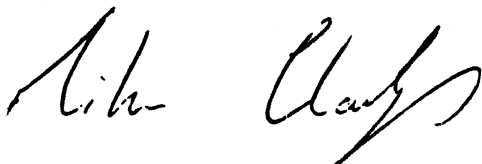


Development Control Committee

Councillor J. I. Agnew (Chair), Councillor R. Alderson, Councilor A. Atkinson, Councillor M. Campbell, Councillor H. Christer, Councilor T. Clark (Vice-Chair), Councillor G. Coulson, Councillor R. Ellis, Councillor G. C. Glass, Councillor P. D. Hughes, Councillor D. Hume, Councillor D. Lavin, Councillor O. Milburn, Councillor T. Pattinson, Councillor S. J. Rothwell, Councillor A. Shield, Councillor E. Turner, Councillor A. Watson O.B.E, Councillor T. Westgarth, Councillor J. Williams, Councillor R. Young

Dear Councillor,

Your attendance is invited at a meeting of the Development Control Committee to be held in the Council Chamber, Civic Centre, Consett on 23rd August 2007 at 2.00 p.m. for consideration of the undernoted agenda.



MIKE CLARK

Chief Executive Officer

Agenda

1 DECLARATIONS OF INTEREST

To receive any disclosure by Members of personal interests in matters on the agenda, identify the item on the agenda, the nature of any interest and whether the Member regards the interest as prejudicial under the terms of the Code of Conduct.

2 MINUTES

To approve the minutes of the following meetings:

- (i) Development Control Committee 2nd August, 2007 (Herewith 'A')
- (ii) Site Visit 13th August 2007 (Herewith 'B').

Attached Documents:

[MINUTES 020807 \(A\)](#)
[MINUTES SITE VISIT \(B\)](#)

3. CONFIRMATION OF FOOTPATH STOPPING UP ORDER

To consider the report of the Legal & Licensing Services Manager & Monitoring Officer. (Herewith 'C').

Attached Documents:

[2 Wharnley Way - Stopping Up Order \(C\)](#)

4. CONFIRMATION OF FOOTPATH STOPPING UP ORDER

To consider the report of the Legal & Licensing Services Manager & Monitoring Officer.

(Herewith 'D')

Attached Documents:

[Hill Top View - Stopping Up Order \(D\)](#)

5. POST DEVELOPMENT REVIEW OF HOUSING DEVELOPMENTS AND DESIGN CHAMPIONS INITIATIVE

To consider the report of the Director of Environmental Services (Herewith 'E')

Attached Documents:

[POST DEVELOPMENT REVIEW OF HOUSING DEVELOPMENTS AND DESIGN CHAMPIONS INITIATIVE \(E\)](#)

6. PLANNING APPLICATIONS

To consider the report of the Director of Environmental Services (Herewith 'F')

Attached Documents:

[PLANNING APPLICATIONS 'F'](#)

7. EXCLUSION

THE PRESS AND PUBLIC ARE LIKELY TO BE EXCLUDED FROM THE MEETING FOR THE FOLLOWING ITEMS OF BUSINESS ON THE GROUNDS THAT THEY INVOLVE THE LIKELY DISCLOSURE OF EXEMPT INFORMATION AS DEFINED IN PARAGRAPH 6 OF PART 1 OF SCHEDULE 12(A) OF THE LOCAL GOVERNMENT ACT 1972 (AS AMENDED).

8. ENFORCEMENT

To consider the report of the Director of Environmental Services (Herewith 'G').

Agenda prepared by Lucy Stephenson, Democratic Services 01207 218249

Email: l.stephenson@derwentside.gov.uk

DEVELOPMENT CONTROL COMMITTEE

Minutes of a meeting of the Development Control Committee held in the Council Chamber, Civic Centre, Consett on Thursday 2nd August, 2007 at 2.00 p.m.

Present

Councillor J.I. Agnew (Chair)
Councillor T. Clark (Vice-Chair)

Councillors R. Alderson, A. Atkinson, M. Campbell, H. Christer, R. Ellis, G.C. Glass, P.D. Hughes, D. Hume, D. Lavin, O. Milburn, T. Pattinson, S. Rothwell, A. Shield, E. Turner, A. Watson, T. Westgarth, R. Young.

Apologies for Absence

Apologies for absence were submitted on behalf of Councillors G. Coulson and J. Williams.

In Attendance

Councillors W. Stelling, O. Temple M. Westgarth.

14. DECLARATIONS OF INTEREST

Councillor A. Watson declared a prejudicial interest in application 07/0553.

Councillor O. Milburn declared a personal interest in application 07/0553.

Councillor A. Shield declared a personal interest in applications 07/0553 and 07/0570&07/0571.

15. MINUTES

RESOLVED: that the minutes of the following meeting be approved as a correct record, Development Control Committee – 12th July, 2007 with the addition of Councillor O. Milburn leaving the meeting at this same point as Councillor Hume.

16. APPEAL DECISIONS

The Director of Environmental Services submitted a report (copies circulated) in respect of the following appeal decision issued by Inspectors appointed by the First Secretary of State:-

- (i) Planning Application – Appeal Under Section 174 of the Town and Country Planning Act 1990 against enforcement notices requiring

- demolition of houses at plots 24 to 26 St. Ives Gardens, Leadgate – No further action to be taken regarding this matter.
- (ii) Planning Application – Appeal against refusal of consent to fell a sycamore tree at Cadleigh Hope, The Terrace, Shotley Bridge – Appeal dismissed.
 - (iii) Planning Application - Appeal against the refusal to grant full planning permission for the change of use of a detached garage/playroom to detached garage/self catering guestroom for up to 140 days per year at 5 Long Close Road, Hamsterley Mill – Appeal dismissed.
 - (iv) Planning Application – Appeal against the refusal to grant full planning permission for the erection of a conservatory at 95 Snows Green Road, Shotley Bridge – Appeal dismissed.

RESOLVED that the report be received.

17. PLANNING APPLICATIONS

(1) Public Speaking Applications

Councillors A. Watson and O. Milburn declared an interest in the following application left the Chamber and took no part in the discussion or voting thereon.

(In accordance with the provisions of Section 94 of the Local Government Act 1972: and Standing Order No.33, Councillors A. Watson and O. Milburn declared an interest in the following matter, left the Chamber and took no part in the discussion and voting thereon).

(In accordance with the provisions of Section 94 of the Local Government Act 1972: and Standing Order No.33, Councillors A. Shield declared an interest in the following matter, but remained in the Chamber.

07/0553 DERWENTSIDE CVS

Change of Use from residential institution (Class C2) to non-residential institution (Class D1) and Offices (Class B1), Glenroyd House, Medomsley Road, Consett.

The Chair welcomed to the meeting Deborah Clarke who was in attendance to speak against the application and Cliff Lowes who was in attendance to speak in support of the application.

The Principal Planning Officer presented the report which recommended approval of the application. She advised that the applicant had not as yet submitted details of car parking arrangements.

In addition she advised that there were several updates to report to members as follows;

Receipt of a letter of objection signed by 15 residents, the basis of their objections being the following:

- Building will be used by Drug Users and Alcoholics;
- Adequate parking not available;
- Safety concerns for residents children playing in back street;
- Anti-Social Behavior
- Reduction in house prices due to business nature of CVS;
- Better suited to Project Genesis site and site in question used for affordable housing or elderly homes;
- Back lane will be used for alternate route into Consett causing nuisance for residents of Medomsley Road;
- Residents properties exposed to vandalism and crime.

She went on to advise that regrettably the Planning Officers had recently been informed that consultation had not been carried out correctly and some residents had not been contacted regarding the application. She advised that those residents had now been contacted and would have 21 days to respond to the notice of application. Therefore it was advised that the application be deferred in the light of this information.

She further advised that there had been another objection received from a resident directly to the North of the application site; the concerns of which are as follows:

- Concerns of overlooking;
- Child safety;
- Highway safety regarding increase in traffic and the access onto Medomsley Road;
- Building in a poor state and there would be no guarantee that the building would be maintained;
- Detrimental impact on house prices in the vicinity;
- Opinion that site would be better suited to housing.

In response to the objections the Principal Planning Officer advised that the Applicant had given reassurance that the Centre would be used for training and advice and not as a drop in centre for certain types of person as residents suggest.

She then went on to report the comments of the Highways Officer as follows:

- No objection to the application as the previous use of a Residential Care Home would have seen a significant volume of traffic in the form of Staff, Service and Delivery Vehicles and visitors;
- Happy to see applicant planning to make improvements;
- Would request a condition that a facility for secure cycle parking be provided to the front of the building.

She concluded that in light of the above the recommendation was for deferment pending a site inspection before 23rd August.

DEBORAH CLARKE: Speaking Against the Application.

Deborah Clarke introduced herself to the committee and advised that she was the resident of 123 Medomsley Road. She advised that along with other residents of the area there were major concerns over the use of the building for a drop in centre for alcoholics and drug users.

She also advised that as some residents had not been consulted on the application she felt that the application should be deferred for a site visit.

She advised that other concerns of residents were surrounding traffic and access arrangements and child safety. She further added that residents were of the opinion that this development would have a detrimental impact on the St. Patricks School, Child Minders in the area and on house prices.

CLIFF LOWES: Speaking in Support of the Application

Mr Lowes introduced himself to the committee and advised of the following;

- Centre to be used as a Community Resource Centre and Citizens Advice Bureau, he advised that it would not be for persons suffering drug or alcohol related problems.
- He advised that the service was an extension to that already provided at the Tommy Armstrong Centre in Stanley.
- He invited all members and residents to visit the Centre to gain an insight into the work Derwentside CVS carry out.
- No Anti-Social Behaviour anticipated as visitors would be ordinary residents of the community.
- Parking would be increased substantially and would provide more than adequate parking for the few visitors using cars or vehicles delivering stationary on a less regular basis.
- The center would not stay open after 9pm
- There would be very few deliveries.

In conclusion he advised that he regretted that there had been some misinformation with regard to the Centre and the users of which.

COUNCILLOR M. WESTGARTH: Speaking Against the Application

Ward Councillor M. Westgarth made the following comments in respect of the application:

- 28 core functions & meeting rooms within the building, if all used will result in an increase in traffic on a junction of Medomsley Road that already has very poor access and visibility.
- Would request further information is obtained on the highway arrangements and parking to ensure Members can take a well considered decision.
- Further request Members undertake a site visit.

COUNCILLOR O. TEMPLE: Speaking Against the Application

Ward Councillor O. Temple advised that although he valued the work of Derwentside CVS and the Citizens Advice Bureau he would request members undertook a site visit and considered the following two major factors when detremining the application;

1) THE BUILDING

He advised that in his opinion the building was unsuitable for its purpose and would require a substantial financial input for its upkeep; CVS would then have to sub-let parts of the building to ensure a decent standard was maintained; if not, it would become too expensive to maintain and slowly deteriorate further into disrepair.

2) ACCESS

He advised that when the Residential Care Home was in operation some years ago the access arrangements were bad enough, he suggested that with the increase in traffic the access would be intolerable on a sub standard width of road.

In conclusion he asked members to consider these two factors if Members were minded to defer the application for a site visit.

Discussion then ensued regarding the application for Change of Use only, Members were of the opinion that a full application should have been submitted taking in to account parking arrangements.

The Principal Planning Officer advised the applicant had at this stage only indicated that they required a Change of Use but were considering work on the highway/parking arrangements in the future.

Councillor Glass advised that in his opinion the comments of the Highway Officer were incorrect and he thought a one way in and out access should be provided.

Councillor Clark agreed with the comments of Councillor Glass and added that he felt it would be appropriate to place a condition on the application stating that the building must not be used until improvements are made.

Councillor Lavin asked that if Members were to undertake a site visit more information be provided by Derwentside CVS on parking and highway arrangements.

Councillor Hughes added that the application site was situated on a poor junction, and even with additional parking provided the number of spaces would still be limited. He also suggested that the traffic using the back streets to avoid the access would cause problems for residents of Medomsley Road.

Councillor Hughes **MOVED** and Councillor Christer **SECONDED**: that there was sufficient evidence to refuse the application without the requirement to undertake a site visit.

The Chairman put the **MOTION** to the vote. Following the vote being taken the **MOTION WAS DECLARED LOST.**

Councillor Turner advised that in his opinion the application had been submitted prematurely although to be fair to all parties involved a site visit should be taken and all relevant information available be provided for the next committee meeting on 23rd August 2007.

Following a further vote being taken it was **RESOLVED**: that the application 07/0553 be deferred for a site visit with any further information on the application being circulated at that meeting.

(2) RESOLVED: that the following applications be approved.

Councillor A. Shield declared an interest in the following application but remained in the Chamber.

07/0570 and 07/0571 DIOCESES OF DURHAM BOARD OF EDUCATION
Phased demolition of existing school, rebuilding of school, associated landscaping and tree felling, creation of car park, siting of temporary classrooms and erection of biomass store/boiler house and Conservation Area Consent for the demolition of the school building.

The Principal Planning Officer presented the report which recommended approval of the application.

She advised that the applicant was proposing a phased development to allow the school to continue to function as usual. In addition the applicant was hoping to commence work as soon as possible to adhere to the timetable of works.

She advised that there were some further updates with regard to consultation responses as follows:

- 1) HIGHWAYS
 - No objections in principle, feel that car parking is adequate;
 - Welcome idea of increasing road width but would ask that this be retained rather than being put in place as a temporary measure.
- 2) NATURAL ENGLAND
 - Bat survey carried out; happy development would not affect any protected species.
 - Request a condition be attached to ensure application is in full accordance with mitigation measures.
- 3) ENGLISH HERITAGE

- No comments
- 4) DESIGN & CONSERVATION OFFICER
- Unique building and well designed to suite the site;
 - No objections to portcabins being placed on the site although would require a condition stating a time limit for the removal of these;
 - Play area will be low key and well concealed by the trees and planting;
 - Happy with the massing, scale and materials proposed;
 - Orientation of window in side, suggested it be portrait rather than landscape, although the applicant has advised that this is a stained glass window from the existing building and would not lend itself to portrait orientation;
 - Suggest that timber and metal railings be used but this could be dealt with through a condition;
 - Requires some details of fencing around the play area;
 - Welcomes the additional and replacement planting.

The Principal Planning Officer then made reference to paragraph 11 of the report and advised that Sport England had requested that the playing pitches be made available to outside groups; the applicant had advised they would willingly accept this request.

She advised that there had been one further letter of objection from the residents of Orchard House; those being as follows:

- New school appears to be pushed further back into the site increasing noise and overlooking into their property;
- 2 storey building would suggest that there would be an increase in numbers attending the school;
- Unhappy that trees will be felled and the woodland area damaged;
- Noise & disturbance created due to the addition of the play area;
- Questioned the reasons for demolishing the existing building;

The objector had also commented that they thought that 21 days did not give enough time to formulate a response to such a large application.

The Principal Planning Officer advised that in light of the above comments she would suggest the following additional conditions be attached to the application;

- Highway improvements to be maintained;
- Mitigation measures
- 18 month temporary siting of portable buildings;
- Timber balastrading & fencing of sports area to be decided.
- Service Area / Parking through Phase 3

Councillor Watson added that in his opinion the site was well designed in a good setting providing a good contribution to the area, with that he proposed the application be approved subject to the added conditions.

subject to:

- Time Limit (ST)
- Approved Plans (ST01)
- Tree Protection (L12)
- Replacement Planting (L14)
- Prior to the commencement of the use a Community Use Scheme shall be submitted to an approved in writing by the Local Planning Authority. The scheme shall include details of pricing policy, hours of use, access by non-school users/non members, management responsibilities and include a mechanism for review. The approved scheme shall be implemented upon commencement of the use of the development.
- Samples of materials to be agreed (A03)
- Levels (GL01)
- Details of Balustrading to be provided
- Details of fencing to multiuse games area to be provided
- Bat mitigation measures to be carried out
- During phase two of the works the servicing/delivery area shall be made available for staff parking.
- Improvements to the junction radii with Manor Road and widening of the access road shall be retained following the completion of the development
- the portable buildings shall be removed from the site within 18 months of the date of this consent, unless the permission of the Local Planning Authority is granted for their retention

07/0520 STEPPING STONES CO-OP NURSERY LTD.

Permanent Use of Premises as Children's Day Nursery, Unit 26, No.1 Industrial Estate, Consett.

subject to:

- Approved Plans (ST02)

Councillor D. Hume left the meeting at this point.

(3) RESOLVED: that the following application be withdrawn.

07/0468 MR P WILKS

Demolition of existing garage and car showroom and erection of ten dwellings
Former Whitbank Garage, Lanchester.

Conclusion of meeting.

The meeting closed at 3.25 p.m.

Chair.

DEVELOPMENT CONTROL COMMITTEE

Minutes of a meeting of a Site Inspection carried out by the Development Control Committee on Monday 13th August at 6.00 p.m.

Present

Councillor J.I. Agnew (Chair)
Councillor T. Clark (Vice-Chair)

Councillors R. Alderson, M. Campbell, H. Christer, R. Ellis, G.C. Glass, P.D. Hughes, D. Hume, D. Lavin, T. Pattison, A. Shield, E. Turner, T. Westgarth, J. Williams and R. Young.

Apologies for Absence

Apologies for absence were submitted on behalf A. Atkinson, G. Coulson, S. Rothwell.

In Attendance

Councillors O. Temple and M. Westgarth.

PLANNING APPLICATION 07/0553 – GLENROYD HOUSE, MEDOMSLEY ROAD, CONSETT. CHANGE OF USE FROM RESIDENTIAL INSTITUTION (CLASS C2) TO NON-RESIDENTIAL INSTITUTION (CLASS D1) AND OFFICES (CLASS B1).

The Chair opened the meeting and the Head of Planning & Building Control referred to the minutes of the Development Control meeting held on 2nd August 2007 when consideration of Planning Application 07/0553 had been deferred for a site visit.

The Head of Planning & Building Control advised Members that they should take into consideration the likely traffic movement if Change of Use was approved, he advised that there may be deliveries, health workers and on rare occasions Ambulances which may visit the Centre. He advised that although some members had requested a traffic survey be carried out on Stanley CVS to monitor the traffic flow using the Tommy Armstrong Centre it was difficult to carry out such a task in short notice.

He went on to address the concerns of residents and assured members that the building would not be used as a drop in centre as some suggest.

He went on to advise that it would be beneficial for Members to view the access and the potential for improvements to parking. He further suggested that

Members should walk around the perimeter of the building which would show that it would be possible to incorporate a one way system around the building.

Discussion then ensued regarding the Change of Use of the building and why it had not been considered for residential development. The Head of Planning & Building Control advised Durham County Council who were in ownership of the building had not indicated that they would want to use the site for any other use.

Some Councillors were of the opinion that the current access was dangerous and asked if there had been any further comment from the Highway Authority.

In response the Head of Planning & Building Control advised that there was some updates to the report which would be circulated for Members consideration for the next committee meeting on the 23rd August, he advised that they had indicated that provision of secure parking would be required within the scheme.

Members then proceeded to walk around the site and concluded the site visit by meeting at the access onto Medomsley Road.

The Chair closed the meeting and advised that full discussion would be taken on the application at the next meeting of the Committee scheduled to be held on 23rd August 2007.

Conclusion of meeting

The meeting closed at 6.23 p.m.

Chair.

TITLE:	CONFIRMATION OF FOOTPATH STOPPING UP ORDER
TO/ON:	DEVELOPMENT CONTROL COMMITTEE – 23 AUGUST 2007
BY:	LEGAL & LICENSING SERVICES MANAGER & MONITORING OFFICER
PORTFOLIO:	ENVIRONMENT
STATUS:	REPORT

1.0 STRATEGIC FACTOR CHECKLIST

- 1.1 The Council's Corporate Management Team has confirmed that the Strategic Factor Checklist has been applied to the development of this report and there are no key issues over and above those set out in the body of the report that need to be brought to Members' attention.

