



Civic Centre,
Crook,
County Durham.
DL15 9ES
Tel: 01388 765555 Fax: 01388 766660
Minicom: 01388 761515 e-mail: m.laing@wearvalley.gov.uk

Michael Laing Chief Executive

5th December 2007

Dear Councillor,

I hereby give you Notice that a Special Meeting of the **DEVELOPMENT CONTROL COMMITTEE** will be held in the **COUNCIL CHAMBER, CIVIC CENTRE, CROOK** on **13th DECEMBER 2007** at **5.00 P.M.**

AGENDA

	Page No.
1. Apologies for absence	
2. To consider development control application 3/2007/0701 – Reserved matters pursuant to outline planning permission 3/2003/0626 – Demolition of existing lodge and construction of 51 new houses at former Tindale Crescent Hospital site, Greenfields Road, Bishop Auckland for Mr. Brewer, Places For People.	1 - 15
3. To consider development control application 3/2007/0730 – Car park extension to existing dwelling at land rear of Queens Head Public House, Low Queen Street, Witton Park for K. Redfearn.	16 - 21
4. To consider an application for a Certificate of Appropriate Alternative Development – Land and Compensation Act 1961 Section 17 (as amended by Section 63 of the Planning and Compensation Act 1991) – Land at Greenhead, Crook.	22 - 26

Yours faithfully

Chief Executive

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

*ex-officio, non-voting capacity.

Chair: Councillor Grogan

Deputy Chair: Councillor Mews

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

SPECIAL DEVELOPMENT CONTROL COMMITTEE

13th DECEMBER 2007

Report of the Strategic Director for Environment and Regeneration

PART 1 – APPLICATION FOR DECISION

3/2007/0701 - RESERVED MATTERS PURSUANT TO OUTLINE PLANNING PERMISSION 3/2003/0626 - DEMOLITION OF EXISTING LODGE AND CONSTRUCTION OF 51 NEW HOUSES AT FORMER TINDALE CRESCENT HOSPITAL SITE, GREENFIELDS ROAD, BISHOP AUCKLAND FOR MR. BREWER, PLACES FOR PEOPLE – 22.09.2007 - AMENDED: 03.12.2007

description of site and proposals

1. This application is the reserved matters submission under outline planning permission 3/2003/0626 for residential development of the former Tindale Crescent Hospital site, comprising of 51 no. dwellings. Layout, scale, external appearance, landscaping and means of access are to be considered.
2. The dwellings would be of the following types:
 - 4 bed (3 storey) – 8 No.
 - 3 bed (2.5 storey) – 3 No.
 - 3 bed (2 storey) – 33 No.
 - 2 bed (2 storey) – 7 No.
3. They would comprise of a mix of contemporary detached, semi-detached and mid-terrace dwellings arranged around a central access spine and turning head (including a new vehicular access point), which would be designed as a shared surface to create a pedestrian friendly area and amenity space, similar to the Home Zone principle described below.
4. *The Home Zone Principle - residential streets in which the right to use the street is shared between drivers of motor vehicles and other street users. This approach differs from simply creating a 20 mph zone: it permits activities other than the passage of vehicles to take place in the streets, including children's play and social functions. In addition to improving safety, it can help to foster community interaction and promote a sense of ownership of the street. Home Zones use a shared surface where possible, with minimal front gardens. The quality of the street reduces the need for a buffer zone. Traffic-calming measures usually include positioning buildings, trees, planting and surface treatments, instead of road humps and chicanes – the idea being that the confusion created and lack of sense of dominance for the car slows down the traffic speed.*

5. The site is brownfield land of approximately 1.19 hectares located within the Bishop Auckland development limits, around 2km southwest of the Bishop Auckland town centre. It is situated within an area comprising a mix of residential and commercial/industrial uses. The shape of the site is rectangular, with a depth greater than its width. It is bounded on three sides (NW, NE & SE) by existing residential development and Greenfields Road to the SW. The site boundaries are formed by a brick wall (and vehicular access) along Greenfields Road and timber fences backing onto the adjacent neighbouring residential properties. There are a large number of mature trees surrounding the perimeter of the site. Most of the buildings, apart from the old lodge in the SW corner of the site, have been cleared and it is now proposed to remove the lodge as well.

background to the proposal

6. The site is part of the English Partnerships Hospital Sites Programme which has seen a large portfolio of former NHS hospital sites (96 across the country) transfer to English Partnerships. Under this programme English Partnerships have a key role in determining the best future use for each of the sites in line with the Government's policy to create sustainable communities and make best use of surplus public-sector land.
7. The outline permission for residential development on the site was granted in 2004. It included a requirement for a sum of £33,320 for the provision and maintenance of off-site recreational and play area facilities in the locality, secured through a Section 229a Agreement (Crown Land 106 Agreement). There was no requirement for affordable housing provision.
8. English Partnerships selected Places for People (a property management and development company, committed to providing sustainable communities and energy efficient homes) as the preferred developer in 2006. The submitted scheme has been designed around English Partnership's vision objectives for the site to:
 - Create a sustainable urban neighbourhood that integrates with the existing community.
 - Promote high standards of Urban Design in terms of overall layout.
 - Provide housing with a variety of types and tenures related to local housing needs.
9. It is also seeking to meet best practice standards for sustainability, high design quality and good place making, as required by English Partnerships under the Hospital Sites Programme, such as BREEAM Ecohomes, Building for Life, Lifetime Homes and Secured by Design (further information on these standards is provided within the Design and Access Statement). This proposal is aiming to achieve the BREEAM EcoHomes "Very Good Rating" and the Building for Life Silver Standard (70% of the criteria). For comparison to other exemplar developments in the region, the Gateshead Staiths development was awarded a Building for Life Silver Standard and the Durham Highgate development received a Building for Life Gold Standard.
10. Early community consultation was undertaken through an event held by the developers in January 2007, and a number of pre application meetings have

taken place with Council officers and the Local Highways Authority (Durham County Council) prior to the final submission.

planning history

11. The following planning application was received in respect of this site:

- 3/2003/0626 Outline Application for Residential Development with Access Considered Approved 19.10.2003

planning policies

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

- FPG1 Highway Design Standards for New Development
- GD1 General Development Criteria
- H24 Residential Design Criteria
- H3 Distribution of Development
- T1 Highways Policy

The relevant regional planning policies are Policies 3, 39 and 40 of the emerging Regional Spatial Strategy (RSS).

