to 06/09/2007

Number and Applicant	Location	Proposal
07/00727/DOM Mr D Franks	Magdalene Heights Gilesgate Durham DH1 1SY	1 No New House, Convert & Extend Existing Houses
07/00761/DEX Dr Martin Ibbott	22 Albert Street Durham City DH1 4RL	Small Extension with balcony above. Bay to 1st floor level
07/00792/DEX Mr G Kirkup	1 Priestburn Close Esh Winning Durham DH7 9NF	Sunroom, Garage, Utility, Bedroom Extension
07/00829/DOM Haslam Homes North	Former Hilltop Garage Site Front Street Sherburn Hill Durham	33 No New Dwellings
07/00958/PARTNR Durham County Council	West Cornforth Primary School High Street West Conforth County Durham DL17 9HP	Office Alterations
07/00992/DIS Mrs Potter	26 Cherry Park Brandon Durham DH7 8TN	Single storey extension
07/01104/DEX Mr James Bayes	6 Meldon Avenue Sherburn Durham DH6 1JX	Single storey extension to front. Pitched roof over flat
07/01130/OTHC Hedley Park	Hedley Park Developments 1 Kingfisher House St Johns Road Meadowfield Industrial Estate Durham DH7 8TZ	Extension of existing offices
07/01139/DEX Ms K Ferguson	25 Orchard Drive Durham City DH1 1LA	1st floor extension and internal alterations

Number and Applicant	Location	Proposal
07/01153/DOM Mr J Parker	Land To Rear Of John Street North Meadowfield Durham	New Dormer Bungalow
07/01154/DEX Mr & Mrs Parker	4 Springfield Park Durham DH1 4LS	Rear extension to form shower room, garage conversion to bedroom
07/01159/DEX Mr Frank Bell	31 Lindisfarne Road Newton Hall Durham DH1 5YH	Extension to form bedroom and en-suite over existing
07/01168/DEX Mr Kenny	112 Bek Road Newton Hall Durham DH1 5LG	Single Storey Extension
07/01175/OTHC Carl Cooke	Atrful Ink Tattoo Studio 7A Durham Road West Bowburn Durham DH6 5AU	Erection of single storey extension
07/01177/DEX Hope Estates Ltd	13 Mitchell Street Durham City DH1 4DQ	Removal of existing two storey extension and erection of single and two storey
07/01185/PARTNR County Durham &	County Durham & Darlington Fire & Rescue Consett Fire Station Villa Real Road Consett County Durham	Two storey extension for gym and community use
07/01211/DEX Mr J H Adamson	1 St Marys Close Shincliffe Durham DH1 2ND	Extension to existing garage & demolition of stores
07/01214/ELECTR All Facilities Services PLC	Durham Marriott Royal County Hotel Old Elvet Durham City DH1 3HL	Erection of water tank with pitched roof. Removal of flat roof on pump house and replacement with pitched roof
07/01217/ELECTR M Tindle	10 Magdalene Avenue Carrville Durham DH1 1NN	2 storey extension



Number and Applicant	Location	Proposal
07/01223/DEX Mr Warrilow	24 Hall Gardens Sherburn Durham DH6 1EB	Double storey extension
07/01230/OTHDOM John Sudder	1 Neville Terrace Bowburn Durham DH6 5BN	Hipped roof to garage
07/01231/DEX Mr Braebrook	3 The Paddock Gilesgate Moor Durham DH1	Lounge Extension
07/01235/PARTNR Durham County Council	West Pelton Primary School West Pelton Stanley Co Durham DH9 6SQ	Installation of New Ventilation System to
07/01240/DEX Mr & Mrs Madison	53 Canterbury Road Newton Hall Durham DH1 5PY	Extension to garage
07/01242/OTHC Durham County Council	Sherburn Hill Primary School Front Street Sherburn Hill Durham DH6 1PA	Modification of existing building to provide additional
07/01243/DIS Rachel Embleton	29 Bracken Court Ushaw Moor Durham DH7	Extension to 1st floor
07/01244/OTHC DurhamCity.NET.LTD	Pot & Glass Hotel Newcastle Road Crossgate Moor Durham DH1 4HX	Conversion of 1st floor into guest rooms, with en-suites for bed and breakfast
07/01245/DEX Mr D & Mrs B Hodgson	88 Ashbourne Drive Coxhoe Durham DH6	Sun lounge extension
07/01247/OTHC The Salvation Army THQ	Salvation Army Hall 101 High Street North Langley Moor Durham	Internal alterations with external repairs
07/01248/ELECTR Joanna Stobbs	19 Sutton Street Durham City DH1 4BW	Three storey rear extension

Number and Applicant	Location	Proposal
07/01259/PARTNR Mr Beadling	30 Hermitage Gardens Chester-Le-Street County Durham DH2	Dining room extension
07/01260/PARTNR Mr S Foggin	155 Brackenbends Close Pelton Chester-Le-Street County Durham DH2	2 storey extension
07/01261/DIS Mr Park	75 Moor Crescent Gilesgate Moor Durham DH1 1DJ	Disbalded works for garage into shower room
07/01268/PARTNR Durham County Council	Pelton Roseberry Sports Community College Pelton Chester-Le-Street County Durham DH2 1NW	Windows replacement to lumley and finchale blocks
07/01290/PARTNR Durham County Council	Bloemfonteion Primary School The Middles Stanley Co Durham	Fire Alarm Installation
07/01301/PARTNR Durham County Council	Blackhall Colliery Primary School Blackhall Colliery	Fire Alarm installation

## List of Refusals

From 17/08/2007 to 06/09/2007

Number and Applicant	Location	Proposal	Decision
07/01113/OTHDOM Mr Simon Williams	63 North Road Durham City DH1 4SQ	Addition of 2nd & 3rd Floor Extension	REJ16
07/01115/DEX Shiela Clark	25 Rothbury Road Newton Hall Durham DH1 5PG	Bedroom above garage	REJ16



## Building Notices

Between 17/08/2007 and 06/09/2007

### Number of cavity wall insulation applications 4

Number and Applicant	Location	Proposal
07/01233/DEXBN Farid Sakr	21 Beaver Close Pity Me Durham DH1 5GS	Extension above garage
07/01252/OTHDBN Mr Bean	1 Quality Row Cassop Durham DH6 4RE	Relocation of external door
07/01262/OTHDBN Mr M Kimitt & Ms F Steedman	17 Brancepeth Close Newton Hall Durham DH1 5XL	Internal alterations & 2 no windows
07/01266/OTHDBN Julie Gibson	10 Deans Walk Gilesgate Durham DH1 1HA	Garage Conversion
07/01269/DEXBN Mr Murray	24 Fir Avenue Sherburn Road Estate Durham DH1 2EU	Rear extension
07/01270/OTHDBN Mrs Moody	8 Central Avenue Meadowfield Durham DH7 8SE	Pitched roof over existing flat
07/01299/OTHDBN Mr Skelton	32 Staindrop Road Newton Hall Durham DH1 5XS	Replace existing flat roof with pitched over garage



# List of Regularisations

From 17/08/2007 to 06/09/2007

Number and Applicant	Location	Proposal
07/01241/OTHDRG Ryan Hynd	9 Hedley Court Bearpark Durham DH7 7TG	Kitchen opened into dining room area
07/01257/OTHDRG Mr Morgan	7-8 Bainbridge Street Carrville Durham DH1 1NA	Internal alterations, re-wire