2.0 PURPOSE OF THE REPORT

- 2.1 To seek confirmation of an unopposed stopping up order for 2 Wharnley Way, Castleside, Co Durham.

3.0 BACKGROUND

- 3.1 A development approved by the Planning Department of the Environmental Directorate under Delegated Authority has involved the stopping up of a public footpath at 2 Wharnley Way, Castleside, Co Durham.
- 3.2 There is a formal procedure relating to the stopping up of a public footpath laid down in the Town & Country Planning Act 1990. Upon completion of the consultation and notification stages of the process, the legislation requires that the stopping up order be confirmed if unopposed. If objections are received, the matter must be referred to the Secretary of State for a decision.
- 3.3 This report details one stopping up order which is unopposed.

4.0 SUBJECT MATTER

- 4.1 In the case listed below the relevant notice has been given in the Durham Advertiser newspaper. Copies of the notice have been displayed at the ends of the footpath being stopped up. Copies have

been made available at the Civic Centre, the relevant neighbourhood office and the County Council. Copies have also been served on local interest groups who have been invited to comment upon the stopping up order. The stopping up is as follows:

Order	Location	Advertised	Response
1.	2 Wharnley Way, Castleside, Co Durham	14.6.07	Objection received from the County Council but subsequently withdrawn.

5.0 RECOMMENDATION

5.1 Committee confirm, as unopposed, the stopping up order relating to 2 Wharnley Way, Castleside, Consett, Co Durham.

ASHLEY ROCKS-MENON

Legal & Licensing Services Manager & Monitoring Officer

For Further Information Contact:

Clare Burrows, Solicitor
01207 218209
c.burrows@derwentside.gov.uk

Background Papers

Town and Country Planning Act 1990

TITLE:	CONFIRMATION OF FOOTPATH STOPPING UP ORDER
TO/ON:	DEVELOPMENT CONTROL COMMITTEE – 23 AUGUST 2007
BY:	LEGAL & LICENSING SERVICES MANAGER & MONITORING OFFICER
PORTFOLIO:	ENVIRONMENT
STATUS:	REPORT

1.0 STRATEGIC FACTOR CHECKLIST

- 1.1 The Council's Corporate Management Team has confirmed that the Strategic Factor Checklist has been applied to the development of this report and there are no key issues over and above those set out in the body of the report that need to be brought to Members' attention.

2.0 PURPOSE OF THE REPORT

- 2.1 To seek confirmation of an unopposed stopping up order for Hilltop View, Langley Park.

3.0 BACKGROUND

- 3.1 A development approved by the Development Control Committee on 28 October 2004 has involved the stopping up of public footpaths at Hilltop View, Langley Park.
- 3.2 There is a formal procedure relating to the stopping up of a public footpath laid down in the Town & Country Planning Act 1990. Upon completion of the consultation and notification stages of the process, the legislation requires that the stopping up order be confirmed if unopposed. If objections are received, the matter must be referred to the Secretary of State for a decision.
- 3.3 This report details one stopping up order which is unopposed.

4.0 SUBJECT MATTER

- 4.1 In the case listed below the relevant notice has been given in the Durham Advertiser newspaper. Copies of the notice have been displayed at the ends of the footpaths being stopped up. Copies have been made available at the Civic Centre, the relevant neighbourhood

office and the County Council. Copies have also been served on local interest groups who have been invited to comment upon the stopping up order. The stopping up is as follows:

Order	Location	Advertised	Response
1.	Hilltop View, Langley Park	05.07.07	No objections received.

5.0 RECOMMENDATION

- 5.1 Committee confirm, as unopposed, the stopping up order relating to Hilltop View, Langley Park.

ASHLEY ROCKS-MENON
Legal & Licensing Services Manager & Monitoring Officer

For Further Information Contact:

Clare Burrows, Solicitor
01207 218209
c.burrows@derwentside.gov.uk

Background Papers

Town and Country Planning Act 1990

REPORT BY DIRECTOR OF ENVIRONMENTAL SERVICES

DEVELOPMENT CONTROL COMMITTEE

23 AUGUST 2007

**POST DEVELOPMENT REVIEW OF HOUSING DEVELOPMENTS
AND DESIGN CHAMPIONS INITIATIVE**

BACKGROUND

The Committee will be aware that the quality of new residential development has become a controversial issue both locally and nationally.

In the case of this District, a CABE (the Commission for Architecture and the Built Environment) report in 2005 selected a housing site in Consett as 'the worst new housing developments in the North East'.

Earlier this year, Environment Scrutiny Panel received a presentation by planning officers on the quality of design in new housing developments, and the relationship between density standards and estate layout, which stimulated an interesting discussion.

A related area is the 'Design Champions' initiative, which has now been running for over three years. The concept of Design Champions is to encourage debate within and between Councils and other interest groups on the quality of design in new developments. In the case of this Council, the Head of Planning and Building control and Councillor Eric Turner have been the Council's nominated Design Champions for the past three years. The basis of the Design Champions concept is that nominated persons within each local authority will strive to encourage high-quality design in all aspects of the council's work, but especially new developments.

National planning guidance is particularly concerned with the quality of new developments, for example PPS1 and related publications such as 'By Design' and the new 'Manual for Streets'. The Government is certainly keen to see local authorities use their planning powers, and related initiatives such as design awards, in a positive way to drive on the quality of new development.

The design quality of new housing is of course a subjective matter. However, there is undoubtedly a strong and growing body of opinion that many recent developments, both in this district, and other parts of the country, do not create particularly attractive environments with a strong sense of place.

There are also related concerns such as the way that parking is incorporated into new developments, and the level of such provision, and the availability of local services and community facilities.

POST DEVELOPMENT REVIEW

In response to this growing agenda it is proposed that the Council adopts a more structured approach to reviewing the design quality of new development - what can be termed 'post development review'. This should be viewed as a positive process, especially where it may be found that new developments could have performed better. What is important is to learn the lessons from such cases, and not be hesitant about looking objectively at past decisions.

For many years now the Council's Code of Practice in relation to planning has stated that an annual tour of sites will be conducted to assess the quality/success of new developments. Unfortunately, due to pressure of other work for officers and members, this process has been overlooked, and it would be beneficial to ensure that such an annual tour of appropriate developments does take place.

As a related exercise, the Durham Design Champions group will be carrying out of tour of a selection of new housing developments in Derwentside in September. Officers have initiated a questionnaire survey of residents of four developments, known as 'Rate Your Estate!' The survey is currently underway and a copy of the questionnaire is attached at appendix 1. The results of the survey should be available by the date of the tour (likely to be 26th September). It should therefore be possible to compare the results of the Design Champions' assessment of the site with what the local residents consider to be the merits of the estate.

The questionnaire draws on the approach to assessing the quality of design, set out in the Building for Life Checklist. This checklist is a nationally recognised tool kit for assessing the quality of residential developments, and is proving increasingly useful in negotiating improvements to the design of proposals in this District.

The developments which have been selected for assessment are:

Murray Park
Rivergreen Development, Delves Lane
Murray Park Stanley
The Steadings Villa Real

And, subject to timing, Chapel Drive, Delves

It is suggested that a separate tour of sites for Development Control Committee and Health and Environment Scrutiny panel members should be held in the near future, although this would not necessarily be the same sites, and also not limited to residential development. At present time, the numbers attending the Design Champions event are not known, and if members wish to register their interests in coming on the trip and take part in the assessment, officers can let them know whether places are available nearer the time

It would also be useful, if the Council used the post development review process as a way of identifying projects worthy of nomination for the County Design awards.

RECOMMENDATION

The report be noted.

Background papers

Assessing the design quality of new homes in the Northeast, Northwest and Yorkshire & Humber – CABE 2005

Planning policy statement number one- Delivering Sustainable Development DCLG 2006

Building for Life – Delivering Great Places to Live – CABE 2005

APPENDIX 1

RATE YOUR ESTATE!

Derwentside District Council Resident Survey

Please complete as much of the following survey as possible, basing your responses on your experiences of the place where you live. Should you have any further comments please include these in the section provided at the end of the survey. All responses are confidential.

Your help is greatly appreciated.

I am/We are resident/s of: Please tick **one** box for each statement

Chapel Drive, Delves Lane, Consett	
Murray Park, Stanley	
Rivergreen, Consett	
The Steadings, Villa Real, Consett	

1. The development feels like a place with a distinctive character:

Strongly agree	Agree	Unsure	Disagree	Strongly disagree

2. The houses are well designed and display architectural quality:

Strongly agree	Agree	Unsure	Disagree	Strongly disagree

3. **The streets and houses are defined by a well structured layout making it easy to find your way around:**

Strongly agree	Agree	Unsure	Disagree	Strongly disagree

4. **In terms of appearance, the development fits in with the existing buildings and landscaping in the area:**

Strongly agree	Agree	Unsure	Disagree	Strongly disagree

5. **The streets are:**

Pedestrian friendly

Strongly agree	Agree	Unsure	Disagree	Strongly disagree

Cycle friendly

Strongly agree	Agree	Unsure	Disagree	Strongly disagree

Vehicle friendly

Strongly agree	Agree	Unsure	Disagree	Strongly disagree

6. **The house is efficient to run in terms of heating and power:**

Strongly agree	Agree	Unsure	Disagree	Strongly disagree

7. **The scheme integrates well with existing roads, paths and surrounding development:**

Strongly agree	Agree	Unsure	Disagree	Strongly disagree

8. **If you have a garage, what do you use it for:**

Mainly for parking car/cars	Mainly for storage - no car/cars	Mainly utility use - possible car parking and storage	Converted to another room	Other - please provide details at end of survey
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9. There is enough space in my house to provide for my current needs:

Strongly agree	Agree	Unsure	Disagree	Strongly disagree

10. The layout and design of my house should be capable of extension or adaptation to provide for future needs:

Strongly agree	Agree	Unsure	Disagree	Strongly disagree

11. Access to public transport is easy:

Strongly agree	Agree	Unsure	Disagree	Strongly disagree

12. There is a mix of accommodation that reflects the needs and aspirations of the local community:

Strongly agree	Agree	Unsure	Disagree	Strongly disagree

13. The development is close to community facilities, such as a school, park, play areas, shops, pubs or cafes:

Strongly agree	Agree	Unsure	Disagree	Strongly disagree

14. Public spaces and pedestrian routes are overlooked, well-lit and feel safe:

Strongly agree	Agree	Unsure	Disagree	Strongly disagree

15. Car parking is adequate:

Strongly agree	Agree	Unsure	Disagree	Strongly disagree

16. Please describe how often you use the shopping facilities in Consett/Stanley:

Regularly - more than 5 times a week	Often - between 2-5 times a week	Now and then - once every 1-2 weeks	Rarely - once every 2-4 weeks	Hardly ever/never
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17. Have you experienced any difficulties signing up with a local doctor and/or dentist?

If yes, please give brief details:.....

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Further Comments:

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Thank you.

In the unlikely event that you do not have a pre-paid envelope in which to return the survey, please return it to:

Development Plans Team,
 Derwentside District Council,
 Civic Centre,
 Medomsley Road,
 Consett,
 Co Durham,
FREEPOST NEA3943,
 DH8 5BR

DERWENTSIDE DISTRICT COUNCIL
DEVELOPMENT CONTROL COMMITTEE

23rd August 2007

REPORT OF THE DIRECTOR OF ENVIRONMENTAL SERVICES

PLANNING APPLICATIONS AND ASSOCIATED MATTERS

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SITE VISITS

07/0553

19.06.07

Derwentside CVS

Glenroyd House, Medomsley
Road, Consett

Change of Use from residential
institution (Class C2) to non-
residential institution (Class
D1) and offices (Class B1)

Consett North Ward

The Application

1. Members will recall that an application to change the use of Glenroyd House, Medomsley Road, Consett from residential institution (Class C2) to non-residential institution (Class D1) and offices (Class B1) was deferred at your last meeting to enable a site visit to be made. The site visit has now taken place and Members will be in a position to determine the application.

Consultations

The following representations were not included in your committee papers but were reported verbally-

2. Highways Development Control Officer- I understand that the previous use of the building was as a residential care home for the elderly. As such there would have been staff and visitors to the building throughout the day, some arriving by car, and service deliveries also. Vehicular access to the building is via Larch Street, a road which, while adopted, is of substandard width. Visibility to the site entrance from Larch Street is also restricted due to the proximity of the bend. It would nevertheless be difficult to argue that vehicular movements arising from the intended use of the building would materially differ from that possible under its existing planning use class. I accept it is possible that the likely 'client base' will have a greater than average propensity to arrive by non car modes.

The application makes reference to future planned improvements to parking provision and highways access however nothing is elaborated on further.

I would ask that a condition should be attached requiring prior submission of details of secure parking provision to be installed (in close proximity to the main pedestrian entrance to the building) in advance of the commencement of the use of the building.

3. Members will recall that at your last meeting Officers advised that there had been an error in the consultation process resulting in extra letters having to be sent out. The closing date for representations is 22nd August 2007. At the time of writing the report the following representations have been received-

Three letters of objection has been received one of which has a petition attached

signed by the residents of 15 properties objecting to the application-

- Horrified to hear that Glenroyd House will be making provision for illicit drug users, rehabilitation and alcoholics.
- Lane behind house is the only available parking area to our drive. Already parking issues, lane is quiet place for children to play and this will become very busy and congested.
- The lane will become an alternative for people driving into the town centre. The entrance at the Ashdale road end is much easier and the lane will become a rat-run.
- The staff and visitors to Glenroyd House had cars, the residents didn't, and the parking was not an issue. We envisage an intolerable increase in traffic endangering children.
- Concerned about the safety of children around people with drugs and alcohol, also vandalism as a result of behaviour problems through drink and drugs.
- Vandalism and anti-social behaviour will return to the park with people visiting the site for drug and alcohol use.
- Reduced house values- no one will want to live next door to this with children- would the Council compensate us?
- The use should be on the Project Genesis site away from the residential area. Glenroyd House should be used for good quality affordable housing or old peoples bungalows.
- Visitors and service deliveries to the building will impact on people living near by- implications on children playing and restricting residents ability to park.
- Users of the building will walk along the lane and at night our properties will be exposed to vandalism and perhaps crime- it is largely as a result of previous criminal involvement that most people are involved in drugs rehabilitation.
- Children may be exposed to the detritus of drug abuse.
- Disgusted to have only received a consultation letter today and I hope that this is a case of Council incompetence rather than direct action to prevent us from taking advice etc on how we would stand to oppose the application.
- Disgusted and let down to not be able to attend the meeting to oppose a building plan which will effectively have drug addicts, alcoholics and potential paedophiles literally looking through my windows from 20 yards away where my two young children play.
- The windows of Glenroyd House look directly into my house and although it used to be an old peoples premises I never felt threatened by the sight of a kindly old person looking through the window but I draw the line at the potential new residents staring directly into my house, what provisions are you going to make for this/
- If anything happens to my children or family directly related from persons from these premises I would consider the Chief Planning Officer directly responsible.
- Could not let my children play in the street or nearby park as the clientele would always put my and other children at danger. This is in effect stifling their childhood in their ability to discover and play outside.
- Has the Council looked into how many young children live in this area? There are six children within three doors of ten years and younger, not to mention St Patrick's school which has more than 400 children.

- This is an ill thought out application brought forward with a string of in competencies.
- The current exterior and grounds of Glenroyd House after 4 ½ years neglect have fallen into a disgusting condition. What provisions are going to be made to the property to improve this and keep it to an acceptable standard as none was taken the last time it was run as a day centre by the Council.

Comment- Members will be aware that at your meeting you were advised that the building would be used as a training and advice centre and that it would not be used as a drop in centre for drug users or alcoholics.

Recommendation

4. The recommendation remains as previously to approve the application.

Conditional Permission

- Time Limit (ST)
- Approved Plans (ST01)
- External Alterations to be agreed (AO1)
- The premises shall only be open between the hours of 8.00 am to 9.00 pm Monday to Friday.
- Reason- In the interests of the amenity of the area and to comply with Policy GDP1 of the Local Plan.
- Within one month of the commencement of the development, or other such time period as may be agreed in writing with the Local Planning Authority, details of cycle racks shall be submitted to and approved in writing by the Local Planning Authority. The cycle racks shall be installed in accordance with the approved details prior to the use of the building commencing.

Reason for Approval

5. The decision to grant planning permission has been taken having regard to policies GDP1, CF1, CF2 and TR2 of the Derwentside District Plan, and relevant supplementary planning guidance and material considerations, as detailed in the report to the Development Control Committee. In the view of the Local Planning Authority no other material considerations outweigh the decision to grant permission.

Report Prepared by Fiona Clarke, Principal Planning Officer

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RECOMMENDATION FOR REFUSAL

07/0434

15.05.07

Mr and Mrs Wade

Land to the rear of 25 Front Street, Quebec

Erection of one dwelling
(Resubmission)

Esh Ward

The Application

1. Full planning permission is sought for the erection of one dwelling on land to the rear of 25 Front Street, Quebec. This is a resubmission, the initial application (06/0833) was refused under delegated powers.

History

2. 06/0833, Erection of one dwelling, Refused for the following reasons:-
 1. The proposed development is not considered to be appropriate to the existing linear pattern and form of development within the settlement and would be an extension of the settlement limits contrary to policy HO5 of the Local Plan.
 2. The proposal would set a precedent for housing development on Green-field land within the general locality contrary to guidance offered in PPG3, and further similar development proposals to the rear of neighbouring properties would be more difficult to resist as a result.
 3. The proposed visibility splays are inadequate to secure the visibility necessary for the safety and convenience of traffic associated with the proposed development, contrary to policy TR2 of the Local Plan.
 4. The increase in the use made of the sub-standard junction of rear Front Street with Clifford's Bank, generated by the proposed development, would be prejudicial to road safety, contrary to policy TR2 of the Local Plan.

Policy

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

General Development Principles (GDP1)
Development on Small Sites (HO5)
Development and Highway Safety (TR2)

Consultations

4. County Highways Development Control Officer-

There will be a need to improve the public highway surfacing on the Front Street hardstanding area (directly opposite the proposed vehicular access)

I have no objections subject to the following being conditioned:

1. Prior to the dwelling hereby approved being occupied, a plan shall be submitted for approval showing a physical barrier between the curtilage such that vehicular access between the site curtilage and the rear lane is prevented. The approved barrier shall be installed prior to the occupation of the dwelling and, unless otherwise agreed, shall remain in position in perpetuity thereafter.

(Reason: In the interests of highway safety)

2. Prior to the dwelling hereby approved being occupied, a plan shall be submitted for approval showing the works in the public highway, and implemented thereafter

(Reason: In order to ensure a satisfactory vehicular access is created

5. Esh Parish Council-

No objection subject to adjacent occupiers being consulted and their views being taken into account.