Also relevant is national planning guidance in PPS1: Delivering Sustainable Development and the PPS1 Climate Change Supplement, PPS3: Housing, PPS9: Biodiversity and Geological Conservation, PPG13: Transport, PPS22: Renewable Energy, PPS25: Development and Flood Risk; as well as Manual For Streets (street design guidance) and the Durham County Council Parking Standards.

consultations

13. Northumbrian Water: Suggest a condition for a drainage scheme.
14. Environment Agency: No objection provided surface water is directed to main sewers and that Northumbrian Water is satisfied.
15. Durham Bat Group: Agree with the conclusions of the bat survey, however mitigation measures need to be agreed.
16. Arboricultural Officer (Durham County Council): Agrees in most part to the required tree works and tree removal, but suggests that a Tree Preservation Order is placed on the remaining trees, replacement planting is required and that construction standards are adhered to.
17. Architectural Liaison Officer (Durham Constabulary): General advice given to meet Secure By Design Standard.
18. Durham County Highways Authority: Minor amendments are required to the width of carriageway and size of planters within the carriageway. House type

10 should not overhang the highway. Subject to these amendments there is no highway objection. (The amended plans of 03.12.2007 have incorporated these changes)

officer analysis

19. The key issues for consideration are:

- Principle of development
- Housing type and scale
- Housing design
- Residential amenity
- Site layout and Home Zone details
- Highway safety and parking
- Landscaping and trees
- Sustainability
- Impact on protected species
- Drainage

principle of development

20. The principle of residential development of the site has already been established under the existing outline permission. While the policy framework has changed since, the main reasons for accepting the principle of development remain valid, namely that the site is not allocated for any particular purpose in the Wear Valley District Local Plan (WVDLP) and represents brownfield land within the development limits of Bishop Auckland and in a predominantly residential area. The site is also considered to be in a sustainable urban location, well related to existing public transport and within walking distance of existing local facilities. The site is therefore suitable for housing development and the proposal accords with policy H3 of the WVDLP as amended by Saved and Expired Policies September 2007, Policy 3 of the RSS and the thrust of current national planning guidance in PPS1, PPS3 and PPG13. The principle of residential development on the site would therefore still be acceptable regardless of the existing outline permission.

21. The remaining issues to be agreed are the particular design details and new vehicular access.

housing type and scale

22. Some of the key requirements of national housing policy in PPS3 are to deliver high quality housing, make the most efficient use of brownfield land and achieve a mix of housing type and tenure.

23. The outline permission did not specify housing numbers or particular house types. This proposal puts forward a high density proposal of 51 dwellings at a density of around 42 dwellings per hectare. The density of the proposal has been achieved through provision of dwelling houses as opposed to flats – something which came out of the pre application public consultation. The site is close to the town centre in an area of urban character where there is other high density residential development, including the large development of flats at Tindale Crossing, which should cater for the need of flats in the area. Housing around the site is a mix of terraced and semi-detached dwellings. The proposed density of development and housing type is therefore considered to represent the effective and efficient use of brownfield land and would be in character with the surrounding area.
24. A mix of housing type ranging from 2, 3 and 4 bedroom houses would be effectively spread throughout the site at predominantly two and two-and-a-half storey scale, which is in character with the surrounding area. A small number (8) would be three storeys for emphasis in important areas such as the gateway into the site and to provide an important variety in the building frontage.
25. Importantly, the proposal would include 5no. shared equity, 2-bed dwellings to promote a mix of tenures within the site and meet the Government's Sustainable Community objectives, even though there was no particular requirement for affordable housing specified within the outline permission. This provision is most welcome and carries substantial favourable weight.
26. The proposed density and housing mix therefore accords with national planning guidance in PPS1 and PPS3, as well as the general requirements of saved policies GD1 and H24 of the WVDLP as amended by Saved and Expired Policies September 2007.

housing design

27. Achieving high quality design and in particular promoting better housing design is a key objective of national planning policy in PPS1 and PPS3. It is also one of the main objectives of the English Partnerships Hospital Sites Programme to promote high quality, adaptable, residential environments with housing design that goes beyond the standard design approach that we see in so many housing developments.
28. The site is not in a conservation area. It is in an area with no overarching architectural style, or strong building character. It is very enclosed and therefore not highly visible from the surrounding area. This is why the proposal for a sensitively designed, modern development would not necessarily contrast adversely with the character of the surrounding built form.
29. The proposal would introduce new forms of housing of contemporary design into the district and given the enclosed nature of the site and the character of the area, as well as the proposal's commitment to achieving best practice standards in design, this is not objectionable. The houses are designed to be adaptable over the lifetime of the occupier and the orientation would take advantage of morning and afternoon sun. All dwellings would have direct

external access to their rear gardens, which would also allow for refuse storage to the rear. Most resident car parking would be on the plots, either in courtyards, or integral garages and there would be space for cycle storage.

30. The form of the different dwelling types would essentially be similar with a narrow gable frontage presented to the street and a long depth within the plot. This is largely driven by the narrow width and extended length of the site, as well as the need to provide an urban density of development. Variety within the house designs would come more from the varied use of parking courtyards, garages, roof terraces, balconies, dwelling heights and materials and it is considered that this would be effectively achieved to create a built form with sufficient variety, while at the same time establishing its own strong character. It is an approach similar to and that was successfully demonstrated in the Telford Millennium Community Development in East Ketley, which was recently named as a project winner in the 2007 Housing Design Awards.
31. Overall, it is considered that this proposal would add significantly to the housing quality of the area and district and accords with national planning guidance in PPS1 and PPS3, as well as the requirements of saved policies GD1 and H24 of the WVDLP as amended by Saved and Expired Policies September 2007, which all seek to achieve good design.