6. Neighbours have been consulted and a site notice posted. No objections have been received.

Officer Assessment

7. The application site forms a garden area which is positioned to the rear of 25 Front Street. This garden plot is different from that of neighbours as there is no separation from the main dwelling. Other plots adjacent are separated by the back lane which runs to the rear of Front Street.
8. Whilst with the initial application the site was considered to be green field, on further consideration given that there is no physical separation, the plot does form curtilage to the property and could therefore considered to be brownfield.
9. No permanent structures are currently sited on the plot, although there are garage buildings, two with storage in roof space on adjacent plots. None of these adjacent plots has residential building upon them however.
10. The settlement is characterised by development mainly concentrated in a single row to the north of Front Street, and with less development to the south of Front Street, mainly consisting of a single terrace of 7 properties including that relating to the application. It is not considered that the proposal would therefore reflect the pattern and form of development in the settlement, particularly as tandem development would result behind the established terrace.
11. There were concerns from the Highway Authority with regard to the initial application as it was proposed to use the rear lane as access and the junction on

Clifford's bank has inadequate visibility and was considered sub standard to support additional traffic. This application has overcome the previous objection however by proposed use of an alternative access to the side of 25 Front Street. This would involve removal of an existing conservatory attached to the side of 25 Front Street. Subject to a condition requiring a physical barrier between the rear lane and the curtilage of the property (and thereby restricting vehicular access onto Clifford's Bank), then the Highways Development Control Officer has no objections.

12. The proposed dwelling would be single storey and generally in keeping with the locality. Minimum distances to neighbours would appear to be achieved and there would not be significant potential for impact upon amenity of neighbours.
13. The application therefore does have merits, however Officers remain concerned with regard to the issue over tandem development within this locality which is not characteristic of the pattern and form of the settlement. The proposal is therefore considered, on balance, to be at odds with policy HO5 of the Local Plan.

Recommendation

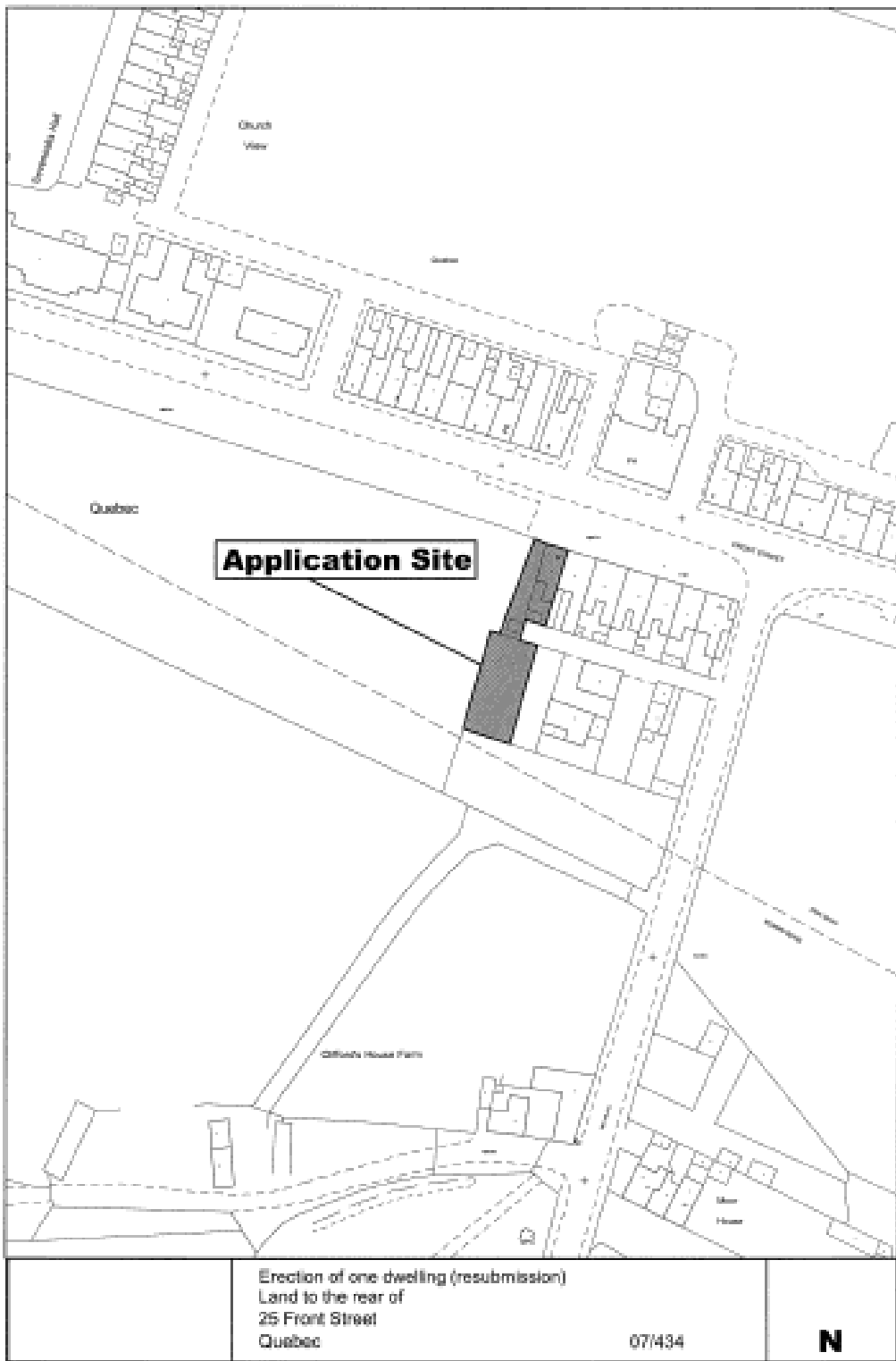
14. Refuse

Reason for Refusal

15. The proposed tandem style of development would be inappropriate to the pattern and form of development in the settlement contrary to Policy HO5 of the adopted Local Plan.

Report Prepared by Shaun Wells, Senior Area Planning Officer

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RECOMMENDATION FOR APPROVAL

07/0106

23.07.07

Haslam Homes

Lamplas (Durham)
Pont Factory
Pont Lane
Leadgate

Demolition of existing factory
and erection of seventy four
dwellings

Leadgate Ward

The Application

1. Planning permission is sought for the erection of 74 dwellings on land of the site of the Lamplas factory, Pont Lane, Leadgate. If approved the proposal would involve demolition of the existing factory, and relocation to another site within the district.
2. The application site covers an area of approximately 1.75 hectares, resulting in a density of 42 dwellings per hectare. The development would incorporate a mix of house types and sizes, with nine 2 bed semi detached/or terrace row, eighteen 3 bed semi detached, forty four 3 bed detached (of varying styles, including eight at three storey), and three 4 bed roomed detached houses.
3. The site is accessed off an unnamed highway between the B6309 road and Pont Lane. The site is bound by a footpath to the west with the bungalows of Fourth Street behind. To the north /north west are playing fields, to the east/north east is the small Crag Works Industrial Estate, and to the south/south east are open fields. Substantial hedging encloses the front of the site, and behind this there is a large grassed area, approximately 30 metres in depth within the site.

History

4. Warehouse for storage of finished goods was approved on 12th March 1990 (reference 1/1989/919/DM). Car park, approved 19th July 2001 (reference 1/2001/425/DM).

Policy

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

General Development Principles (GDP1)
Large Sites Identified for Housing Development (H03)
The Layout of New Housing (H023)
Development and Highway Safety (TR2)

Consultations

6. County Highways Development Control Officer- acceptable, other than carriageway needs extending forward at plot 24 to past 24's right angle drive. This can be done through request of revised plan via condition.
7. County Rights of Way Officer- no public rights of way will be affected. There is no objection to the proposal.
8. Environmental Health (DDC)- anticipate noise complaints from this site and would recommend working time limits be a condition for use of machinery 8.00 am to 6.00 pm.
9. Natural England- proposal is unlikely is unlikely to have an adverse affect on bats subject to the following conditions:

-No development shall take place unless in accordance with the mitigation detailed within the protected species report (Bat Survey of the Lam-Plas Factory Leadgate Consett Co.Durham, ADAS, 8 May 2007)

-The possibility that bats may be using this building as a hibernation roost site has not been ruled out in this report. Therefore as a precaution, it is recommended that no demolition works on this building are undertaken during the bat hibernation period (November to March inclusive).

Reason: To conserve protected species and their habitat

10. Neighbours -site notice posted and the application has been advertised in the local press. Two letters of objection have been received from neighbours. Concerns in summary are:-
 - Occupier of 15/16 Pont Lane, concerned the elevated position of the site to his property will mean a loss of light to his property. He requests that the site be lowered.
 - The occupier of 21 Fourth Street has concern with regard to the proposed element of houses with dormers in the roof, and considers these out of keeping with the character of the area which is predominantly bungalow development. There is also concern that the existing green area fronting the site should be kept as open space, and whilst trees to boundaries are to remain, concern that future occupiers of properties may try to remove them.

Officer Assessment

11. The site is not an allocated in the Local Plan, however it is considered appropriate that the proposal be assessed against the criteria as indicated in policy H03 of Local Plan for the allocation of new sites for development, given the relevance of the criteria to this proposal.

12. Most of the site can be considered to be brownfield as it includes the factory and external hard standing. The site has no formal designation within the Local Plan. The site is considered to be within the settlement limits given its position between Pont Bungalows and Crag Works and Bradley Cottages. The proposed development is considered therefore to be appropriate to the existing pattern and form of development within the settlement.
13. Approximately one fifth of the site area, is considered to be green field. This is the area that fronts the development, but which is screened from the adjacent road by significant hedging. This land has no obvious use, is not allocated for recreational purposes, is overgrown and serves no purposeful use to the wider community.
14. The applicant has however recognised the status of this part of the site as green land, and to take account of this fact has designed the proposed housing scheme to include a village green within the development. This would be smaller than the green area lost, however would clearly be more visually attractive to the locality, well kept and more useful to the wider public. The provision of the village green therefore does go some way to compensate for the loss of the green space which currently fronts the site.
15. The site is presently visually unattractive with debris relating to the business stored externally. Visually therefore, the development of the site would be a significant improvement to the locality. This is considered to be a significant material consideration in favour of the proposal, and in line with the criteria identified in pre-text to policy H03 of the Local Plan which indicates that when allocating new housing sites that consideration be given to the need to consider the impact upon the landscape.
16. In accordance with central government guidance in the form of PPS 3, the site is within a relatively sustainable location given its proximity to the centres of Leadgate and Consett, with reasonable transport links to nearby local schools, shops and employment facilities.
17. At forty two dwellings per hectare, the scheme is of a reasonable density for its locality and in accordance of the government guideline of 30-50 dwellings per hectare. The design of the scheme is considered generally acceptable and minimum distances would be provided to maintain privacy and amenity as indicated in SPG 7. The scheme would consist of mainly 2 storey houses, with eight dwellings with rooms in the roof. Six of these dwellings would be positioned to the front of the site and two would overlook the village green. Whilst one objector has concern with regard to the proposed element of two and a half/three storey houses, it is considered that these would add variation in roof line and streetscape, bringing character to the development.
18. Comments from the occupier of 15/16 Pont Lane with regard to concern over loss of light from the development are noted. Number 15/16 Pont Lane is currently being converted to a residential property (under application reference number 1/2003/0403/DM) and was previously a workshop and storage building. That property, which is single storey, sits approximately 2 metres lower in ground level than the application site adjacent. The boundary is graded into an embankment, and the property already loses a significant amount of light in windows in easterly

gable from the embankment. The windows look directly onto the embankment, and as such no loss of privacy could occur. The property is positioned to the north of the development site, and given the physical feature of the site, it is unlikely that significant loss of direct sunlight would occur as a result of the development. Any potential for impact upon this property is considered minimal, and does not warrant refusal of the application.

19. The substantial hedge to the front of the site would remain outside of the area forming the visibility splay for the access point. Hedging and tree planting to the boundary adjacent to Fourth Street would largely remain, as most of this is outside of the development site. This would act as a natural buffer between the proposed development and existing properties on Fourth Street. The site is at a level of approximately 2-3 metres lower than Fourth Street, so that whilst those buildings are bungalows, the new development would not significantly exceed ridge heights of existing neighbouring properties. Several trees of no significant amenity value may need to be removed within the site, however generally a significant amount of screening will be retained and the privacy of the occupiers of properties on Fourth Street would not be compromised.
20. The comments of the Highways Development Control Officer (para 6 above) are noted. This matter can be handled by requesting a revised plan via condition. No public rights of way would be affected by the development.
21. The Environmental Health Section have advised that if the application is approved, that a condition be attached restricting use of construction machinery outside of the hours 8.00 am to 6.00 pm.
22. The developer has submitted a bat survey to which Natural England raised no objections, subject to a condition that full mitigation as indicated in the survey is carried out. This effectively recommends that if bats are found during demolition then works cease immediately. Whilst no bats were found to be roosting at the factory building, Natural England also recommend a condition that the building be demolished outside of the months of November to March, the Bat breeding season. As no bats were found however, and as the demolition of the factory building does in its own right not require formal planning consent of the Local Planning Authority, then this latter condition is considered unnecessary, unreasonable and therefore unenforceable.
23. Although the proposal includes open space it does not include the provision of any play equipment. In accordance with Policy H022 of the Local Plan the Council requires the payment of a commuted sum in lieu of play provision on site with a sum of £300 per dwelling payable. The Council would therefore receive a fee of £22,200 for off site play provision should permission be granted.
24. To conclude, whilst this is not an allocated site within the Local Plan, it would meet much of the criteria as required in policy H03. The majority of the site is brownfield, and a scheme for a village green is proposed to offset the loss of the green frontage to the site. The site is within a relatively sustainable location and the development would allow a major employer in the district to relocate to more modern and suitable premises, whilst improving the visual attractiveness of the locality. The proposal is therefore considered on balance to be acceptable.

Recommendation

25. Conditional Permission

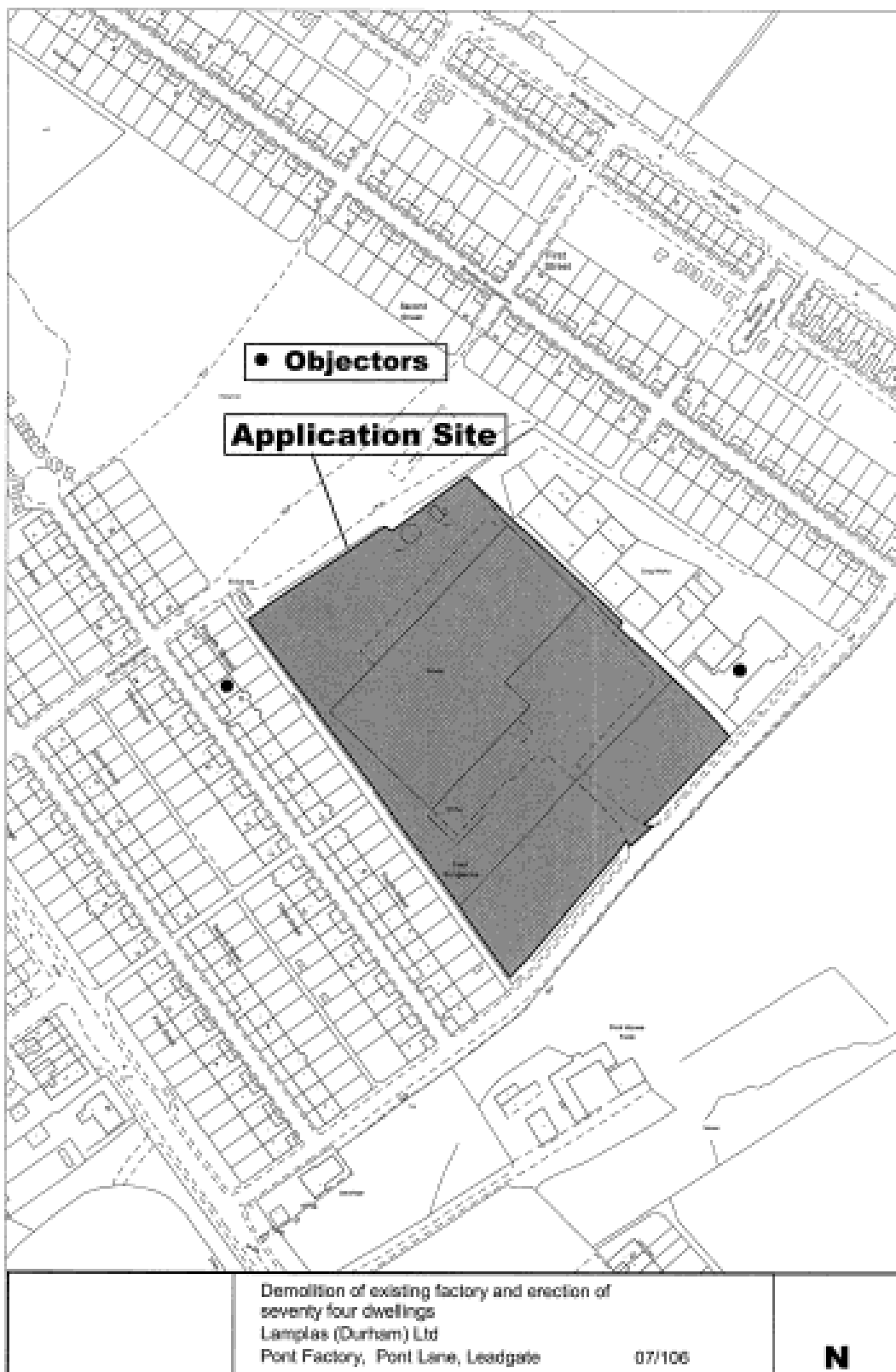
- Time Limit (ST)
- No development shall commence until a plan has been submitted and agreed in writing by the Local Planning Authority to indicate an extension to the internal carriageway forward at plot 24, past plot. 24's right angle drive. (Reason: In the interests of Highway Safety and in accordance with policy TR2 of the Local Plan)
- Materials (AO5)
- Drainage (D01)
- Landscaping (LO1)
- Ground Levels (GL01)
- No development shall take place unless in accordance with the mitigation detailed within the protected species report(Bat Survey of the Lam-Plas Factory Leadgate Consett Co.Durham, ADAS, 8 May 2007)
(Reason: To conserve protected species and their habitat)
- The development permitted by this permission shall not commence by the undertaking of a material operation as defined in Section 56(4)(a) - (d) of the Town and Country Planning Act 1990 in relation to the development, until a planning obligation pursuant to s106 of the said Act relating to the land has been made and lodged with the Local Planning Authority or other such undertaking as may be entered into with the Local Planning Authority. The said obligation will provide for the payment of £22200 in lieu of open space or play provision within the site.
- No plant or machinery shall be operated on site outside of the hours 8.00a.m and 6.p.m. during the construction of the development hereby approved.
(Reason: In the interest of amenity of neighbours in accordance with policy GDP1 of the Local Plan).

26. Reason for Approval

The proposed residential development is considered to comply with Policies GDP1, HO3 and TR2 of the District Local Plan and Supplementary Guidance Note No. 7 on the layout of new housing and there are no other material considerations which outweigh the decision to approve the application.

Report Prepared by Shaun Wells, Senior Area Planning Officer

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RECOMMENDATION FOR APPROVAL

07/0412

15.05.07

Gladedale (Sunderland)

Land south west of
community centre, Fairview
Terrace, Annfield Plain

Erection of twenty three
dwellings and associated
works (Resubmission)

Annfield Plain Ward

The Application

1. Planning permission is sought for the erection of 23 dwellings on land to the south west of the Community Centre, Fairview Terrace, Greencroft. Some Members will recall that they refused an application on the same site in March 2007, contrary to Officer recommendation for approval, and this is a resubmission (with amendments) of that application. The applicant has an appeal currently lodged with the Planning Inspectorate with regard to the initial application.
2. In this resubmitted application, the proposal reduces the number of properties from 29 to 23, and now indicates a woodland planting strip to the rear of the site. The applicant indicates that this is an attempt to allay concerns previously expressed by Members with regard to the 'greenfield' status of the site beyond the line of the adjacent new development. An element of affordable housing has also been introduced which would allow for four of the 23 properties to be sold at a lower than normal market rate in a shared equity style scheme. The application site covers an area of approximately 0.527 hectares, resulting in a density of development of 43 dwellings per hectare. A mixture of two and three bedroom terraced and semi-detached houses are proposed together with 3 no. three bedroom detached and one 4 bedroom detached property.
3. The application site comprises the former South Pontop Farm site, although there has been anecdotal evidence that buildings and open areas previously on the site may have been used for storage with regard to the adjacent (now redeveloped) Avenger Batteries factory. The site is bounded to the north by the Community Centre, to the east by the long established dwellings on Fairview Terrace, to the west by open space, and to the south by the recently completed Broseley Homes (now trading as Gladedale) development, The Croft.
4. Whilst the status of this land (as brownfield or greenfield) is difficult to define, it is in poor form, undulating and with waste material and rubble upon it. The site is therefore visually unattractive. Gladedale homes currently have a number of portable buildings positioned on the site.

History

5. An application for the erection of 29 dwellings with associated roads (reference 1/2007/0005/DM) was refused for the following reason in April of this year:

In the opinion of the Local Planning Authority, the site is green field, and the proposal is therefore considered to be encroachment into the countryside surrounding the settlement without specific provision made in the Local Plan, contrary to policies EN1 and EN2 of the Local Plan. The development would conflict with the aims of PPS 3 (Housing) which states that development should take place on previously developed land prior to Greenfield sites.

Policy

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

General Development Principles (GDP1)
Large Sites Identified for Housing Development (H03)
The Layout of New Housing (H023)
Parking Access and Servicing (TR2)

Consultations

7. County Highways Development Control Officer- Proposal is acceptable subject to the following condition:

Notwithstanding the approved plans, no development shall commence until full details of the proposed finishing materials to driveways of each of the plots have been submitted to and approved in writing by the Local Planning Authority. The finishing surface of the driveways shall not be loose gravel but should be a bonded surface or hard paved. The development shall be carried out in accordance with the agreed details.

There is no objection to the public highway between the rear of Fairview Terrace footway, excluding the land upon which the bus shelter is located, from being formally stopped up.

8. Natural England- No objections subject to following condition:

No development shall take place unless in accordance with the mitigation detailed within the protected species report 'Bat and Barn Owl Survey for development of South Pontop Farm, Greencroft, Stanley, Co Durham, Elliot Environmental Surveyors, 10th May 2007' including, but not restricted to adherence to timing and spatial restrictions; provision of mitigation in advance; adherence to precautionary working methods.

Reason: To conserve protected species and their habitat

9. Northumbrian Water- No objections.
10. Neighbours have been consulted and a site notice posted. The application was also advertised in the local press. Three letters of objection have been received.

Concerns in summary are:-

- Site has always been Greenfield and should remain that way. The site has never been a haulage yard (as claimed by the applicant). Wagons were parked on the site and used as part of the previous farming enterprise.
- Impact on outlook of properties on Fairview Terrace, and loss of privacy.
- Applicants claims regarding fly-tipping are questioned, objectors point to that fence erected around the site by Broseley has prevented this and the only rubbish being tipped at the site is by the developers themselves
- Local youths do not congregate at the site- which is fenced off.
- Parking is already a problem on the road which is a bus route, this will only worsen. Residents of existing new development park on the main road effectively creating a single lane making it difficult for buses to get through.
- An objector contests the applicants claims that Greencroft is well served by public transport and indicates contrary to the applicant that Greencroft does have a mix of housing of all styles and types, not just terraced.
- Properties in Greencroft do not sell rapidly, and the locality does not have the local services to support such new development.
- The site is a roost to Bats, the survey that the applicant submitted has given no consideration to summer months when the bats are most active.
- The builders of the adjacent new properties have disturbed rats that are now infesting the established properties opposite.
- Concern over general disturbance likely during construction period.

Officer Assessment

11. This is not an allocated site within the Local Plan, however it is considered appropriate that the proposal be assessed against the criteria as indicated in policy H03 of Local Plan for the allocation of new sites for development, given the relevance of the criteria to this proposal.
12. Several buildings have been removed from the site, and whilst the history of the site is unclear, the buildings are likely to have previously been used for agriculture. The site normally therefore would not be considered appropriate for residential development, however the adjacent site was the former Avenger Batteries Factory and Yard, and it is also possible that the site was used at some time in part for storage purposes relating to this business. Whilst the agent for the applicant claims that the site was previously used as a haulage yard, there is no planning record, or any other evidence submitted to back up this claim. It is thought however that certain unauthorised storage uses and parking of vehicles with regard to the agricultural business on the site may have historically occurred.
13. The proposed site is positioned between the Community Centre building and the existing Broseley Development, 'The Croft'. The development of the site would therefore not be considered to be a significant encroachment into the wider countryside beyond the settlement. The previous proposal included an area projecting beyond the rear line of the new development of The Croft, and the applicant is keen to point out to Members that the new design would now be in line with the adjacent development, with woodland planting behind.

14. The proposal would be appropriate to the existing form and pattern of development within the settlement, and would allow for a natural and logical continuation of linear development along Fairview Terrace. The site is also extremely untidy and visually unattractive, with rubble and other debris upon it. Visually therefore, the development of the site would be a significant improvement to the locality. This is considered to be a significant material consideration in favour of the proposal, and in line with the criteria identified in pre- text to policy H03 of the Local Plan which indicates that when allocating new housing sites that consideration be given to the need to utilise derelict sites and to consider to the impact upon the landscape.
15. In accordance with central government guidance in the form of PPS 3, the site is within a sustainable location with reasonable transport links, is near to local schools, shops and employment facilities in Annfield Plain and nearby central Stanley.
16. The Highways Development Control Officer has no objection to the proposal but requires that all driveways be constructed with a bonded material (i.e not gravel, which can be dragged onto the highway). Members may recall that this issue has arisen before on developments by the same developer, and in the case of the St Ives Road site resulted in enforcement action and a planning appeal. In that case a compromise arrangement was eventually arrived at where the front part of the drive was hard surfaced and only the back part finished in gravel.
17. The parking arrangement (other than the two visitor parking bays) is proposed internal to the site, and no driveways would feature to the frontage of the development. This is considered visually to be the most appropriate arrangement and would mirror the design of the adjacent Broseley Development, where parking is internal to the scheme. Indeed this was a request of the Planning Division when the application for the adjacent development was considered.
18. There is concern from objectors that the development will encourage parking directly on Fairview Terrace. This is a relatively wide road however, and whilst a bus route, this is not a very heavily trafficked road. It is considered preferable in planning terms for the parking to be provided within the site, particularly as this was a stipulation on the adjoining site, and in order that the overall development would therefore have a uniform appearance.
19. There remains an old stone and brick building on the site, which is in very poor form and structurally would appear to be unsafe. The developer has submitted a bat survey to which Natural England raised no objections, subject to a condition that full mitigation as indicated in the survey is carried out.
20. The design of the scheme is considered generally acceptable and minimum distances would be provided to maintain privacy and amenity as indicated in SPG 7.
21. The proposal does not include the provision of any open space or play equipment. In accordance with Policy H022 of the Local Plan the Council requires the payment of a commuted sum in lieu of play provision on site with a sum of £300 per dwelling payable. The Council would therefore receive a fee of £6900 for off site play provision should permission be granted.

22. Whilst the status of this land (as brown or greenfield) is difficult to define, it is in poor form, and is visually unattractive. The previous decision of the Committee for refusal is noted and respected; however Officers remain of the opinion that the proposal would be appropriate to the existing form and pattern of development within the settlement, and would allow for a natural and logical continuation of linear development along Fairview Terrace, and as such, on balance, the proposal is considered to be acceptable.

Recommendation

23. Conditional Permission

- Time Limit (ST)
- Approved Plans (ST01)
- Notwithstanding the approved plans, no development shall commence until full details of the proposed finishing materials to driveways of each of the plots have been submitted to and approved in writing by the Local Planning Authority. The finishing surface of the driveways shall not be loose gravel but should be a bonded surface or hard paved. The development shall be carried out in accordance with the agreed details.
(Reason: In the interests of highway safety and general amenity in accordance with policies TR2 and GDP1 of the Local Plan)
- Materials (AO5)
- Drainage (D01)
- Landscaping (LO1)
- Ground Levels (GL01)
- No development shall take place unless in accordance with the mitigation detailed within the protected species report 'Bat and Barn Owl Survey for development of South Pontop Farm, Greencroft, Stanley, Co Durham, Elliot Environmental Surveyors, 10th May 2007' including, but not restricted to adherence to timing and spatial restrictions; provision of mitigation in advance; adherence to precautionary working methods.
(Reason: To conserve protected species and their habitat)
- The development permitted by this permission shall not commence by the undertaking of a material operation as defined in Section 56(4)(a) - (d) of the Town and Country Planning Act 1990 in relation to the development, until a planning obligation pursuant to s106 of the said Act relating to the land has been made and lodged with the Local Planning Authority or other such undertaking as may be entered into with the Local Planning Authority. The said obligation will provide for the payment of £6900 in lieu of open space or play provision within the site.
- The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme. The scheme shall include:
 - i. The numbers, type and location of the site of the affordable housing provision to be made;
 - ii. The timing of the construction of the affordable housing;
 - iii. The arrangements to ensure that such provision is affordable for both initial and subsequent occupiers of the affordable housing; and

- iv. The occupancy criteria to be used for determining the identity of prospective and successive occupiers of the affordable housing, and the means by which such occupancy shall be enforced.

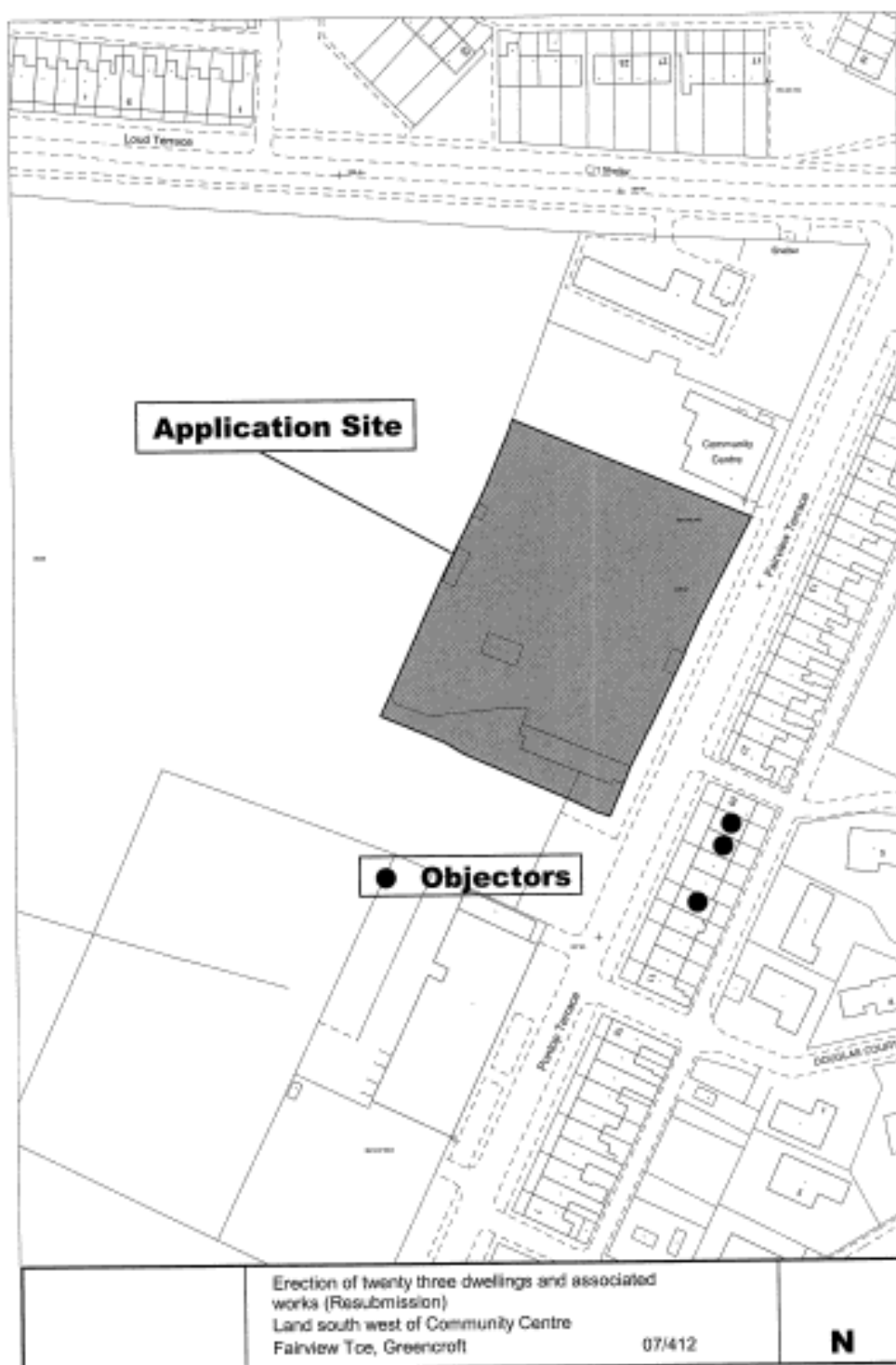
Reason: To ensure an adequate provision of affordable housing is provided for within the scheme.

Reason for Approval

- 24. The proposed residential development is considered to comply with Policies GDP1, HO3 and TR2 of the District Local Plan and Supplementary Guidance Note No. 7 on the layout of new housing and there are no other material considerations which outweigh the decision to approve the application.

Report Prepared by Shaun Wells, Senior Area Planning Officer

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RECOMMENDATION FOR APPROVAL

1/2007/0408

06.07.2007

Gladedale (Sunderland)

Land to the North east of 1-4
The Chequers, Templetown,
Consett

Erection of Forty Seven
Dwellings and Associated
Works

Consett East Ward

The Application

1. Planning permission is sought for the erection of forty seven two and three bedroomed dwellings on land to the north of the new Chequers housing development in Templetown, Consett, to the south west of Jewsons building Yard off Knitsley Lane.
2. The site is 1.0 hectare in size with the southern part of the site being formally used as a transport depot and storage yard, now vacant. A derelict warehouse building lies to the western side of the site. The northern part being grassed land leading to the access road out onto Knitsley Lane. To the west of the site is open space/tree plantation separating the site from the new bypass and roundabout serving the Chequers development.
3. There would be a mix of semi- detached and terraced houses comprising of 22 three bedroomed houses and 25 two bedroomed houses all of two stories in height. Twenty four of the properties would have garages, both detached and integral. There would be 47 car parking spaces to the front and rear of dwellings aswell as 30 spaces to the front of individual garages.
4. The site would be accessed off Knitsley Lane, directly to the north of no. 1 Knitsley Lane with the access road extending down the eastern side of Jewson's building yard into the site to the western side of numbers 1 and 2 Atkinson Gardens.
5. The development has been designed so that the access extends north to south through the site with properties on either side. These will have private rear gardens and incorporate garages and/or car parking spaces to the front, side or rear of the properties.

History

6. 1/2005/0945.Three detached dwellings with detached garage. Refused

Policy

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

General Development Principles (GDP1)

The Layout of New Housing (H023)

Development on or close to landfill and contaminated sites (EN27)

The Layout of New Housing (HO23)

Development and Highway Safety (TR2)

Consultations

8. County Highways Development Control Officer- no objection to the principle of residential development here. I consider Knitsley Lane is quite capable of accommodating future traffic and during the construction stage.
9. There is an existing pedestrian desire line north - south across the site between (a) the 'KFC' roundabout (and the Hermiston Retail Park and western end of Front Street beyond) and (b) Alwyn Gardens. This link is obviously beneficial to existing residents in terms of encouraging walking trips, and would be for future residents of this application site also. I strongly recommend that a pedestrian exit point is created from the proposed estate that would mean the through route can continue, following the development's construction. I suggest that this be to the front of plots 38 and 39.
10. The three parking places opposite plots 38 and 39 should all be opposite adoptable carriageway (to avoid longitudinal over-run of the pedestrian footway). Either the carriageway should be widened at this point to 7.2m or the parking spaces set fully northwards to the site boundary. I notice that the existing vehicular access to 'Wyncourt' (NE of no.2 Atkinson Gardens) is to be closed. There is another access to Knitsley Lane from this dwelling however, and it is presumed that the applicants are satisfied that no right of access exists in order to effect the closure. Paving slabs in the first 1.5m of private driveways is not acceptable (block paving or tarmac is however).
11. Comments on Amended Plan:
I confirm the amended layout is now acceptable and I have no objections to make. I note the first 1.5m apron at private driveways is to be block paved. The developer will be required to enter into a Section 38 agreement with this Authority under the Highway Act to ensure the future adoption of the proposed new highways.
12. I would not support an access off the by-pass. There is no highway reason to refuse vehicular access to the site via Knitsley Lane nor for construction traffic to use this route also given there is no weight restriction on the road, has been used previously for construction traffic, and is subject to lower traffic speeds than the 'bypass'. Also, the site has an existing commercial use.
13. County Council Rights of Way Officer: after checking the definitive map I can

inform you that there are no registered PROW's affected by the proposals. Be aware that the definitive map is only a record of known PROW's. Other rights can be acquired on the basis of usage or documentary evidence or by the actions of a landowner.

14. County Council Landscape Section: no objection to the proposal to develop this site, but do have some concerns over the proposed landscaping. This appears to comprise trees set in grass with no shrub planting. Given residents' natural tendency to demarcate their paths and the division of front gardens between two semi-detached properties with shrub beds, it may be preferable to incorporate shrub planting at the design stage that will achieve a greater sense of unity of design, as well as resulting in a greener, softer appearance.
15. In any case, but particularly if shrub planting is not to be included, the proposed size of the trees is inadequate. I would recommend that the minimum size be heavy standards, 12-14 cm girth, and that they must be rootballed, not bare root. It is also essential that BS 4428:1989 be complied with regarding topsoil depth, namely a minimum of 600mm where trees are to be planted and 400mm for shrub planting.
16. I have concerns about the choice of tree species. *Betula pendula* does not transplant well except in the smallest sizes, does not like compacted soil such as is likely to be found on a new development, and may suffer unacceptable losses. *Acer campestre* is possibly too large for a back garden tree, and has limited appeal in that situation apart from its autumn colour. *Sorbus aucuparia* is variable in form and might be better substituted with one of its more fastigate cultivars. *Prunus padus* is prone to severely disfiguring pest attack and might be better substituted with another species or cultivar. In addition, I would like to see trees of larger ultimate size on the north side of the approach drive, located to avoid the overhead wires, which the currently proposed planting does not.
17. While it would be desirable, in an ideal world, to retain some of the birch, rather than plant new ones, in practice they are likely to be so interfered with during the construction process, and they are so intolerant of this, that it is more sensible to remove them. Both birch and rowan grow quickly, if they are to be planted as replacements Goat willow is undesirable for a residential development.
18. Contaminated Land Officer (DDC): Following a review of the land encompassed in the application and given its previous industrial and commercial uses I would recommend the requirement of a desk study site investigation report and risk assessment to ascertain any issues regarding land reclamation. Following on from this any remediation proposals method statement and validation reports should be supplied.
19. I have received the Ground Investigation Report. It would appear satisfactory for a preliminary report. However it indicates the requirement for additional work and testing. I would require to see the progress and results of this and any additional work carried out.
20. The site at one time contained a large electrical sub station connected to overhead transmission lines and was adjacent to an electrical power generating

station. Due to its historical use I would recommend the requirement that further investigation be carried out to confirm that there is no presence of Polychlorinated Biphenyls (PCBs) and asbestos in the ground. As with all sites of this nature I will require a comprehensive remediation strategy and method statement followed by a comprehensive validation report in due course.