residential amenity

32. There are no significant amenity concerns as the houses have been designed with most of the principle habitable rooms facing towards the front and rear of the dwellings. The oriel (bay) windows serving bedrooms in the side elevations have been designed to create a front or rear outlook with the incorporation of privacy screens to prevent direct outlook onto neighbouring walls and windows. The position of windows would also not be immediately adjacent to each other.
33. Separation distances of 21m or more would be achieved between the proposed dwellings and neighbouring adjacent dwellings outside the site.
34. Each dwelling would have its own private garden to the rear of at least 10m in length. Less private, secondary amenity areas, such as roof terraces and balconies would largely be overlooking the street, thereby having an important surveillance role and would not therefore reduce the level of privacy within the rear gardens.
35. Further amenity space would be provided within the central shared surface, with the intention to create greater opportunity for social interaction and cohesion within the development.
36. The proposal therefore accords with the amenity requirements of saved policies GD1 and H24 of the WVDLP as amended by Saved and Expired Policies September 2007.

site layout and home zone details

37. The form of the proposed layout is dictated by the perimeter trees and the shape of the site, particularly the narrow width, which lends itself to a linear arrangement of single depth plots on either side of a central access route. The easy approach would have been to put in a standard access road with turning head, however, the main philosophy behind the layout of the development is the Home Zone principle to create a high quality urban environment with a central space and end courtyard where the car is not dominant. This is the part of the proposal that has evolved most during pre application discussions.
38. The central space and end courtyard would comprise of a large multifunction shared surface “Home Zone” which would provide vehicle access, car parking (mostly visitor), cycle parking and a shared amenity space. All dwellings would overlook this space thereby allowing natural surveillance and creating a communal focal point.
39. The “Home Zone” would not exclude the car, but through the restricted width of carriageway, use of contrasting materials, landscaping and lack of formal highway delineation (lines, kerbs), would reduce the feeling of dominance for the motorist, increase awareness and slow down traffic speeds – An approach now officially promoted in the Department for Transport’s Manual For Streets, but not necessarily a new approach, as this has been done throughout Europe for some time, and even in the UK. One of the largest Home Zones in the country is the Gateshead Staiths scheme.
40. Overall, it is considered that the proposal would successfully achieve the aims of creating a “Home Zone” by refocusing on the place function of streets and recognising that streets can make a positive contribution to the quality of life within a development – ultimately producing a higher quality and more attractive residential environment and contributing to the Sustainable Communities Agenda to provide places where people want to live. This accords with national planning guidance in PPS1 and PPS3, as well as the requirements of saved policies GD1 and H24 of the WVDLP as amended by Saved and Expired Policies September 2007, which all seek to achieve good design.

highway safety and parking

41. Manual For Streets has challenged many of the established highways practices and standards, particularly the design and function of streets. A clear distinction is drawn between streets and roads. Roads are essentially highways whose main function is accommodating the movement of motor traffic. Streets are typically lined with buildings and public spaces, and while movement is still a key function, there are several others, of which the place function is the most important. Highway safety is still the overarching aim, however it is recognised that streets can be designed as places, while still ensuring that road safety is maintained.

42. The role of the “Home Zone” in slowing down traffic within the development has already been highlighted and after minor amendments to the proposal (03.12.2007), mainly to the width of planters in the highway and the removal of the overhang of house type 10, the Durham County Highways section is satisfied with the design and layout of the shared surface (subject to submission of acceptable detailed engineering details). It will be necessary for the applicant to enter into an agreement under Section 38 of the Highways Act 1980, in order to ensure the adoption of the proposed new highways (except for the parking bays for plots 10, 17, 18, 21, 22, 30 & 31, which will not be adopted).
43. The development would have a single access into the site. This would be through a new vehicular access proposed onto Greenfields Road to make it more convenient than the existing for pedestrians and vehicles. Planters and trees would define the entrance into the shared surface area and create a pinch point to slow down traffic. The boundary wall along Greenfields Road would be lowered in height to achieve the required visibility.
44. The proposal adopts a distinct parking strategy, based mostly around the Home Zone philosophy. The overall aim being to integrate parking into the design approach and produce an environment that is not dominated by the car. The proposal provides 83no. parking spaces at a ratio of 162%, which is in accordance with the Durham County parking standards and suitable for an urban location. 40 of the 51 dwellings would have on plot parking, either within courtyards, or integral garages, which again prevents the parking from being visually prominent. 7no. spaces would be provided in the end courtyard in front of the respective units. Parking has not been removed completely from the central space though, as this in itself does provide another passive measure for slowing down traffic. Accordingly 12no. unallocated visitor spaces and 4no. dedicated resident spaces would be provided in the central area. Cycle storage would be possible within the plots and additional cycle storage would be provided in the central area.
45. The fact that some cars would still have to drive a long way through the development to reach the on plot parking would maintain a car presence in the development, but overall it is considered that the proposal would in most parts create the street environment that is desired and is certainly an improvement on a regular estate road and parking solution.
46. The proposal therefore accords with requirements of saved policies GD1, H24, T1 and FPG1 of the WVDLP as amended by Saved and Expired Policies September 2007, as well as the guidance in Manual For Streets and the County Parking Standards.

landscaping and trees

47. The site is surrounded by mature trees and the proposal recognises the value they bring to the amenity of both the development and surrounding area. The layout has attempted to incorporate as many of the existing healthy trees as possible. Accordingly, specimen trees around the perimeter would be retained as much as possible where healthy, although removal of a small number are required where they would produce unacceptable shade dominance and to

accommodate the new vehicular access. In these cases there would be wider benefits from their removal, which outweigh their retention – such as the highway safety benefits from relocating the vehicular access. Replacement planting would compensate for the loss of trees and further trees would be planted within the central area, as well as in gardens where there would otherwise be none, so that there would ultimately be a net increase in the number of trees on the site. This can be controlled by the submission of a landscaping scheme and a condition requesting the retention of the remaining trees.