21. Development Plans Team: Part of the site is the former location of a bus depot and therefore would be considered previously developed land. Part of the site appears to be an area of open space and would therefore be green field. National Planning Policy Statement 1 – Delivering Sustainable Development (PPS1) & Planning Policy Statement 3 – Housing (PPS3) and the draft Regional Spatial Strategy (RSS) all encourage development on previously developed land that can help support sustainable development. The site is a sustainable location close to the town centre (500m), which is considered to be within easy access to public transport and a variety of different facilities and services in the town centre of Consett.
22. The RSS housing figures overall equate to the District having a 17.5 years housing supply, but it also outlines that local authorities may need to consider how better to bring forward sites identified in Strategic Housing Land Availability Assessments. This assessment has yet to be conducted but this site would likely have been included had it been. Consett is an identified regeneration town in the in the Tyne and Wear City Region and due to the sustainable location of the site and the re-use of previously developed land it is considered that residential development could be acceptable in principle.
23. The Derwentside 2006 Housing Needs Assessment identified a need for 130 additional affordable homes each year from 2007 to 2011. In response the Council have prepared an Interim Affordable Housing Policy (May 2007), which supports 50% affordable housing on sites of 15 dwellings or more and although the policy is still out for consultation consideration should be given to its contents. Government policy on planning for affordable housing is set out in PPS3 and in the accompanying advice document Delivering Affordable Housing, both published in 2006. The PPS reflects the Government's commitment to improving the affordability and supply of housing in all communities, including rural areas.
24. Derwentside District Local Plan (1997) policy HO22 outlines the provision of Recreational Open space within Housing sites. There is a former play area to the west of the site and there is open space provision on the neighbouring Chequers development. The Chequers development is currently under construction, and it would be desirable that both developments seek to work in partnership to develop facilities to meet the needs of families in the area. Particularly where family housing is proposed, it will be important to ensure that the needs of children are taken into account and that there is good provision of recreational areas, including private gardens, play areas and informal play space. These should be well designed, safe, secure and stimulating areas with safe pedestrian access. The site is extremely close to the National Cycle Route Number 7, which is the C2C cycle route, and cycle facilities should be provided on site.
25. The importance of good quality design on new developments is highlighted in PPS1 and PPS3. CABE offers guidance in 'Building for Life' & 'Urban Design Compendium' to assess the design quality of new developments and makes

particular reference to supporting active frontages and reducing the visual dominance of the car. Parking within the front curtilage should generally be avoided as it breaks up the frontage and restricts informal surveillance. If the parking in front of properties 43-47 were at the rear it would create a buffer to the industrial site adjacent and with increased planting it would reduce the possibility of disturbance to the future residents, Local Plan Policy EN29 – Noise. Placing the garden to the front of the site would provide active frontages opening onto the street and take advantage of increased daylight being southwest facing and reduce the visual dominance of cars when entering the site.

26. The parking court at the rear of four/five/six is poorly overlooked from neighbouring properties. It would be preferable if properties one and two overlooked the courtyard, thus providing an active frontage on to the street and giving greater security to those using the parking court (Local Plan Policy GDP1, Draft RSS Policy 2, 24). The gardens and parking could be accommodated on the side of each property offering natural surveillance and increased security to the parking court but also to the footpath. This would follow the guidance in Safer Places, Manual for Streets, Urban Design Compendium, Building For Life and Car Parking What Works Where. However, it is acknowledged that it would require some creative design to reduce impact on neighbouring properties.
27. The site is adjacent to the Chequers development and there should be partnership between both developments to develop the footpath to provide access through both sites to encourage walking and cycling. This footpath should be highly visible in accordance with government guidance (Manual For Streets, 2007). Street networks should, in general, be connected. Connected, or 'permeable', networks encourage walking and cycling, and make places easier to navigate through.
28. Pedestrians and cyclists should generally be accommodated on streets rather than routes segregated from motor traffic. Being seen by drivers, residents and other users affords a greater sense of security. However, short pedestrian and cycle-only links are generally acceptable if designed well. Regardless of length, all such routes in built-up areas, away from the carriageway, should be barrier-free and overlooked by buildings. Narrow routes hemmed in by tall barriers should be avoided as they can feel claustrophobic and less secure for users.
29. The footpath should match the desire line and lead directly where people want to go. It is important that the pathway is not enclosed and is highly visible that creates a greater sense of security. Good quality lighting is important and guidance suggests that: Generally pedestrians prefer whiter lighting. It provides better colour perception which makes it easier to discern street features, information and facial expressions. The latter can be important in allaying personal security concerns. For the lighting of residential and urban streets, a Ra of 50 is desirable – and at least Ra60 is preferable for locations of high pedestrian activity.
30. The proposed planting at the entrance/exit of the footpath could be reduced to create a clear sight line that it is wide and visible to increase the feeling of safety. Measures should also be included so that parked vehicles don't block the entrance. Throughout the site the design quality could be improved with more originality given to the building design and improvements to prominent boundary

divisions other than fencing. There should also be greater consideration of how existing trees could be integrated into the street design and possible measures to prevent footway parking. These small improvements could soften the street scene and create an area of more visual interest and character in line with Local Plan Policy GDP1.

31. The effects of climate change are becoming increasingly relevant to new developments and the applicant needs to provide further details of how the development will be designed to conserve energy and be energy efficient (Policy GDP1). This is reflected in both national and regional planning guidance (Climate Change addition to PPS1, PPS22 and Policies 2, 2A, 39 & 40 of RSS), which highlight the importance of developments to have embedded in them energy supply from renewable sources. RSS policies form part of the Development Plan and as the document is now at Proposed Changes stage, carry considerable weight. Policy 39 is particularly relevant, as it requires new development to minimise energy consumption and to have embedded within them a minimum of 10% of their energy supply from renewable sources.
32. Environment Agency- We have no objection to the proposal but would request that the following condition be included on any granted planning permission: Surface water drainage from the development must be discharged to the public sewerage system
Reason: To ensure satisfactory provision of drainage facilities from the proposed development. The Applicant states that surface water will be discharged to public sewer. If the Water Authority, or their Agents, cannot confirm that there is adequate spare capacity in the existing system, the Applicant should be requested to resubmit amended proposals showing how he proposes to drain the site, prior to any consent being granted.
33. We would also like to make the following comments:
Contaminated Land:
In relation to the proposed development, in so far as it relates to land contamination, the Environment Agency only considered issues relating to controlled waters. The Agency considers that the controlled waters at this site are of low environmental sensitivity, therefore we will not be providing detailed site-specific advice or comments with regards to land contamination issues for this site. It is recommended that the requirements of PPS23 and the Environment Agency Guidance on Requirements for Land Contamination Reports/ Planning Policy Wales and the WLGA/ EA Land Contamination: A Guide for Developers should be followed.
34. Sustainable Energy Use / Renewable Energy Generation: We consider any future planning application should incorporate Sustainable Energy Use / Renewable Energy Generation principles. Nationally, the Government seeks to minimise energy use and pollution, and move towards a higher proportion of energy generated from renewable resources. In line with the emerging Regional Spatial Strategy for the North East, we consider the proposed development should incorporate Policies 39 (Sustainable Energy Use) and 40 (Renewable Energy Generation). In conforming to these policies the proposed development should be designed to ensure energy consumption is minimised and meets EcoHome 'very good' or 'excellent' rating or the equivalent Code for Sustainable Homes standard. In addition, we consider the proposed development should have

embedded a minimum of 10% energy supply from renewable resources.

35. Natural England-Based on the information provided, Natural England advises that the above proposal is unlikely to have an adverse affect in respect of species especially protected by law, subject to the following conditions (with reasons): No development shall take place unless in accordance with the mitigation detailed within the protected species report 'Bat and Barn Owl Survey for proposed development at Knitsley Lane Site, Elliott Environmental Surveyors, 3rd May 2007' including, but not restricted to obtaining a DEFRA licence; adherence to timing and spatial restrictions; provision of mitigation in advance, namely bat boxes as stated in section E1 of the above report; adherence to precautionary working methods; provision of a bat loft.
36. Additionally: The survey identified that the building was in use by bats in April. We would therefore suggest that the timing restriction be extended to read 'November to April', not 'November to March' as stated in the report.
Reason: To conserve protected species and their habitat. As part of the licensing application, we would also suggest that the developer and their consultant provide a detailed specific methodology for the demolition of the building, as the removal of the concrete roof may prove problematic. Consideration should also be given to the proposed structure of the bat loft and the type and positioning of the bat boxes, for the licensing application, as the report does not state the species/type of roost for which these are intended. The protection afforded these species is explained in Part IV and Annex A of ODPM Circular 06/2005 Biodiversity and Geological Conservation – Statutory Obligations and their Impact within the Planning System. The applicants should be informed that planning permission, if granted, does not absolve them from complying with the relevant law, including obtaining and complying with the terms and conditions of any licences required as described in Part IV B of the Circular. The issues raised in this correspondence represent Natural England's advice at the planning application stage and considers potential harm to populations of protected species from the proposed development. The later decision on a licence application (if required) is a more detailed assessment and usually requires additional survey information, population assessment and specific details relating to the likely effectiveness and workability of the mitigation proposals before works can proceed. As bats are European Protected Species, Natural England would further advise that, subject to these conditions, the proposals will not be detrimental to the maintenance of the population of the species at a favourable conservation status in their natural range (as defined in Regulation 44 of the Habitat Regulations).
37. Northumbrian Water: As the Council will be aware there is an issue about sewage treatment capacity at the Consett STW and we are currently investigating the impact on sewage treatment from all planned development in the town. Until such time as this is completed, would you please apply the following planning condition:
Development shall not commence until a detailed scheme for the treatment of the foul flows from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water. The development shall not be occupied on site until the scheme for the treatment of the foul flows has been completed and commissioned in accordance with the approved details. Reason: The capacity of the Sewage Treatment Works to which the development will discharge is currently under

investigation and cannot accept the foul flows. I am aware that there has been discussion between the Council and NWL due to the impact on regeneration of the town and I would reassure you that our investigations are being carried out as a matter of priority.

38. Durham Constabulary: would like to offer the following advice:
- A rumble strip/change of road surface with brick pillars should be incorporated at the road entrance to create a symbolic barrier. This gives the impression that the area beyond is private.
 - Narrow paths behind houses between closed board fences are not desirable as there are not easily overlooked and can be perceived as a haven for anti-social and possibly criminal activities.
 - Key to security of a development is the discouragement of casual intrusion by non-residents therefore footpaths should be designed to serve the estate rather than provide unnecessary access. Footpaths with links to adjacent estates can provide easy escape for people having committed crime. Footpaths should be wide, clear of hiding places, well lit and follow a direct route.
 - Rear gardens should be secured with a fence or wall of 1.8m in height. Rails of fences should face the gardens.
 - Fences with gates and key operated locks should be erected between houses close to the fronts
 - Boundary walls and bins should be located so as not to become climbing aids for intruders to gain access to upper floors. Meters should be to the front elevations.
 - In-curtilage parking is recommended but communal parking areas should be well-lit, open to surveillance and have obvious pedestrians routes. Planting adjacent to car parks should include thorn.
 - Advice regarding security lighting above external doors and intruder alarms
39. Templetown Residents Association: The proposed 47 dwellings is too large a number, with the Burnside and Chequers development Templetown is full to capacity. There are already large numbers of children with few places to play. Knitsley Lane cannot cope with any more cars without safety concerns, especially in the vicinity of Jewsons. The entrance and exit should not be from Knitsley Lane. There is already too much traffic using Knitsley Lane. There is concern for the safety of pedestrians using Knitsley Lane and children playing. It should be from the new road leading from Hownsgill.
40. No development should commence until the amenity area is provided and functional on the Chequers. Since the loss of Templetown playing field children use the site as a play area. The grass in this area is kept short by DDC for their use. There is nowhere else for children to play except on Knitsley Lane. There is a well-established footpath going north from the proposed site leading onto the footpath onto the bypass. This access should be retained.
41. We would like to suggest on safety grounds that the access road be moved. Knitsley Lane is very busy as it is accessed from Temple Forge Mews, Burnside, Templetown and goods vehicles for Jewsons. It is dangerous for children and pushchairs. On average a further 47 vehicles and delivery vehicles will be added and further pollution. The Templtown link road was built for this type of thing and

should be used. If it can't be used as it is near a roundabout, Delves, No. 1 and Villa Real all have left turn-offs from the roundabout. A safe access cannot be guaranteed. Local people are expected to accommodate the builders rather than vice versa. People in Templetown have had more of their fair share of noise dust and disruption from existing building sites.

42. Neighbours have been consulted and a site notice posted. No letters of objection have been received. The objectors highlighted on the presentation are the members of the Residents Association who have submitted their concerns.

Officer Assessment

43. The main issues in determining this application are the principle of the development, the design and layout of the development, highways issues, Impact on trees, Potential Impact on protected species, contamination, open space provision, and whether the proposal should include any affordable housing. Each are discussed below:

The Principle of the Development

44. Though not specified as a large site within Policy HO4, assessment will need to be undertaken using the criteria contained within this policy. Many of these requirements are held in common with those of Policy HO5 but centres also on the provision for public open space, site density and service provision.
45. Part of the site is the former location of a bus depot and therefore would be considered previously developed land. This part of the site is in a very poor dilapidated condition. Part of the site to the north also appears to be an area of grassed land. PPS3 encourages development on previously developed land that can help support sustainable development. The site is vacant and derelict, is a sustainable location close to the town centre (500m), which is considered to be within easy access to public transport and a variety of different shops, facilities and services. The density of development at 46 dwelling per hectare is also in line PPS3. Consett is an identified regeneration town in the in the Tyne and Wear City Region and due to the sustainable location of the site and the re-use of previously developed land it is considered that the re-development for residential development is acceptable in principle.

Design and Layout of the Development

46. It is felt that residential development will enhance the character and appearance of the site and immediate surrounding area. The site is vacant and comprises a derelict warehouse building. The area is predominantly residential modern development is in keeping with dwellings to the south of the site. The proposal would be appropriate to the existing form and pattern of development within Temple town. The design theme of the dwellings is continued throughout the estate and reflects that of the existing and emerging residential development to the south.
47. With regards to design it is considered that the proposal will not appear out of

keeping with the scale and massing of those buildings in the surrounding area, given that those dwellings surrounding the site are two storey terraced, semi-detached and bungalows. The design of the scheme is such that the scheme does not appear cramped as there is car parking provision and garden areas which softens the impact of the development to the benefit of the street scene and character of the area. It is felt that the massing of the development is such to allow the dwellings to sit comfortably in this locality and not adversely impact upon its setting. The general type of housing represents a reasonable mix of houses types of 2 and 3 bedrooms some incorporating garages. The applicant has stated that their houses are 'low-cost ' compared to other housebuilders

48. Staggers to front elevations have been introduced to add interest and give variety. Parking is provided in rear courtyards, garages set back from properties, as well as to the front to provide a mix of parking area to avoid the visual dominance of cars in a long line in front of houses. Amended plans also provide a double fronted house to the entrance of the estate to increase the design quality as the site is entered and changes to boundary treatments in the same respect have been made to improve visual appearance.
49. In terms of amenity impact having had regard to the layout, scale and massing of the proposed building and also the positioning and orientation of the neighbouring properties in relation to the site it is considered that any impact on the neighbouring residential occupiers in terms of loss of privacy, overlooking direct sunlight, daylight or outlook will not be to an extent that would justify refusal of the application with privacy distances between existing and proposed dwellings being acceptable. The gable of plot 1 is located close to No. 2 Atkinson gardens, however the main elevation of this property faces northwards away from the application site, with its gable elevation facing the proposed new dwelling. Amended plans now also show acceptable privacy distances between the gable elevation of plots 15 and 16 and the rear elevations of new dwellings on the Chequers development. On the whole the site is relatively level as existing. It is not considered these are significant changes in ground levels whereby the amenity of neighbouring properties would be affected.

Highway Issues

50. The Residents Association are concerned that the existing access is to be used off Knitsley lane on Highway safety grounds and causing an increase to the amount of traffic. They would wish to see the access from the Hownsgill bypass to the south of Templetown. However the County Council Highways Officer considers Knitsley Lane is quite capable of accommodating future traffic and during the construction stage and cannot not support an access off the by-pass. He considers there is no highway reason to refuse vehicular access to the site via Knitsley Lane nor for construction traffic to use this route. There is no weight restriction on the road and it has been used previously for construction traffic, and is subject to lower traffic speeds than the 'bypass'. Also, the site was previously a commercial use.
51. The County Council' s Highway Development Control Officer did originally raise a number of issues with regard to the details of this development though. Following discussions with the applicant a revised layout has been submitted which is now satisfied with the revised proposals. Access from the rear driveways onto the

access road from No. 17 Alwyn Gardens and No. 2 Atkinson Gardens is now maintained. There is an existing pedestrian desire line north - south across the site between the 'KFC' roundabout (and the Hermiston Retail Park and western end of Front Street beyond) and Alwyn Gardens. This link is beneficial to existing residents and would be for future residents. The Residents Association would wish this to remain and thus the applicant has now created a pedestrian exit point to the front of plots 38 and 39 from the proposed estate that would mean the through route can continue from Alwyn Gardens.

52.

The proposed vehicular access from Knitsley Lane has an acceptable visibility in both directions and it is proposed that the internal roads and footpaths would be constructed to adoptable standards. It is considered that the number of car parking spaces is acceptable. The developer was required to enter into a section 38 agreement (under the Highways Act) for the access road to become adopted. As no objection is raised to the access or internal layout the proposal is considered to accord with Policy TR2.

Impact on Trees

53.

The site is covered (largely to the southern extent) by shrub vegetation. The trees on site are clustered in groups surround the western southern and eastern boundary of the site, with a denser area within the grassed area, adjacent the access road to the north side. The applicant proposes to remove all the trees on the site and has thus submitted a tree survey in support of this. This shows the trees are 'pioneer vegetation' following the past industrial use of the site with no great intrinsic merit as trees. The dominant species on site are young silver birch and there are no mature trees on site.

54.

The County Council's Landscape Architect suggests that while it would be desirable, in an ideal world, to retain some of the birch, rather than plant new ones, in practice they are likely to be interfered with during the construction process, which they are intolerant of, that it is more sensible to remove them. The developer should ensure that the trees should not be removed within the summer bird breeding months.

55.

The County Council's Landscape Architect does have some concerns over the proposed landscaping. The applicant has considered this advice and revised the tree species proposed within the layout accordingly and has added areas of shrub planting into the scheme resulting in a greener, softer appearance. Trees are to be planted at the entrance and along the access road and to the front gardens. Trees are also to be planted to the rear gardens which will integrate the development with the recently planted plantation area to the west and the open space to be re-formed to the east. This is to include Birch which also grows quickly.

Potential Impact on Protected Species

56.

The applicants have submitted a bat and barn owl survey for the site. This was to determine the presence of bats and barn owls and their roost sites and aims to prevent any harm to animals, protect roost sites and provide mitigation to maintain conservation status. This revealed one bat using a wall cavity within the building and feeding habitats are present near the site in the form of plantations

aswell as potential roosting sites. Therefore a Natural England licence will be required before the building is demolished. Roost provision has thus been provided within the eaves of the proposed dwellings to ensure that the development has as little negative effect on bat conservation status as possible. There was no evidence of barn owls

57.

Natural England advises that the above proposal is unlikely to have an adverse on Bats or Barn Owls subject to the development taking place in accordance with the mitigation detailed within the report and obtaining a licence from natural England. This requirement has this been conditioned accordingly. The developer has also been advised of the assessment and information it would need to submit to Natural England as part of the licencing application.

Contamination

58.

The site at one time contained a large electrical sub station connected to overhead transmission lines and was adjacent to an electrical power generating station. A Ground Investigation Report has been submitted by the applicant given the previous uses of the land and is satisfactory for a preliminary report. Due to its historical use there is a requirement for the applicant to undertake a risk assessment to ascertain any issues regarding land reclamation. Following on from this any remediation proposals, method statement and validation reports should be supplied. This requirement has been conditioned accordingly.

Open Space Provision

59.

The proposal does not include the provision of any open space or play equipment. In accordance with Policy H022 of the Local Plan the Council requires the payment of a commuted sum in lieu of play provision on site with a sum of £300 per dwelling payable. The Council would therefore receive a contribution of £14,100 for off site play provision should permission be granted.

60.

An area of open space/kickabout area in to be provided on land to the east of the site by the developer of the adjacent Chequers housing estate. This is to replace the former playing field in the vicinity. At present this is not constructed and the northern part of the application site is used by children as the grassed area is maintained. In terms of the likely timings of the construction of the new open space the Case Officer has liased with the adjacent developer of the Chequers who wishes to begin construction on this as soon possible. It is likely this will be September with completion in October. The potential occupiers of this development would also be able to use this space as the existing footpath is continued from the open space into this site.

Drainage

61.

There is currently an issue with sewage treatment capacity at the Consett sewerage works and Northumbrian Water are currently investigating the impact on sewerage treatment from all planned development in Consett. Northumbrian Water have requested that until such time as this is completed, that a scheme for foul drainage from the development should be agreed by the Council in conjunction with Northumbrian Water as at present the sewerage treatment works to which the development will discharge is at capacity and alternative means shall be required. This requirement is conditioned accordingly.

Affordable Housing

62.

The Development Plans Team has raised the issue of possibly securing the provision of an element of affordable housing on this site. Executive has taken a decision to initiate the preparation of a draft policy, which is currently the subject of detailed consultation with stakeholders. The Council is looking to develop a policy in line with Government Guidance that defines a threshold or size of development below which provision is not required, and a percentage figure for the level of provision. Members do have discretion to seek affordable housing on new applications prior to the adoption of this policy, although to some extent this approach needs to be looked at on a case-by-case basis. On this site, officers take the view that it is not appropriate at this stage to impose a requirement, in particular because this Council has marketed the northern part of the site for sale without a requirement for affordable housing being part of the sale particulars.

63. Recommendation

Conditional Permission subject to the receiving no objections from the adjoining landowners, Dysart Development, to the south and east of the application site.

- Time Limit (ST)
- Approved Plans (ST01)
- Amended plans (GO1-10th August 2007)
- Materials (AO3)
- Car Parking (HO3)
- Contamination Investigation and Remediation- to include further investigation be carried out to confirm that there is no presence of Polychlorinated Biphenyls (PCBs) and asbestos in the ground. (CL01)
- Previously Unidentified Contamination (CL06)
- Surface Water Drainage (D04)
- Foul Water Drainage (D05)
- Construction of roads and footpaths and phasing of the development (H07)
- Legal agreement-£ 14100(LG01)
- Permitted Development Rights (PD01)
- No development shall take place unless in accordance with the mitigation detailed within the protected species report 'Bat and Barn Owl Survey for proposed development at Knitsley Lane Site, Elliott Environmental Surveyors, 3rd May 2007' including, but not restricted to obtaining a DEFRA licence; adherence to timing and spatial restrictions (extended to read November to April); provision of mitigation in advance, namely bat boxes as stated in section E1 of the above report; adherence to precautionary working methods; provision of a bat loft.
- Reason: To conserve protected species and their habitat.
- Surface water drainage from the development must be discharged to the public sewerage system
- Reason: To ensure satisfactory provision of drainage facilities from the proposed development.
- No development shall take place until details of facilities to be provided for the storage of refuse bins within the site have been submitted to and approved in writing by the Local Planning Authority. The facilities, which shall include the

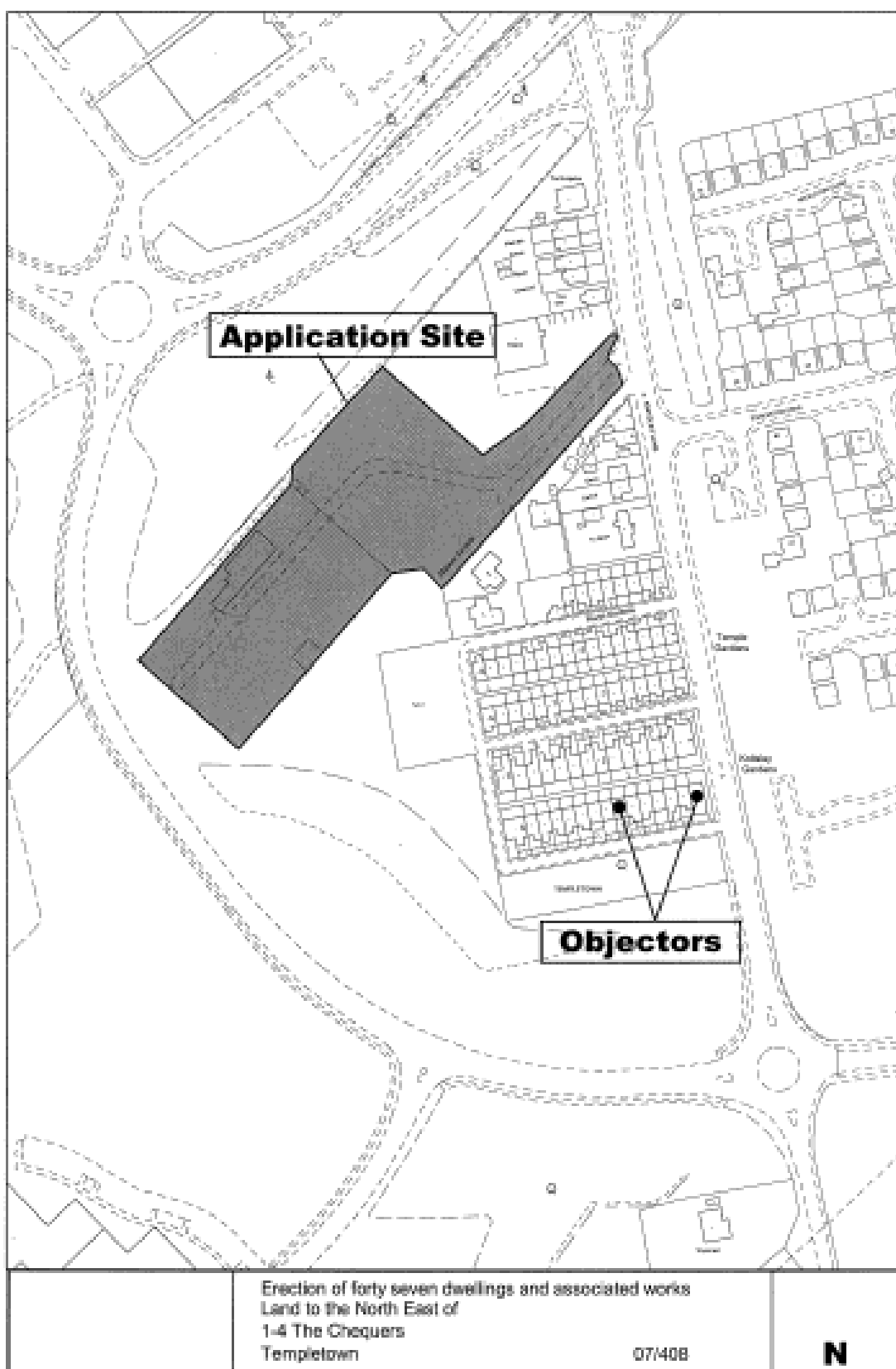
provision of wheeled refuse bins, shall be provided in accordance with the approved details, prior to the occupation of any part of the development and thereafter permanently retained.

- Reason: To ensure a satisfactory appearance and in the interests of the amenities of the occupiers and adjoining residents having regard to policy H023 of the Derwentside Local Plan.

64. Reason for Approval

The decision to Planning Permission has been taken having regard to policies GDP1, H022, H023, TR2, EN27 of the Derwentside District Plan, and relevant material considerations, as detailed in the report to the Development Control Committee. In the view of the Local Planning Authority no other material considerations outweigh the decision to grant permission.

Report Prepared by, Ann Rawlinson, Senior Area Planning officer
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RECOMMENDATION FOR APPROVAL

07/0540

15.06.07

Mr D J Forster

Myway, 16a Coniscliffe Road
Oxhill, Stanley

Change of use from residential
to funeral home

South Moor Ward

The Application

1. Planning permission is sought for a change of use from residential to funeral home at 'Myway', 16a Coniscliffe Road, Oxhill, Stanley. The property would be used as a Chapel of Rest, for viewing by the bereaved and as an office to take funeral details. The house would retain the function of a dwelling for one employee of the business.

History

2. Planning permission was granted for the erection of the property on 7th July 1992 (reference 1/1992/0471/DM).

Policy

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

General Development Principles (GDP1)
Development and Highway Safety (TR2)

Consultations

4. County Highways Development Control Officer- I confirm recent receipt of a plan showing an increase in the amount of hardstanding area for vehicles, at the rear of the property. This is as my original pre-application discussion with the applicant. I am aware of resident's concerns regarding vehicle parking at the property however I am satisfied that the proposed parking provision is not of a level likely to sustain a refusal on highways grounds. The site is within reasonable walking distance of Stanley town centre.

At our pre-application meeting the applicant indicated that the house will retain the function of a dwelling for one of his employees (who will work at the premises), that the property will have two Chapels of Rest, and that no hearse vehicles will be based at the premises. I suggest that these last two matters are conditioned in the interests of limiting vehicular activity.

I have no objection to the application subject to the above conditions and the following also:

1. The increased hardstanding to be constructed and available for use prior to the commencement of use of the premises as a Funeral Directors, and
 2. Prior to the commencement of use of the premises as a Funeral Directors, details shall be submitted for approval of the size, wording and position of a sign, in proximity to the public highway, making clear the area available for visitor car parking at the premises. Unless otherwise agreed, the approved sign shall be displayed in perpetuity thereafter.
5. Environmental Health- No objections.
6. Neighbours have been consulted and a site notice posted. Sixty two objections (letters and e-mails) have been received with regard to the proposals. Concerns in summary are:-
- Unacceptable increase in traffic on Coniscliffe Road which already has speed bumps. The road already serves two estates although was initially designed to serve only one.
 - No room in site to turn vehicles.
 - Additional parking requirement will have negative impact on area, increase in congestion. Residents currently have problems parking particularly on Thursday (market day) and this will exacerbate the problem.
 - The property is situated at the junction with Louisa Terrace which is prone to accidents. In winter the road can be covered in ice and is dangerous. The road is situated on a bend which is not wide enough to accommodate hearses and related traffic.
 - Possibly 24 hr traffic given that this would be a chapel of rest- noise at all times of the day.
 - This is a residential area, the business would be out of keeping with this, and there are many other empty commercial premises in Stanley which could be used. If applicant had applied to build commercial premises here in first place may not have been allowed.
 - There is no need for another funeral directors in Stanley, and if approved this would set a precedent for further commercial activity in a residential area.
 - Devaluation of neighbouring properties.
 - Detrimental impact on outlook from immediate neighbouring properties. Occupiers of 15 Coniscliffe Road would be reluctant to use their garden knowing what was going on over the wall.
 - Unsuitable for area as a footpath used by children walking to Oxhill Nursery is positioned to the south of the site, also depressing for elderly on the estate.
 - Possibly further applications for a new road to the premises and illuminated signage should the application be approved.
 - A hairdressing business on Louisa Terrace was refused planning permission because of lack of access and parking.
 - Some objectors believe that the land was previously designated greenbelt.
 - Concern that the development would be at odds with the Area Development Framework for Stanley, as the proposal will not encourage people to want to live near the town centre, and this is contrary to the aim of the vision

statement in the ADF of Stanley becoming the residential location of choice.

A letter has also been received from Kevan Jones MP who was contacted by the Pea Farm Residents Association regarding their concerns about traffic associated with the funeral home.

Officer Assessment

7. The main issues to consider with regard to this application are whether the commercial use of the property as a funeral home in this location is acceptable, and whether adequate parking is provided and highway safety is to be maintained.
8. The property, although in the style of a bungalow, has living space in the roof, and is of substantial size and similar height to neighbouring terraced properties on Coniscliffe Road and Louisa Terrace.
9. The existing dwelling is distinctly separate however from those two terraces, sited in a single plot to the south of Coniscliffe Road and west of Louisa Terrace. Whilst this is a residential area, the visual separation of the building from the main terraces is evident and the building is unique in the locality.
10. Whilst the concerns of objectors with regard to the change of use to commercial premises is noted, many residential areas within the district will have some minor element of alternative service or commercial use within them, without necessarily leading to significant disruption to neighbours or impact upon the character of the locality. All planning applications should be considered on their own merits, and it is the opinion of Officers that given the separation of this building from the main terraces in the locality, it is unlikely that the residential character of the area, or amenity of neighbours, would be significantly affected. The proposal is considered therefore to be in general accordance with policy GDP1 of the Local Plan.
11. There is significant concern from residents with regard to the parking and access issues. There would be an additional area for parking to the side of the premises which would allow for two more in curtilage parking spaces, bringing the total parking provision within the property boundaries to six spaces. (It would appear that some objectors have misinterpreted this as being six additional spaces).
12. Hearses and other vehicles would be stored at the existing main office of the business at Fines House in Annfield Plain, however clearly they would still access and egress from the property at times. Vehicles would reverse into the garage of the building, and all loading and unloading would take place inside the property, out of view of the public.
13. The County Highways Development Control Officer has no objection to the proposal subject to conditions requiring that the additional hardstand parking area be provided and a sign for visitor parking, prior to the use commencing. Subject to these conditions therefore, the proposal is also considered to be in accordance with policy TR2 of the Local Plan.
14. It is appreciated that the application has resulted in a very high level of objections,

however it is important that Members consider whether those objections provide a sound basis for refusal. Central Government guidance on this issue (The Planning System – General Principles. Jan 2005) is quite clear in the advice offered on this issue:

“When determining planning applications they (Local Planning Authorities) must take into account planning considerations only. This can include views expressed on relevant planning matters. However, local opposition or support for a proposal is not in itself a ground for refusing or granting planning permission, unless it is founded upon valid planning reasons”.

In the case of this application it is considered that the planning considerations weighing against the application, although understandable, are not strong, and that it would be difficult for the Council to successfully defend refusal of permission.

Recommendation

15. Conditional Permission

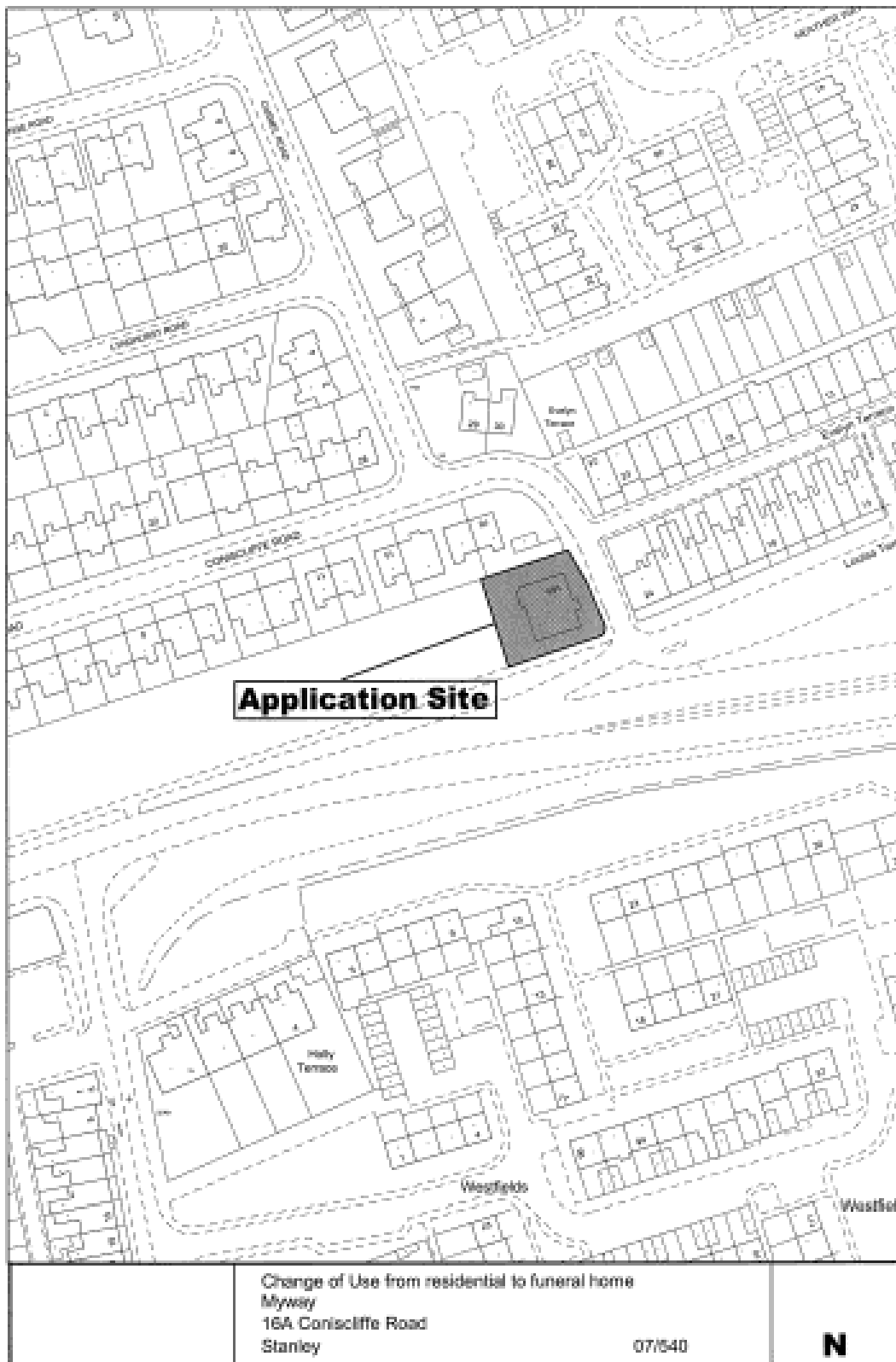
- Standard time Limit (ST)
- Approved Plans (ST02)
- The additional hard-standing as indicated in the plan submitted 27th June 2007, shall be constructed prior to the commencement of use hereby approved.
- Reason- In order to provide adequate off street parking in the interests of highway safety and in accordance with policy TR2 of the Local Plan.
- Prior to the commencement of use hereby approved, details shall be submitted for approval of the size, wording and position of a sign, in proximity to the public highway, making clear the area available for visitor car parking at the premises. Unless otherwise agreed with the Local Planning Authority, the approved sign shall be displayed in perpetuity thereafter.
- Reason- In the interests of highway safety and in accordance with policy TR2 of the Local Plan).

Reason for Approval

16. The decision to grant planning permission has been taken having regard to policies GDP1 and TR2 of the Derwentside District Plan, and relevant material considerations, as detailed in the report to the Development Control Committee. In the view of the Local Planning Authority no other material considerations outweigh the decision to grant permission.