48. Overall the principle of the landscape strategy has been carefully considered in both hard and soft forms, ranging from types of planting, to choice and range of surface materials. Specific details remain to be approved but this can form part of a landscape scheme, which can be conditioned. It is considered that the landscaping strategy proposed would add to the provision of a quality and attractive residential environment. The proposal therefore accords with saved policies GD1 of the WVDLP as amended by Saved and Expired Policies September 2007 and national planning guidance in PPS1 and PPS3.

sustainability

49. PPS1, including the Climate Change Supplement, PPS3 and PPS22 all place an emphasis on achieving sustainable development. Climate change is high on the agenda and the government's recent Energy White Paper has given a statutory requirement to reduce carbon emissions and promote renewable energy and energy efficiency measures in new development. Given that the domestic dwelling stock currently accounts for around 27% of all CO2 emissions, the Government expects housing developers to meet their responsibilities in cutting household emissions. Accordingly, the Government now expects local authorities to implement prescriptive 'Merton Rule' policies to achieve targets ranging from 10% to 30% for on-site renewable energy production. This has been reflected in policies 39 and 40 of the Regional Spatial Strategy (RSS) which requires all major developments to achieve at least 10% of energy supply from renewable resources. This can be through a number of options appropriate to the site.
50. The proposed development is aiming to achieve the BREEAM EcoHomes "Very Good Rating". BREEAM sets the standard for best practice in sustainable design. It is an independent assessment of buildings against set criteria under the Code For Sustainable Buildings 2007 and provides an overall score which will fall within a band providing either a; PASS, GOOD, VERY GOOD or EXCELLENT rating. In order to achieve a BREEAM rating, development has to consider sustainability in areas such as materials and construction, energy efficiency and renewable energy supply.
51. No details have been supplied to show how this would be achieved. A condition is therefore considered to be appropriate in this case to require details to demonstrate how energy efficiency is being addressed and to show the on-site measures to produce a minimum of 10% of the total energy requirements of the development from renewable energy sources. This would be in accordance with policies 39 and 40 of the Regional Spatial Strategy (RSS), and fully consistent with the key planning objectives of PPS1 and the Climate Change Supplement, PPS3 and PPS22.

impact on protected species

52. The proposal has demonstrated that the development would not have a direct impact on protected species or their habitats, including bats. However, it is likely that bats will use the area at some times of the year and therefore it would be appropriate to request by condition, specific details of the type and location of the mitigation measures suggested in the survey. Subject to these details, the proposal would accord with the provisions of PPS9.

drainage

53. In accordance with PPS25, development on sites over 1 hectare in size should demonstrate that the drainage system would be suitable so that it does not increase the risk of flooding to surrounding areas from sewers. As the site is not within an area of flood risk and neither the Environment Agency, nor Northumbrian Water has objected, it would be appropriate to secure a suitable drainage scheme by condition rather than to request a Flood Risk Assessment.

objections/observations

54. Occupiers of the surrounding properties have been notified in writing and a site notice was also posted. The application was also advertised in the local press.
55. One observation has been received:
- a) The Tindale Crescent Resident's Association enquired whether the existing lodge (to be demolished) was protected in any way as the outline application mentioned that it might remain.

response to observation

56. The following comment is made in response to the issue raised:
- a) In the outline submission it was indicated that the developer might retain the lodge; however, there was no requirement/condition in the approval to retain it. However, it is not listed or within a conservation area and has no special architectural merit to warrant its retention.

conclusion and reasons for approval

1. The proposal for reserved matters approval is considered to be acceptable and in accordance with policies GD1, H24, T1 and FPG1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007, as well as national planning guidance in PPS1, PPS3, PPS9, PPG13, PPS22 and PPS25 as it:
- a) Would represent effective and efficient use of brownfield land.
b) Would have an acceptable mix of housing type and tenure.
c) Would be suitably designed in terms of the layout, appearance of the dwellings and design of the public realm, as well as effective use of

landscaping; all of which would create a high quality and attractive residential environment to encourage social interaction and reduce the dominance of the motor vehicle.

- d) Would offer suitable levels of amenity and security within the development, as well as preventing harm to the living conditions of neighbours outside the site.
- e) Would be acceptable in terms of highway safety, parking provision and making provision for cycle storage.
- f) (subject to condition) Would promote sustainability and reduce carbon emissions.
- g) Would not have an adverse impact on protected species or their habitats.

RECOMMENDED

That reserved matters approval be **GRANTED** subject to the following conditions and reasons;

conditions

1. Prior to the commencement of development, details of the construction methodology and measures for the generation of on-site renewable energy shall be submitted to and approved in writing by the local planning authority. These details shall demonstrate how energy efficiency is being addressed and show the on-site measures to be taken to produce a minimum of 10% of the total energy requirements of the development by means of renewable energy sources. Such details as may be approved shall be implemented prior to the first occupation of the dwellings hereby approved and retained in perpetuity.
2. Development shall be carried out in accordance with the mitigation strategy and measures identified in the bat survey of July 2007. The exact details of type and location of mitigation measures shall be submitted to and approved in writing by the local planning authority before the commencement of development. Thereafter the approved mitigation measures shall be implemented in full before any dwelling hereby approved is occupied.
3. No development shall take place until samples of all materials to be used in the construction of the external surfaces of the dwellings have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
4. Development shall not begin until details of the existing and proposed site levels and the finished floor levels of the proposed dwellings and those of existing neighbouring dwelling houses have been submitted to and approved in writing by the local planning authority; and the works shall be completed in accordance with the approved details.
5. Before the development hereby approved is commenced details of the height, siting, appearance and construction of all means of enclosure to be erected upon the site shall be submitted to and approved in writing by the local planning authority, and the works shall be carried out in accordance with such approved details before the dwellings hereby approved are first occupied.

6. Before the development hereby approved is commenced details of the arrangements for dealing with surface water discharges from the site shall be submitted to and approved in writing by the local planning authority, and the arrangements shall be implemented in accordance with the approved details before the development hereby approved is commenced.
7. Before the development hereby approved is commenced a scheme of landscaping shall be submitted to and approved in writing by the local planning authority. The landscaping scheme shall include details of the location and type of planting, as well as details of street furniture and any play equipment, together with measures for the protection of trees in the course of development.
8. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the dwellings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed, are severely damaged or become seriously diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.
9. Before the development hereby approved is commenced, full engineering details of the internal road layout shall be submitted to and approved by the local planning authority and thereafter the development shall be implemented in accordance with the approved details.
10. The existing vehicular access shall be stopped up and the kerbs, footway and verges reinstated in accordance with a scheme to be submitted to and approved by the local planning authority. No work, other than the creation of the new access, shall commence until the existing access has been stopped up and the kerbs, footway and verges reinstated.
11. The garage doors shall not protrude over the highway when in the open position.
12. The garaging, hardstandings and car parking shown on the approved plans shall be provided prior to the first occupation of the dwellings and thereafter used and maintained in such a manner as to ensure their availability at all times for the parking of private motor vehicles. Garages shall not be converted into habitable accommodation.
13. Before the development hereby approved is commenced wheel washing equipment shall be provided at all egress points to ensure that mud, etc. is not trailed onto the public carriageway. The wheelwashing equipment shall be used on all vehicles leaving the site during the period of construction works.
14. Notwithstanding the provisions of Article 3 and Classes A, B, C, D of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), none of the categories of development described therein shall be carried out on the site without an application for planning permission having been first made to and approved in writing by the local planning authority.

15. The trees to be retained as shown on plan No. TCH AL 001 revision H, shall not be felled, lopped or topped without the prior written consent of the local planning authority. Any such trees which die or become seriously damaged, destroyed or diseased shall be replaced with a tree of such size and species, and shall be planted at such time and place, as may be specified in writing by the local planning authority.
16. No construction works, including any demolition and any delivery of equipment or materials, shall be carried out outside the hours of 8.00 am - 6.00 pm Mondays to Fridays and 8.30 am - 1.00 pm on Saturdays. No works shall be carried out on Sundays or public holidays.

reasons

1. To reduce carbon emissions. In accordance with policies 39 and 40 of the Regional Spatial Strategy (RSS), PPS1 and PPS22.
2. To ensure the development does not adversely impact on bats and their habitat. In accordance with PPS9.
3. To ensure the satisfactory appearance of the completed development. In accordance with policies GD1 and H24 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
4. In the interests of the amenity of the adjacent residents and to ensure the site level is not raised unnecessarily. In accordance with policies GD1 and H24 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
5. To achieve a satisfactory form of development. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
6. To safeguard against flooding and to ensure a satisfactory means of disposal. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
7. To enable the local planning authority to retain control over the landscaping of the site to secure a satisfactory standard of development and protection of existing trees. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
8. To ensure the implementation of the approved landscape scheme within a reasonable time. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
9. In the interests of highway safety. In accordance with policies GD1 and T1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
10. In the interests of highway safety. In accordance with policies GD1 and T1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

11. In the interests of pedestrian safety. In accordance with policies GD1 and H24 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
12. In the interests of road safety and to ensure that an adequate private car parking is maintained. In accordance with policies GD1 and H24 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
13. In the interests of traffic safety and amenity of the area. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
14. The local planning authority wishes to control future development in the interests of safeguarding visual and residential amenity and to prevent encroachment under tree canopies. In accordance with policies GD1 and H24 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
15. In the interests of the visual appearance of the area. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
16. To prevent nuisance from noise in the interests of amenity of the surrounding residential area. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

background information

Application files, WVDLP, Manual For Streets, Durham County Parking Standards, PPS1, PPS3, PPS9, PPG13, PPS22, PPS25.

PS code	<input style="width: 40px; height: 20px;" type="text" value="1"/>			
number of days to Committee	<input style="width: 40px; height: 20px;" type="text" value="83"/>	target achieved	<input style="width: 40px; height: 20px;" type="text" value="√"/>	