Report Prepared by Shaun Wells, Senior Area Planning Officer

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RECOMMENDATION FOR APPROVAL

07/0614

06.07.07

Butler & Gee Accountants

279 Medomsley Road,
Consett

Change of use of dwelling to
accountant's practice

Consett North Ward

The Application

1. This application seeks planning permission for the change of use of an end terrace dwelling to an accountants practice at 279 Medomsley Road, Consett.

History

2. Planning permission was granted for a conservatory in 2003 (reference: 1/2003/0851/DM).

Policy

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

General Development Principles (GDP1)
Development and Highway Safety (TR2)

Consultations

4. County Highways Development Control Officer- While there are business premises in the vicinity, not least the Funeral Director's business at no.281, the dwelling is located in an area of Consett that is primarily 'residential'. It is clear that local residents have concerns regarding the potential for additional parking and congestion problems created by the application. I am satisfied that there are indeed instances where parking is difficult and manoeuvring and visibility problems have been created. I would naturally wish to ensure that this was not added to by means of this proposal. I am mindful that if approved (presumably under A2 planning use) there would be no further requirement for a planning application to a variety of other uses within the A1 and A2 categories. The building could comfortably accommodate more than the 2 cited employees and there is obviously no means which to control the latter or the means by which staff/customers travel to the site, or indeed working practices (i.e home visits).

Acknowledging the property's current residential use, in order to lessen the potential for office use to create additional parking on roads in the vicinity, to the detriment of highway safety, I recommend that this application be approved only subject to two off-street parking spaces being submitted for approval (the garage can be one) and that such spaces are conditioned to be used for no other

purpose.

5. Neighbours have been consulted and a site notice posted and eight letters of objection have been received from local residents of East View, Medomsley Road and Blackdyke. Their concerns regarding traffic and parking problems and are summarised as follows:
 - There is excessive parking on East View and Beaconsfield Street already. This will exacerbate the problem.
 - The junction onto Medomsley Road is dangerous as people park on Beaconsfield Street obstructing views to and from on-coming traffic.
 - There is no garage on-site for the extra cars that will be associated with the staff and clients.
 - There are vacant business premises in the area that could be used instead of this property in a residential area.
 - The funeral parlour opposite this property often requires to use Beaconsfield Street to park fleets of hearses and sometimes horse drawn hearses to facilitate funerals.
 - In the deeds of the property there is a clause which says that these houses are not to be used as business premises.
 - The application makes no provision for off-street parking by paving the front garden or opening up the rear yard.
 - When cars are parked on East View they obstruct bin lorries and access to driveways.
 - The application underestimates the problem by stating that only one vehicle per day, other than staff vehicles will visit the site. This is unrealistic taking into account client visits, deliveries of office supplies and other likely visitors.
 - The business is likely to grow so that there is more than 2 staff.
 - The Council is concerned about the requirement for additional affordable housing. It flies in the face of logic therefore to approve the conversion of such an existing residence in a residential area for commercial use.

Officer Assessment

6. The application seeks planning permission for the change of use of a dwelling on the end of a terrace to an accountant's office at 279 Medomsley Road, Consett. The proposed accountants office would be open between the hours of 09:00am to 17:00pm Monday to Friday and two new staff will be employed. Apart from the estimated one staff vehicle which would visit the offices it is envisaged that one to two other vehicles would visit the site at a time during the working day. There is an existing garage to the rear of the property that can accommodate parking of one vehicle.
7. The main issues to consider for this application are whether there would be a detrimental impact upon neighbouring amenity from the business use of the property and whether there is adequate parking provision for the usage in this residential area.
8. The accountant's office would be located on the end of a residential street outside of the commercial centre of Consett. This is a mostly residential area however there is a funeral director's business opposite the property and a number of other

commercial businesses operate in the local area on other residential terraces along Medomsley Road, these include two Dental Surgeries, a sandwich shop, a launderette, Derwent Glass Supplies and food and retail shops. The closest residential properties to the property lie adjacent along Medomsley Road although there are also properties to the rear (11 East View and Blackdyke). Due to the nature of the proposal and hours and days of operation it is not envisaged that there would be significant impacts in terms of noise and disturbance.

9. With regards to parking it is noted that due to the age of the streets there is limited parking available to the rear of Medomsley Road for the residents of Medomsley Road and East View and that the overspill of residential parking and parking associated with the funeral parlour does at peak times lead to parking on Beaconsfield Street near to a junction with a very busy road (Medomsley Road). It is understandable therefore that local residents are concerned that another business use on this street could increase parking on East View and Beaconsfield Street with the potential for highways danger and nuisance from obstructions.
10. In consideration of this application members should note that off-street parking provision is provided as part of this application, this parking was not used nor in place when this was previously occupied by a two car owning family. One parking space would be provided for one of the two employees to the rear of the property and following discussions with the Highways Officer the applicants are now willing to create a parking space within the front yard of the property with an access taken from Beaconsfield Street, this can be controlled by planning condition. The applicants have conceded that there will likely be more than the estimated one other vehicle stated in the application that will visit the offices per day, however; the applicants have confirmed that they envisage no more than two client cars would be parked outside at any given time since only one client will be seen at a time and that much of their business involves making home visits to clients rather than clients visiting the offices. The office opening hours and days of opening are at times and days when the majority of neighbouring residents would realistically not be at home and at work therefore there should be adequate parking space in the area to accommodate these other cars. Other issues raised by local residents regarding parking obstructions in East View are issues better dealt with by the Police. Whilst it is agreed that there are vacant business premises in the area that could be used as an alternative to this property the change of use of end gable dwellings such as this is not an unusual practice and is seen in many other end terrace properties along Medomsley Road where uses have been changed to types of business which have greater parking requirements than this business.
11. Bearing in mind the proposed parking provision, the nature and operating times and days of business it is not considered that the change of use would be detrimental to neighbouring amenity or highway safety in the area therefore the change of use is considered to be acceptable and in accordance with Local Plan Policies GDP1 and TR2.
12. It is appreciated that this application has resulted in a high level of objection, however it is important that Members consider whether those objections provide a sound basis for refusal. Central Government guidance on this issue (The Planning System – General Principles. Jan 2005) is quite clear in the advice offered on this issue:

“When determining planning applications they (Local Planning Authorities) must take into account planning considerations only. This can include views expressed on relevant planning matters. However, local opposition or support for a proposal is not in itself a ground for refusing or granting planning permission, unless it is founded upon valid planning reasons”.

In the case of this application it is understandable that residents would rather the property remained in residential use, and no additional commercial use is introduced. However, Officers consider that the planning arguments weighing against the application, although understandable, are not strong, and that it would be difficult for the Council to successfully defend refusal of permission.

Recommendation

13. Conditional Permission

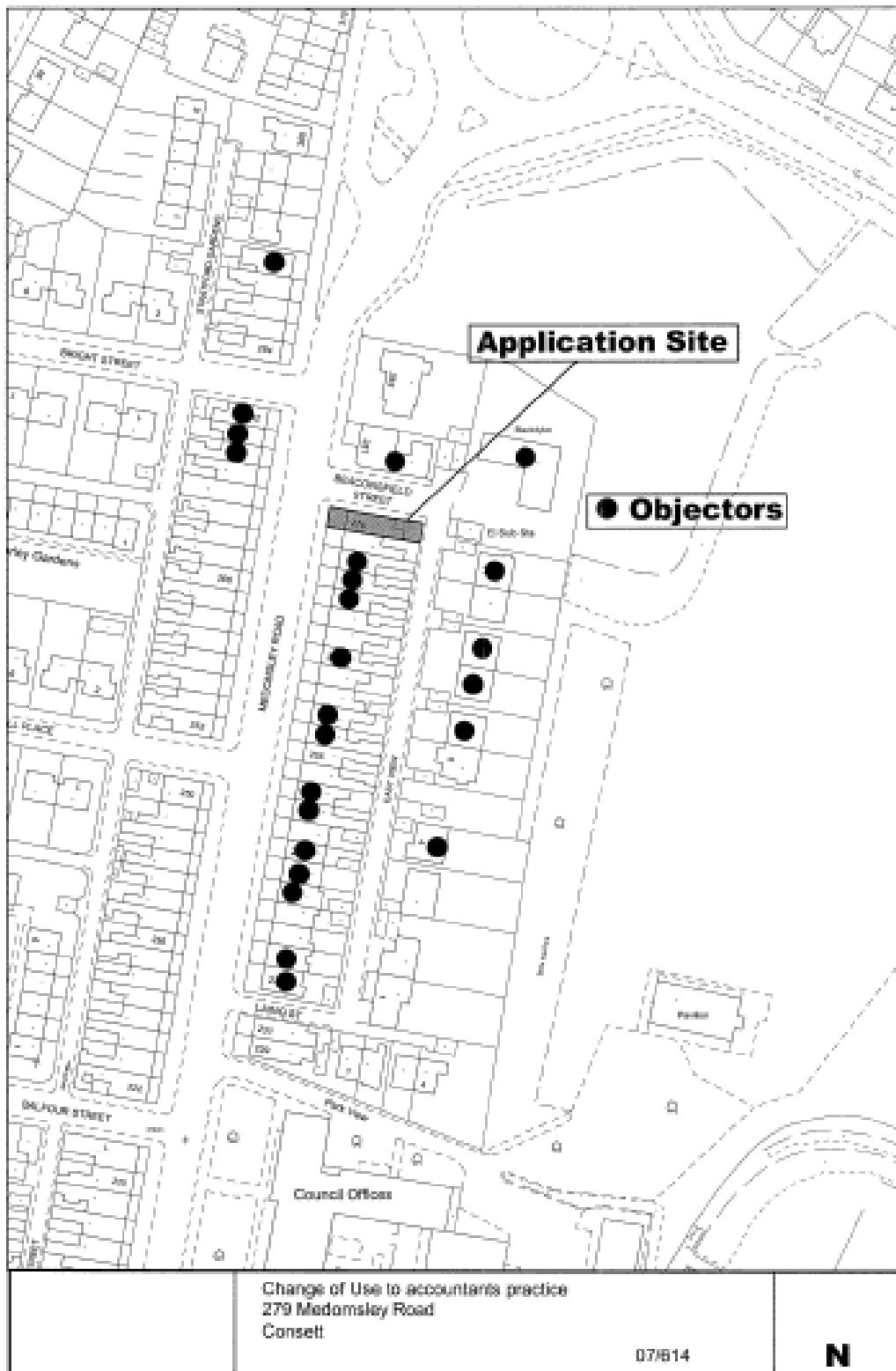
- Three year time limit (ST).
- Approved Plans (ST01).
- No business shall be operated from these premises before 09:00am or after 17:00pm Monday to Friday or on weekends or Bank Holidays.
Reason: In the interests of residential amenity in accordance with Local Plan Policy GDP1.
- Before the commencement of the use two off-street parking spaces of satisfactory dimensions shall be provided on the site and these spaces shall be used only for the parking of vehicles and for no other purpose. Reason: In the interests of highway safety in accordance with Local Plan Policy TR2.

Reason for Approval

14. The decision to grant planning permission has been taken having regard to policies GDP1 and TR2 of the Derwentside District Plan and material considerations as detailed in the report to the Development Control Committee. In the view of the Local Planning Authority no other material considerations outweigh the decision to grant permission.

Report Prepared by Louisa Ollivere, Area Planning Officer

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RECOMMENDED FOR APPROVAL

07/0508

18.06.07

Dickman Developments

Methodist Church, West Road,
Tantobie, Stanley

Demolition of Existing
Church Building and
Erection of Two Detached
Dwellings

Tanfield Ward

The Application

1. Planning permission is sought for the demolition of Tantobie Methodist Church which would be replaced with two detached dwellings with detached garages to the rear and access taken from Larch Terrace. The church is not in use and has had its roof stripped, windows blocked up and is of a poor appearance. The more modern church hall adjacent to the site would be retained and its use continued.

History

2. An application for the demolition of the existing church and the erection of two dwellings on the site was submitted last year (reference 1/2006/0742/DM). The application was withdrawn.
3. Outline planning permission was refused in 1992 for the erection of three dwellings on the site (reference 1/1992/142/DM). This was on the grounds that it was felt that the Outline application could not be considered separately from the Reserved Matters relating to layout and access, and the applicant failed to provide these.
4. Outline planning permission was granted for two detached houses on the site on 29th March 1999 (reference 1/1999/029/DM).
5. An application to renew the above permission was submitted in 2001 (reference 1/2001/736/DM), however the applicant failed to serve the relevant notices and the application could not therefore be determined.
6. A further application was submitted in 2001, again for the renewal of the 1999 outline permission for the erection of two detached houses. This application was approved (1/2001/881/DM).

Policy

7. The Local Plan contains the following policies that are relevant to the application:

Policy GDP1 (General Development Principles)
Policy HO5 (Development on Small Sites)
Policy H023 (The Layout of New Housing)
Policy TR2 (Development and Highway Safety)

Consultations

8. County Highways Development Control Officer – this application now shows the red line boundary extending to the Larch Terrace public highway, and that all the land is within the applicants control. The minor road Larch Terrace is preferable in highway safety terms for taking vehicular access rather than West Road. In terms of improved pedestrian accessibility I recommend plot 1 also has direct access to West Road from the northern elevation.

There are no details submitted of the access with Larch Terrace, or connecting link to the dwellings. Subject to this being submitted for approval, including surfacing details, I have no objections.

9. Northumbrian Water – No objections
10. Natural England – Views awaited
11. Neighbours have been consulted and a site notice posted. The occupier of 9 Larch Terrace has submitted a letter from Councillor Joe Wilson and a statement raising objections to the application on behalf of the residents of Larch Terrace. Concern in summary are:
- Larch Terrace is the only means of access to the bungalows on this street and is already quite congested with residents' vehicles due to the narrowness of the road.
 - Installation of dormer windows in parts of Lower Larch Terrace have been refused on the grounds of not being in-keeping with the area, if access to these dwellings is to be by way of Larch Terrace they must be considered as forming part of Larch Terrace.
 - Whilst the chapel and proposed buildings may indeed be of similar heights the positioning and function of windows are completely different factors to consider. Chapel windows were set high above the eye level to draw the gaze skyward, whereas occupants of new buildings will be looking out and down with surrounding properties on all four sides of the development.
 - Previous application included two separate accesses to the properties, one dwelling being served by Larch Terrace and the other West Road, this has now been considerably altered with both accesses now being taken from Larch Terrace and should therefore be a matter for committees consideration.
 - Affect on bats.
 - There have been long term problems with the drainage ability to handle volume of water in the past affecting both West Road and Larch Terrace despite the fact that we are sited approx half way up a steep hill, drains often overflow through manhole covers affecting neighbouring properties with garden flooding, lifting of block paving.
 - Concerns that this development along with other recent development within the area would overwhelm the drainage capacity which is already stretched

past its limits.

- If others developments in the area start at the same time as this one the traffic could cause near gridlock conditions, with residents experiencing substantial difficulties accessing/exiting their home in either direction by car, with a further problem of access for emergency vehicles when required (as Larch Terrace is only access).

Officer Assessment

12. The outline permission granted in 2001 detailed two dwellings one at the front of the site with access being taken from West Road and one at the rear with access being taken from Larch Terrace. The current proposals however seek planning permission for two detached dwellings side by side adjacent to the existing church hall, with access for both being taken from Larch Terrace. The principle of the development has previously been established by the outline applications, although consideration needs to be given to the positioning of the proposed dwellings as this has changed from that detailed in the previous outline applications. The site is located within the physical framework of the settlement and is therefore infill development which is acceptable in principle. The site is of a satisfactory size to accommodate two dwellings and the layout would be appropriate to the existing pattern of development. It is therefore considered that the proposals would comply with Policy HO5 of the Local Plan.
13. The proposed dwellings would be of a three storey appearance, with the third floor being accommodated partially within the roof space of the dwellings with dormer windows to front and rear. It is proposed to use natural stone to the front elevations and brick to the sides and rear. The use of stone to the front elevations would be in-keeping with the frontages of the traditional buildings within the village, and the use of brick to the side and rear is considered acceptable given the site is not situated within a conservation area, and there are a number of brick built bungalows to the rear of the site. The design of the dwellings is considered to be acceptable, as are the proposed brick built detached garages. The proposed dwellings would be approximately 10.5 metres in height from ground level to the ridge. This is a considerable height and would be taller than those other dwellings within this locality which are mainly two storeys in height. It should however be noted that the church building which these proposed dwellings would replace is of a similar height and as such the impact of the proposals upon the nearby residential properties is likely to be similar to that which is currently experienced.
14. The proposed dwellings would however not be built as far to the rear of the site as the existing church building. The proposed dwellings would only project past the rear of the church hall which is to be retained by approximately 1 metre. This is more than 7.5 metres further away from the existing bungalows to the rear than the existing church building is. As such it is not anticipated that the proposals would have significantly more of an overbearing effect than that which is currently experienced in respect of the existing church building. It is however accepted that the current proposals are for residential use which is different from that of a church building and the potential for overlooking needs to be given consideration. To the rear of the proposed dwellings there would be a first floor balcony, there would however be no potential to overlook the adjacent new property given there would be a two storey off-shot between each of the proposed balconies. In

addition to this the orientation of the nearby properties to the rear (3 and 4 Larch Terrace), is such that their rear elevation is angled away from the facing elevations of the proposed dwellings. The proposed detached garages detailed in this application would also aid in protecting the privacy of these properties, given they would form a partial visual barrier between the rear elevations of the bungalows and the proposed new dwellings.

15. The proposed dwellings would be in excess of 21 metres from the rear elevations of the existing bungalows to the rear, as such this aspect of the proposals would accord with the distances as set out within SPG7. To the west of the site there would be a distance of approximately 11 metres between the rear elevation of Westfield House and the blank gable of the proposed dwelling on Plot 1. Whilst SPG7 requests a distance of 12.5 metres should be retained in these circumstances, it is considered that in this case given the proposed dwelling is not directly opposite the entire rear elevation the difference in impact would be negligible.
16. In the east gable of each of the proposed dwellings there would be two landing windows and a door at ground floor. As these windows do not serve principal rooms and do not directly overlook any windows of neighbouring properties it is not considered necessary to ensure that these are fitted with obscure glazing.
17. The objector's comment there has been concern raised over the access to the site being taken from Larch Terrace and the potential problems caused by large vehicles visiting the site during any construction works. The highways officer has raised no objection to the access being taken from Larch Terrace, and has in fact commented that this would be preferable to that of West Road in terms of highway safety. The highways officer has however commented that precise details of the access with Larch Terrace will be required, including the surfacing details. He has also commented that plot 1 should have a pedestrian access to West Road. Both the details of the vehicular access to the rear and the pedestrian access to the front of plot 1 can be controlled by way of condition. With regards to the construction traffic using Larch Terrace, these concerns are appreciated as Larch Terrace is not particularly suited to accommodating this type of traffic. Members may therefore be minded to consider attaching a condition requiring construction traffic and access to be taken from West Road only.
18. With regards to whether the existing drainage can cope with an additional two dwellings, Northumbrian Water have been consulted and have raised no objections to the application, as such the drainage capacity is considered to be acceptable.
19. The objections in respect of the proposed houses not being appropriate for the area do raise a valid point as to how the development would fit in with the locality. It is however considered that in this instance, as the proposed dwellings would be replacing a church building of a similar height and the houses would not form part of a terrace then the proposals would be acceptable. Also as discussed previously it is not anticipated that the proposed dwellings would compromise the privacy or have an overbearing affect on the dwellings to the rear, given they would be more than 21 metres away from the existing dwellings, the orientation of these existing properties is angled away slightly and the new dwellings would be

further away than the existing church building is. The objectors have also commented that other dormer windows within Larch Terrace have been refused as they were not in-keeping with the area. Officers have not been able to identify such an application. The only application within Larch Terrace for a dormer window which was refused was in 1991 at 21 Larch Terrace. This was refused on the grounds that the dormer window was considered to be excessive in size, a reduced scheme was however approved with a further application in 1991, and there are a number of other dormer windows to the fronts of other properties within the locality.