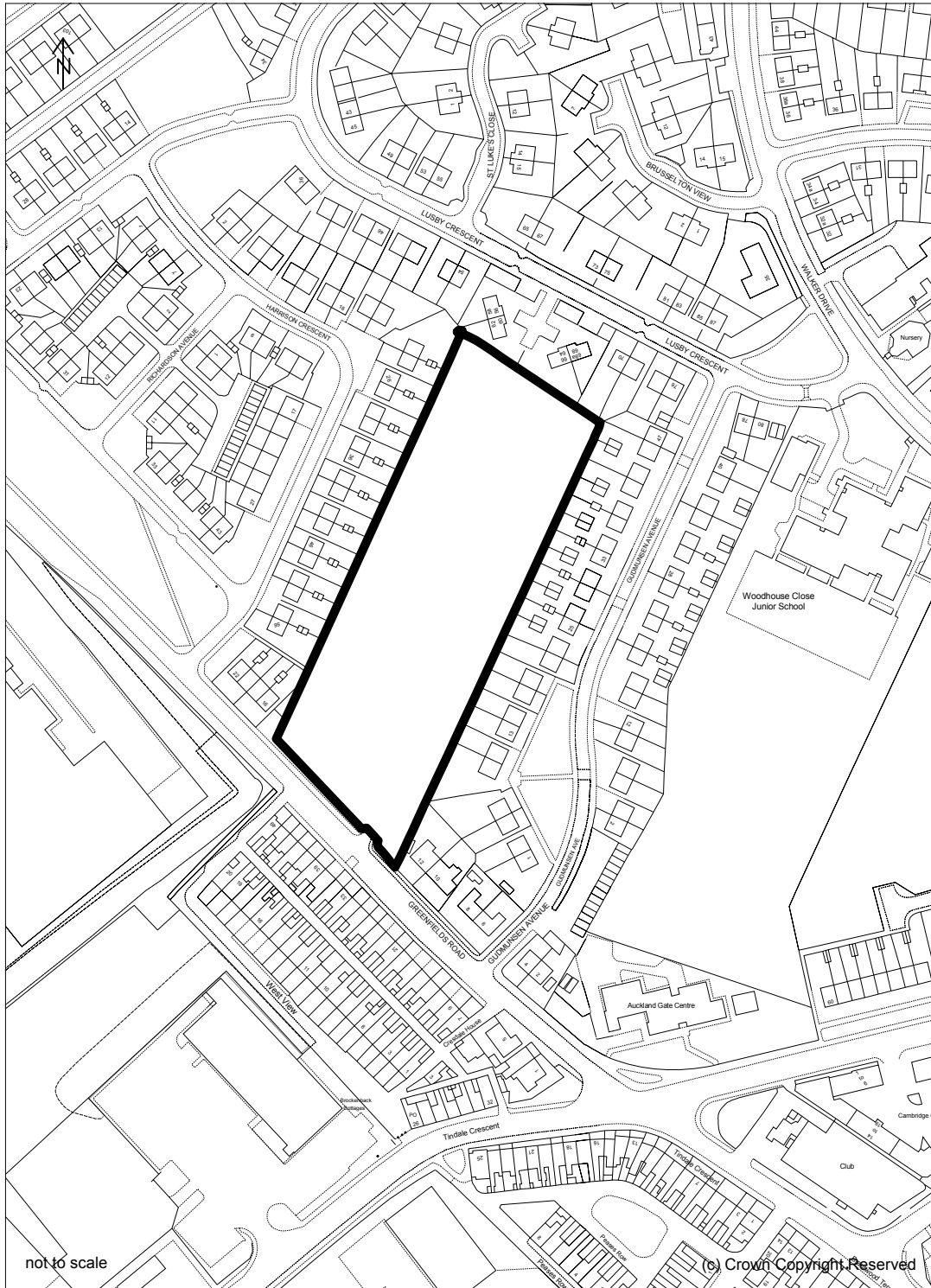
Officer responsible for the report

Robert Hope
 Strategic Director for Environment and Regeneration
 Ext 264

Author of the report

Adrian Caines
 Planning Officer
 Ext 369

3/2007/0701 - RESERVED MATTERS PURSUANT TO OUTLINE PLANNING PERMISSION 3/2003/0626 - DEMOLITION OF EXISTING LODGE AND CONSTRUCTION OF 51 NEW HOUSES AT FORMER TINDALE CRESCENT HOSPITAL SITE, GREENFIELDS ROAD, BISHOP AUCKLAND FOR MR. BREWER, PLACES FOR PEOPLE – 22.09.2007 - AMENDED: 30.11.2007



SPECIAL DEVELOPMENT CONTROL COMMITTEE

13th DECEMBER 2007

Report of the Strategic Director for Environment and Regeneration

PART 1 – APPLICATION FOR DECISION

3/2007/0730 - CAR PARK EXTENSION TO EXISTING DWELLING AT LAND REAR OF QUEENS HEAD PUBLIC HOUSE, LOW QUEEN STREET, WITTON PARK FOR K. REDFEARN – 12.10.2007

description of site and proposals

1. Planning permission is sought for an extension to the existing car park to the rear of the property. The proposal would be for the formation of hard standing which would measure 11.4 metres in length by 3.8 metres in width. Fencing is also proposed to be erected along the boundary of the site. This application is a resubmitted application.
2. The application site comprises of a residential building which is utilised as flats. This building is known as Old Queens Head and is situated on the junction of Main Street and Low Queens Street, in Witton Park. There is an existing yard area to the rear of the property. The highway is located directly to the north and east of the site. There are residential properties to the north, south and east with an open grassed area to the west.
3. The land within this application is currently owned by Wear Valley District Council and a request has been submitted to the Legal Department for the land to be purchased. A decision on the sale of this land is to be determined at a future Central Resources Committee.
4. For information, it is noted that Durham County Council have received an application for a large area of land in the centre of Witton Park, including this application site, to be registered as a Village Green.

planning history

5. The following planning application was received in respect of this site:
 - 3/2007/0413 Car Park Extension Withdrawn 28.09.2007

planning policies

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

consultations

7. WVDC (Legal Services): The land proposed for the car park extension is within the ownership of Wear Valley District Council. A request has been made to purchase the land and a decision is to be made at a future Central Resources Committee.
8. Durham County Council (Highways Authority): No objections.
9. Escomb and Witton Park Community Partnership: The piece of land in this application is currently included in and subject to an application for official 'village green status' which is with Durham County Council Solicitors. The community want to ensure that no more building takes place on the green spaces in the centre of Witton Park.

officer analysis

10. The key issues for consideration are:
 - Principle of Development
 - Impact upon Surroundings
 - Highway Issues

principle of development

11. Planning permission is sought for the extension of the existing car park to create additional spaces for the residents of the flats. The site is located within the limits of development for Witton Park and the land is not specifically allocated for a particular use. On this basis, the proposed development is acceptable in principle and in accordance with policy H3 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

impact upon surroundings

12. The proposed development is for the creation of hard standing with a boundary fence. The proposed fence would be a continuation of the existing fencing to the rear of the neighbouring properties to the south. The existing stone wall on the north boundary is not to be altered. This application is a resubmission, as the previous application was withdrawn. The previous scheme proposed a larger car park area which extended beyond the line of the existing fencing and further into the grassed area to the west of the site.

This was considered unacceptable as the extension of the boundary beyond the line of the existing fencing would appear out of keeping with the area. The proposal in this application is considered acceptable in terms of visual appearance as it would not be extending beyond the existing boundaries to the rear of the neighbouring properties to the south. The proposed development would not have an adverse impact on the visual appearance of the street scene or surrounding area. The proposal is in accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

13. It is recognised that an application has been submitted for the grassed area to the west of the application site to be registered as a Village Green. It is also noted that the proposed area for the extension of the car park is included in the land which would be registered as a Village Green. At present the land does not have Village Green status. The grassed area proposed to be registered as a Village Green measures approximately 34,000 square metres in area. The area proposed for the extension to the car park measures 43 square metres. In comparison, the area for the proposed car park is minimal in relation to the overall size of the area proposed for the Village Green. The extension would not appear out of keeping as it would be viewed as a continuation of the existing boundary to the rear of the neighbouring properties to the south. The proposed development would not have a detrimental impact on the appearance of the grassed area. The proposed development does not conflict with the aims of policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007, however it is noted that any registration of the land as Village Green will restrict its use.

highway issues

14. The applicant has indicated that the proposed development is to increase the amount of car parking available to the residents of the host building, in order to avoid residents parking on the streets. The existing access is to be utilised. Durham County Council Highways Authority have been consulted on this application. The Highways Officer has raised no objections to the proposed development. It is considered that given the existing access is to be utilised and that the proposal would create additional off street parking, the proposed development would not have an adverse impact on highway safety. The proposal is in accordance with policy T1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

objections/observations

15. The occupiers of neighbouring properties have been notified in writing and a site notice has also been posted close to the site. 15 letters of objection has been received. The contents of these letters are summarised below:
 - a) The proposed land is or will be Village Green.
 - b) The Methodist Chapel has already taken part of the Village Green.
 - c) It was the understanding that the Council would not allow any development on the Green.
 - d) The loss of green land would create a precedent.
 - e) The access has poor visibility and is dangerous.

- f) The increase in vehicle movements to and from the car park will increase problems of road safety.

16. Four letters of support has also been received for the application.

response to objections

17. The following points are made in response to the issues raised above:

- a) It is noted that an application has been submitted for the grassed area, west of the application site, to be registered as a Village Green. This issue has been discussed in the officer analysis under the heading 'impact on surroundings'.
- b) Noted.
- c) Any development on the grassed area would require planning permission.
- d) This development would not create a precedent. As stated previously most development on the grassed area would require planning permission. Each application has to be determined on its own merits.
- e) The Highways Officer has not objected to the access. It is considered that the access would not be detrimental to highway safety.
- f) The Highways Officer has not objected to the access. It is considered that the access would not be detrimental to highway safety.

conclusion and reasons for approval

1. The proposed site is located within the limits of development for Witton Park and the land is not specifically allocated for a particular use. The proposed development is acceptable in principle and in accordance with policy H3 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
2. The proposed development incorporates fencing to the boundary which would be similar to the fencing on the rear boundaries of the properties to the south. The proposed development would be viewed as a continuation of the existing boundaries to the south of the site. The proposal would be in keeping with the appearance of the street scene. Given the area proposed for the extension to the car park, in relation to the entire area of the grassed area to the west, the loss of the grassed area would be minimal and the proposal would not detract from the scenic qualities of the area. The proposed development does not compromise the pending application for the grassed area to be registered as a Village Green. The proposed development does not conflict with the aims of policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
3. The proposed development would create additional car parking spaces which would help in reducing the amount of vehicles parked on the highway. The existing access is to be utilised. Durham County Council Highways Officer has not raised any objections to the proposed development. The proposal would not have an adverse impact on highway safety. The proposal accords with policy T1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

RECOMMENDED

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

condition

1. Before the development hereby approved is commenced details of the colour finish for the boundary fence shall be submitted to and approved in writing by the local planning authority, and the development shall be carried out in accordance with the approved details.

reason

1. To achieve a satisfactory standard of development. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

background information

Application files, WVDLP as amended by Saved and Expired Policies September 2007, application for Village Green status.

.

PS code

12

number of days to Committee

63

target achieved

NO

explanation

Next available Committee after the consultation deadline.

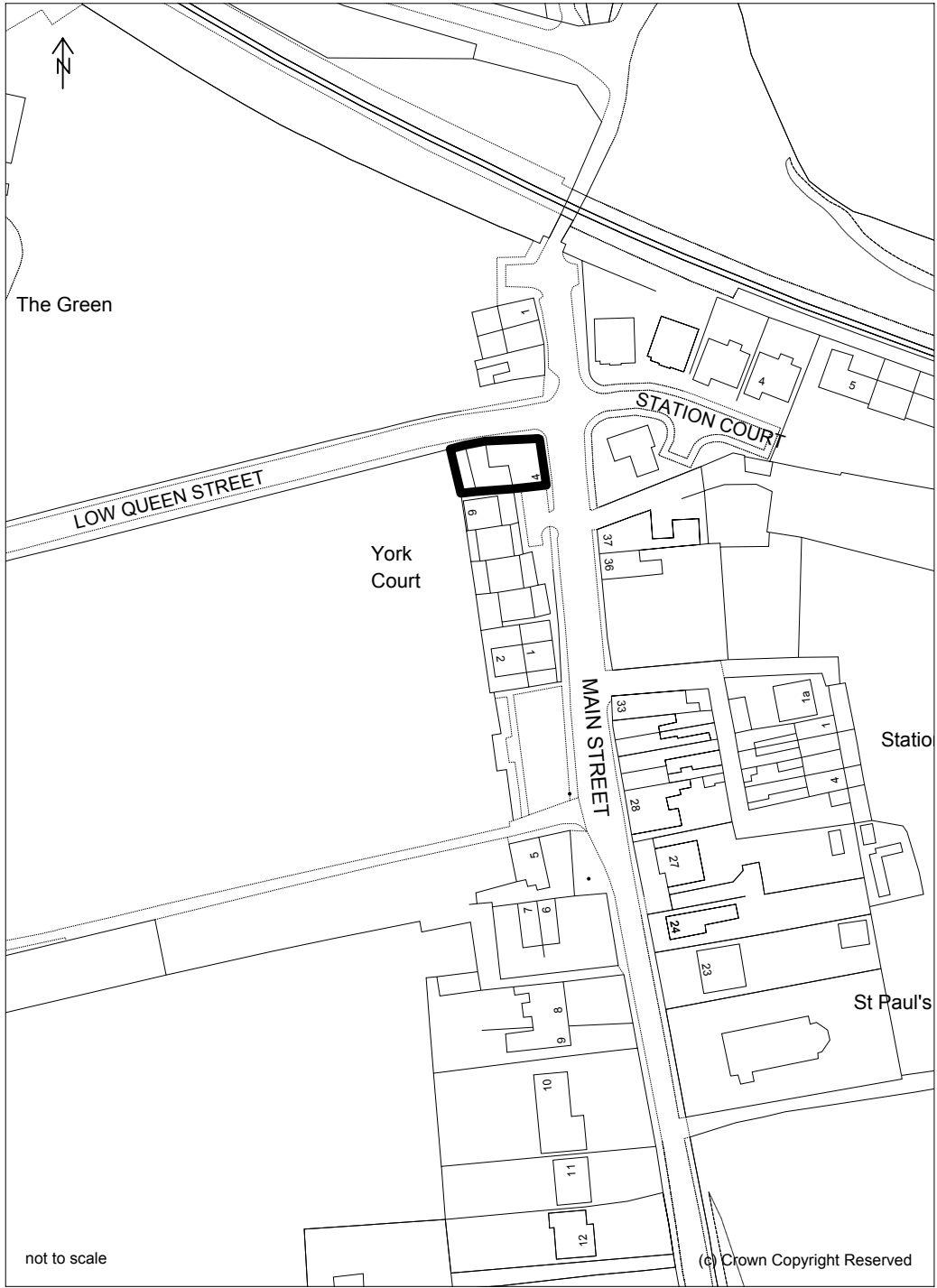
Officer responsible for the report

Robert Hope
Strategic Director for Environment and Regeneration
Ext 264

Author of the report

Chris Baxter
Senior Planning Officer
Ext 267

3/2007/0730 - CAR PARK EXTENSION TO EXISTING DWELLING AT LAND REAR OF QUEENS HEAD PUBLIC HOUSE, LOW QUEEN STREET, WITTON PARK FOR K. REDFEARN – 12.10.2007



SPECIAL DEVELOPMENT CONTROL COMMITTEE

13TH DECEMBER 2007

Report of the Strategic Director for Environment and Regeneration

PART 111 – OTHER ITEMS

**APPLICATION FOR CERTIFICATE OF APPROPRIATE ALTERNATIVE DEVELOPMENT
LAND AND COMPENSATION ACT 1961 SECTION 17 (AS AMENDED BY SECTION 63 OF THE PLANNING AND COMPENSATION ACT 1991)
LAND AT GREENHEAD, CROOK**

introduction

1. The chartered surveyor acting on behalf of Mr. and Mrs. J. Rawe of High Beechburn Farm, Greenhead, Crook has applied for a Certificate of Appropriate Alternative Development. The Land Compensation Act 1961, as amended, allows an owner to apply for a certificate where an interest in the land is proposed to be acquired by a local authority with compulsory purchase powers.
2. The Council is proposing to acquire Mr. and Mrs. Rawe's land to create a new industrial estate. The land is allocated for new industrial development (Proposals I2 and I5 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007).
3. Mr. and Mrs. Rawe consider the land is suitable for housing development, given that planning permission has been granted for housing development on the former Ramars site and the adjacent Greenhead housing terrace with allotment land.
4. The purpose of applying for a certificate of appropriate alternative development is to provide valuers and (ultimately) the Lands Tribunal with guidance on the development value, if any, of the land the Council proposes to acquire.

assessment

5. In considering the application the Council must decide whether planning permission would be granted for residential development if the Council were not proposing to acquire the land for industrial

development. The Council must disregard the fact the land is allocated for industrial development.

1) residential development

When considering an application for planning permission for residential development the following issues must be considered:

a) Is the site within the limits to development?

The site is within the limits to development for Crook defined by the Wear Valley District Council Plan as amended by the Saved and Expired Policies 2007.

b) Is the site greenfield or brownfield land?

The site is a greenfield site.

c) What priority should be afforded to the site when applying the sequential approach agreed by the Council April 2007?

Given the housing land supply within the district, the Council now apply a local interpretation of Policy 3 of the Emerging Regional Spatial Strategy to all applications for residential development. This interpretation is as follows:

To reflect the nature and style of the district the sequential approach is applied on a sub-area basis. In the Crook sub-area the towns of Crook, Willington and Tow Law are identified as appropriate Urban Areas. The sequential approach sets out the following priority order for housing development:

Priority 1:

Suitable previously developed sites and buildings within urban areas, particularly around public transport nodes;

Priority 2:

Other suitable locations within urban areas not identified to be protected for nature or heritage conservation or recreation purposes:

Priority 3:

Suitable sites in locations adjoining urban areas, particularly those that involve the use of previously developed land and buildings; and finally

Priority 4:

Suitable sites in settlement outside urban areas, particularly those that involve the use of previously developed land and buildings.

The site is considered to be a priority 2 site therefore, as priority 1 sites are available within Crook, Willington and Tow Law, the site is not a priority for residential development.

- d) Is there a “need” for the proposed residential development?

The Annual Monitoring Report recently prepared shows that the district has a 13 years housing land supply. Currently the Council has concluded there is no need for any more “windfall” sites (i.e. sites not allocated for major housing development). A Strategic Housing Market Assessment is being prepared by consultants for County Durham. This is due to be published in December 2007 and will show whether there is a local need for more housing in the Crook area. However, the Council must consider the situation as it stood when the acquisition process began.

Given the above 4 considerations the Council would not grant planning permission for residential development on the land.

- 2) other uses

The Council has considered whether other uses would be appropriate (other than the allocated use). The site is outside of Crook town centre as designated by Policy S6 of the Wear Valley District Local Plan (as amended) by Saved and Expired Policies September 2007) and therefore retail and other town centre users such as leisure and culture developments as set out in paragraph 1.8 of PPS6 Planning for Town Centres would be inappropriate. There is no known need for educational or health services development in Crook. Furthermore, such developments should also be directed to the town centre in the interests of vitality and viability and accessibility.

There is no evidence to suggest that the site is required for public open space uses (sport, play or recreation).

CONCLUSION

1. It is not considered that if a planning application were submitted for residential development that planning permission would be granted because there are more suitably located brownfield sites within the sub-area, as such this site is not a priority for development. Furthermore the district has a 13 years housing land supply which is

anticipated to be delivered within the next 5 years, it is therefore considered that there is little need for the release of additional greenfield sites. There is no other use considered appropriate for the land.

RECOMMENDED: that a Certificate of Appropriate Alternative Development is not issued in respect of residential development at land at Greenhead.

Informative

If Mr. and Mrs. Rawe are unhappy with the Council's opinion Mr. and Mrs. Rawe have a right of appeal to the Secretary of State for the Department of Communities and Local Government.

Background information: Letter dated 25th September 2007 from Addisons Chartered Surveyors and plan, WVDLP as amended by Saved and Expired Policies September 2007, RSS, PPS6.

Officer responsible for the report	Author of the report
Robert Hope	David Townsend
Strategic Director for Environment and Regeneration	Head of Planning and
Ext 264	Building Control
	Ext 270

**APPLICATION FOR CERTIFICATE OF APPROPRIATE ALTERNATIVE
DEVELOPMENT
LAND AND COMPENSATION ACT 1961 SECTION 17 (AS AMENDED BY
SECTION 63 OF THE PLANNING AND COMPENSATION ACT 1991)
LAND AT GREENHEAD, CROOK**