20. Whilst the principle of the proposals are considered on balance to be acceptable, no comments have yet been received from Natural England in respect of the Bat Survey. Pending a positive response from Natural England it is your officers view that the proposals are acceptable.

Recommendation

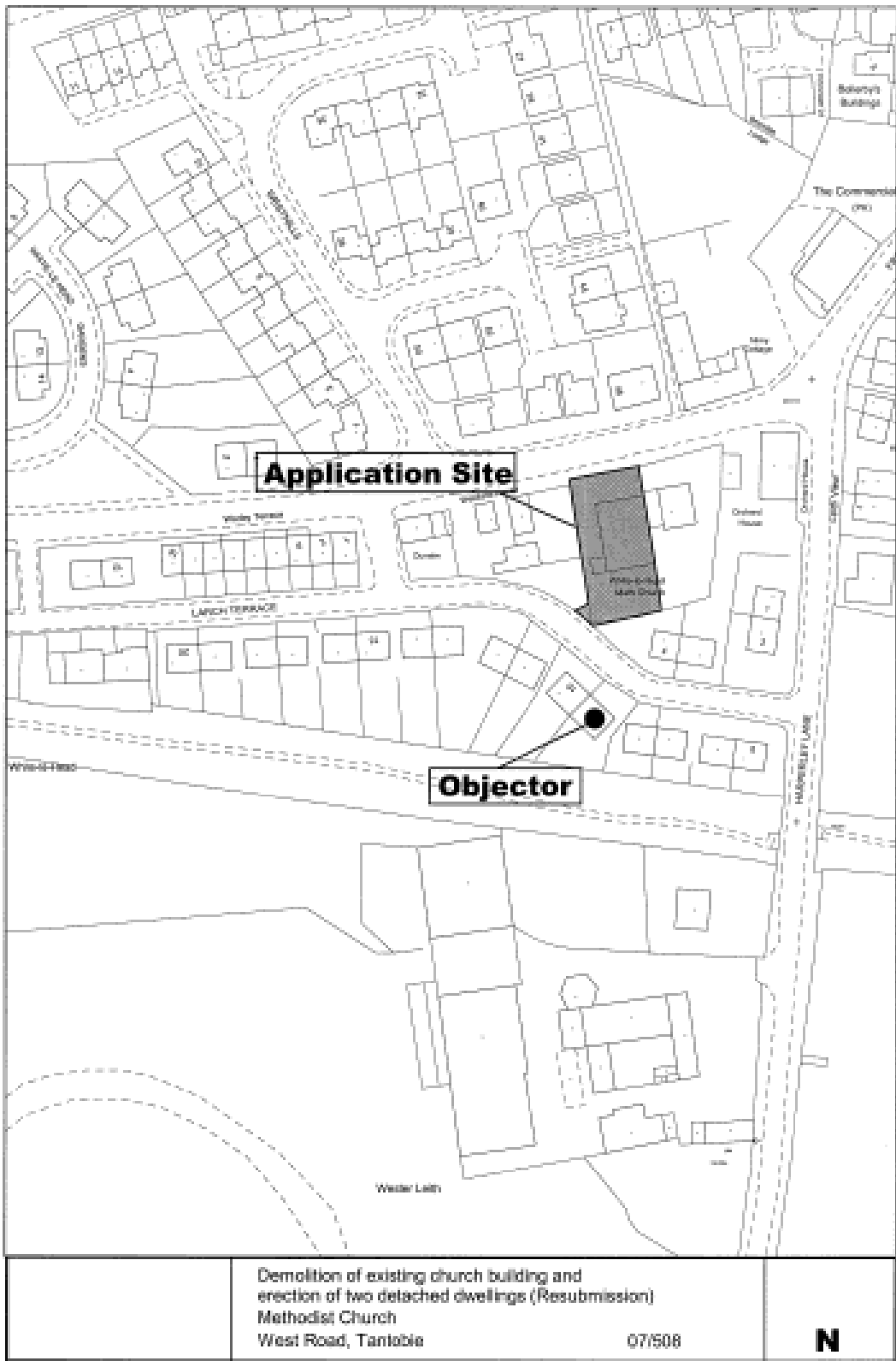
21. Conditional Approval subject to comments from Natural England in respect of the Bat Survey.
- Approved Plans (ST)
 - Time Limit (ST01)
 - Materials (A07)
 - Drainage (D03)
 - Precise details of the access from Larch Terrace along with the surfacing details of the access shall be submitted to and agreed in writing within one month of the commencement of the development or other such time period as may be agreed with the Local Planning Authority. The access shall then be carried out in accordance with these details.
 - Reason: In the interests of Highway Safety in accordance with Policy TR2 of the Local Plan.
 - Details of a pedestrian link from Plot 1 providing access from West Road shall be submitted to and agreed in writing with the Local Planning Authority within one month of the commencement of the development or other such time period as may be agreed with the Local Planning Authority. The development shall then be carried out in accordance with these details.
 - Reason: In the interests of Highway Safety in accordance with Policy TR2 of the Local Plan.

Reason For Approval

The proposed residential development is considered to comply with Policy HO5 of the District Local Plan and Supplementary Guidance Note No. 7 on the layout of new housing and there are no other material considerations which outweigh the decision to approve the application.

Report Prepared by Charlie Colling, Area Planning Officer

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RECOMMENDATION FOR APPROVAL

06/0494

04.06.07

Mr G Palmer

9 Laverick Terrace, Annfield Plain

Conservatory to front

Annfield Plain Ward

The Application

1. This application seeks planning permission to erect a conservatory to the front of 9 Laverick Terrace, Annfield Plain. The conservatory would project out by 2.6 metres from the front of the property. Laverick Terrace is a stone terrace within the Annfield Plain Conservation Area.

Policy

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

Development within Conservation Areas (EN13)
Extensions and Alterations to Existing Dwellings (HO19)

History

3. An application was approved in 2005 for the erection of a conservatory to the rear of this property (reference 1/2005/0572/DM).

Consultations

4. Neighbours/Site Notice – No objections
5. Design and Conservation Area Officer – Up until the 2006 approval for the conservatory to the front of 13 Laverick Terrace there had been no extensions at all, not even a porch to the front of this terrace and it retained its rhythmical appearance. I would like this second application to be refused now that the harmful impact of the first approval can be appreciated. It would not be too late in relation to the whole terrace.
6. In addition to my objections in principle the proposed conservatory is a different design to the first so compounding the problem of the loss of symmetry.

7. The proposed conservatory by virtue of its forward projection on the front elevation would harm the simple form and appearance of Laverick Terrace. This would harm the character and appearance of the Annfield Plain conservation area where stone terraces such as Laverick are a distinctive feature.

Officer Assessment

8. Laverick Terrace is an attractive, stone terrace which makes a significant contribution to the Conservation Area. The terrace is an excellent example of traditional pre-war terrace architecture.
9. The proposed development constitutes a modern UPVC conservatory, with a dwarf stone wall to match the existing dwelling. The proposed conservatory would project 2.61m from the front of the property with a width of 3.2m, and then is set back by 1.01m for a further 1.5m in a sort of 'L' shape. The conservatory would be erected in the front garden of the property which itself measures only 3.7m x 5.5m. As such the proposed extension would occupy the majority of the garden.

10. A similar conservatory has been erected to the front of 13 Laverick Terrace. This application was approved by Members contrary to Officer recommendation. It is therefore difficult to argue that the principle of a conservatory in this location is unacceptable, given the precedent has now been set. However, it is considered that the design of the proposed conservatory would have a further degree of negative impact upon the appearance of the terrace. The existing conservatory at 13 Laverick Terrace is of a simple rectangular appearance. The applicant has been asked to amend the design of this conservatory so that it would be similar to the existing conservatory at No.13, in order to retain some rhythmical appearance to the terrace. The applicant has however confirmed that he is not willing to do this.

11. Policy EN13 of the Local Plan – 'development within conservation areas' states that, "new development must be of a nature that preserves or enhances the character or appearance of the area". Although damage to the Conservation Area has already occurred as a result of the conservatory to the front of 13 Laverick Terrace, it is considered that a further conservatory differing in style would further damage the appearance of the terrace. It is therefore disappointing that the applicant has failed to follow Officer advice and has declined to amend the application. Officers are concerned that approval of differently designed conservatories would further harm the appearance of the terrace and although the principle of conservatories have been accepted it would be preferable if they were to be of the same (or at least very similar) design.

12. Policy HO19 'Extensions and Alterations to Existing Dwellings' states that planning permission will only be granted for an extension if it reflects the character of the original dwelling and its surroundings. Given the character of the dwelling and indeed the terrace as a whole is based upon repetition, a conservatory of a differing design to that which is existing would further damage the appearance of the terrace contrary to Policy HO19. Supplementary Planning Guidance 2 supports the opinion that a high standard of design is particularly important on the front elevation of a dwelling. Inappropriate front extensions can form an intrusive element in the street scene.

On balance however it is considered that although the proposed conservatory would further affect the rhythmical appearance of an important terrace within the Annfield Plain Conservation Area, given the precedent that has been set with the existing conservatory it would be difficult to recommend refusal of this application.

13. Although it should be noted that it would have been beneficial to the terrace and the applicant's own property if the applicant had been willing to alter the design.

Recommendation

14. Conditional Permission

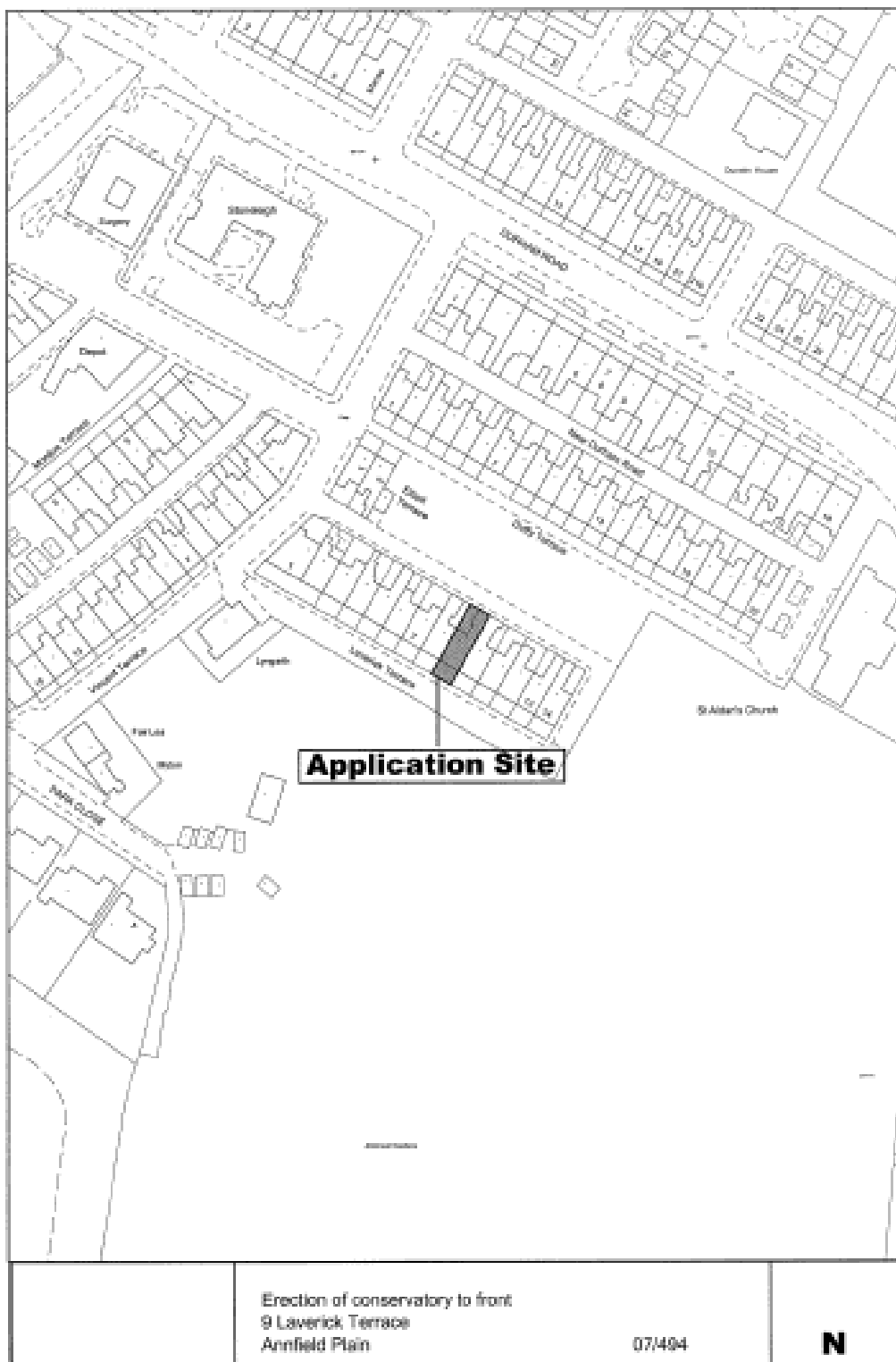
- Approved Plans (ST01)
- Standard Time Limit (ST)
- Materials to match existing (DH05)
- Obscure glazing (PD04)

Reason for Approval

15. The decision to grant planning permission has been taken having regard to policies HO19 and EN13 of the Derwentside District Plan, and relevant supplementary planning guidance and material considerations, as detailed in the report to the Development Control Committee. In the view of the Local Planning Authority no other material considerations outweigh the decision to grant permission.

Report Prepared by, Charlie Colling, Area Planning Officer

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RECOMMENDATION FOR APPROVAL

07/0486

05.06.07

Mr R Nicholson and Ms J
Fairless

27 Lintzford Road,
Hamsterley Mill

Alterations to roof to
include heightening, dormer
windows to front and rear
and gable ends to the sides

Ebchester and Medomsley
Ward

The Application

1. Planning permission is sought to increase the height of the existing hipped roof to the main house and the addition of a new pitched roof over the existing flat roofed part of the dwelling to incorporate 3 dormer windows to the front elevation and four dormer windows to the rear elevation at 27 Lintzford Road in Hamsterley Mill.

2. It is proposed to replace the existing roof with a new gable ended roof to this single storey property. It is proposed to increase the height of the roof by 1.3m in height from 6.0m at ridge to 7.3m at ridge. The eaves level is to remain as existing. A new pitched roof would replace the existing flat roof to the north eastern side and rear, southern side of the property to the same height. Three pitched roofed dormer windows would be incorporated to the front roofslope and four incorporated into the rear roofslope. To the rear roofslope these would be positioned 3.6m above ground level, extending to a height of 6.0m above ground level enabling the dormer windows to be 2.4m in height. The 1st floor level of the dormers would be the existing eaves height of 3.2m. The roof would be constructed off red pan tiles to match the existing roof.

History

3. None relevant

Policy

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

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

Consultations

5. County Council Design and Conservation Officer- No objections. This is a small property in a reasonably large plot and next to a 2 storey house. I consider there

would be no harm to either the appearance of the plot or to the adjacent properties if 27 Lintzford Road was to be extended. The design of the extension is acceptable and in keeping with the design of the property. A brick sample would assist in a good match.

6. Neighbours have been consulted. An objection has been raised by the occupier of no. 2 Long Close Road, to the rear of the application site. The main concerns are summarised below:
 - Proposed heightening of the roof and lack of detailed dimensions from which to gauge the impact of this heightening of the existing roof.
 - Dormer windows should be within the original roofing line without raising the original roof height, in keeping with existing dormer bungalows in the area.
 - The heightening of the roof will make the property into a 2 storey house.
 - The 4 new upper storey windows will overlook our rear bedroom, conservatory and lounge. The boundary hedge is 15 from our ground floor bedroom.
 - In relation to the planning appeal decision at 5 Long Close Road for the use of a detached building as self catering holiday accommodation, the Planning Inspector considered that the residents of such a spacious estate might reasonably expect a commensurate degree of privacy and repetition of such a development would jeopardize that residents might reasonably be able to enjoy here.
 - It is believed that this view sets a precedent for house extensions, which increase the roof line and introduce a second storey.

Officer Assessment

7. For extensions such as this the main issues to consider are the impact upon neighbouring amenity and the design and scale of the proposed extension in relation to the existing and surrounding properties.
8. HO19 seeks to ensure that extensions and alterations reflect the character of the original dwelling and its surroundings, reflects the scale of the original dwelling, incorporates pitched roofs, specifies materials to match those of the existing dwelling and does not result in unacceptable loss of privacy and amenity to neighbouring occupiers.
9. Hamsterley Mill estate is a spacious mature low density area characterised by relatively large detached dwellings in spacious plots with well established planting and trees. The estate is set out in linear form either side of the road with properties having large rear gardens and generous frontage widths. Although a variety of dwellings types, there is an overall spacious ambience and structure within a mature tree setting. The houses on Lintzford Road all front the highway, are positioned to the centre of the plots, off the main road with large rear gardens.
10. The property to which this application relates is currently a bungalow and is enclosed by high hedging to the rear. The adjacent property, to the southwest, No. 29 Lintzford Road is also single storey. No. 2 Long Close road to the rear is single storey with dormers within the roofspace and the neighbouring property to the east, no. 25 is a 2 storey house.

11. The proposed roof and dormer extensions have been designed appropriately, in keeping with the character of the existing property and the area. It is considered that the raising of the existing roofline by approximately 1.3m in height, having an overall height of 7.3m and the addition of dormer windows, effectively a two storey dwelling respects the scale of the existing house. This increase would not be excessive nor appear over dominant within its surroundings, especially given the properties to the east, along Lintzford Road are two stories in height and the property is set back from the road.

12. In terms of residential amenity the extension is set a good distance of 11m from the next door neighbour to the west, no. 29. No objections have been received from the occupiers of this property. The new pitched roof to the existing flat roof is also set approximately 5m from the side elevation of no. 25 to the west. No windows are proposed to the side elevations. No objections have been received from the occupier of this property. The new roof would not result in any significant loss of outlook from the rear windows of this property due to the distance between the properties and the shape of the proposed roof.

13. Concerns have been raised regarding loss of privacy and overlooking from the occupier of no. 2 Long Close Road, the property to the rear of the application site. It is acknowledged that the proposal would increase the height of the existing dwelling by 1.3m and incorporate new rear windows at a height of 3.6m-6.0m. However it is also considered that the distance of 32m at the closest point from the rear elevation of no. 2 Long Close Road and the rear of the application property is more than an adequate separation distance to maintain an acceptable level of privacy between the two properties and it is not considered that any potential overlooking would be to the extent that would justify the refusal of the application on these grounds. The distance of 32m is substantially over the distance of 21m that the Council normally requires between facing habitable windows. Members will recall that at the last meeting an appeal decision for St Ives Road in Leadgate was reported, wherein the Inspector had commented on the acceptability of such distances, even though there was a significant change in levels the worked adversely to the neighbours' properties.

14. The property would be larger, however there is a large curtilage to the front whereby 4 cars can be parked which is considered sufficient to serve this property.

15. The proposal is therefore considered acceptable and in accordance with Derwentside Local Plan Policy HO19.

Recommendation

16. Conditional Permission

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

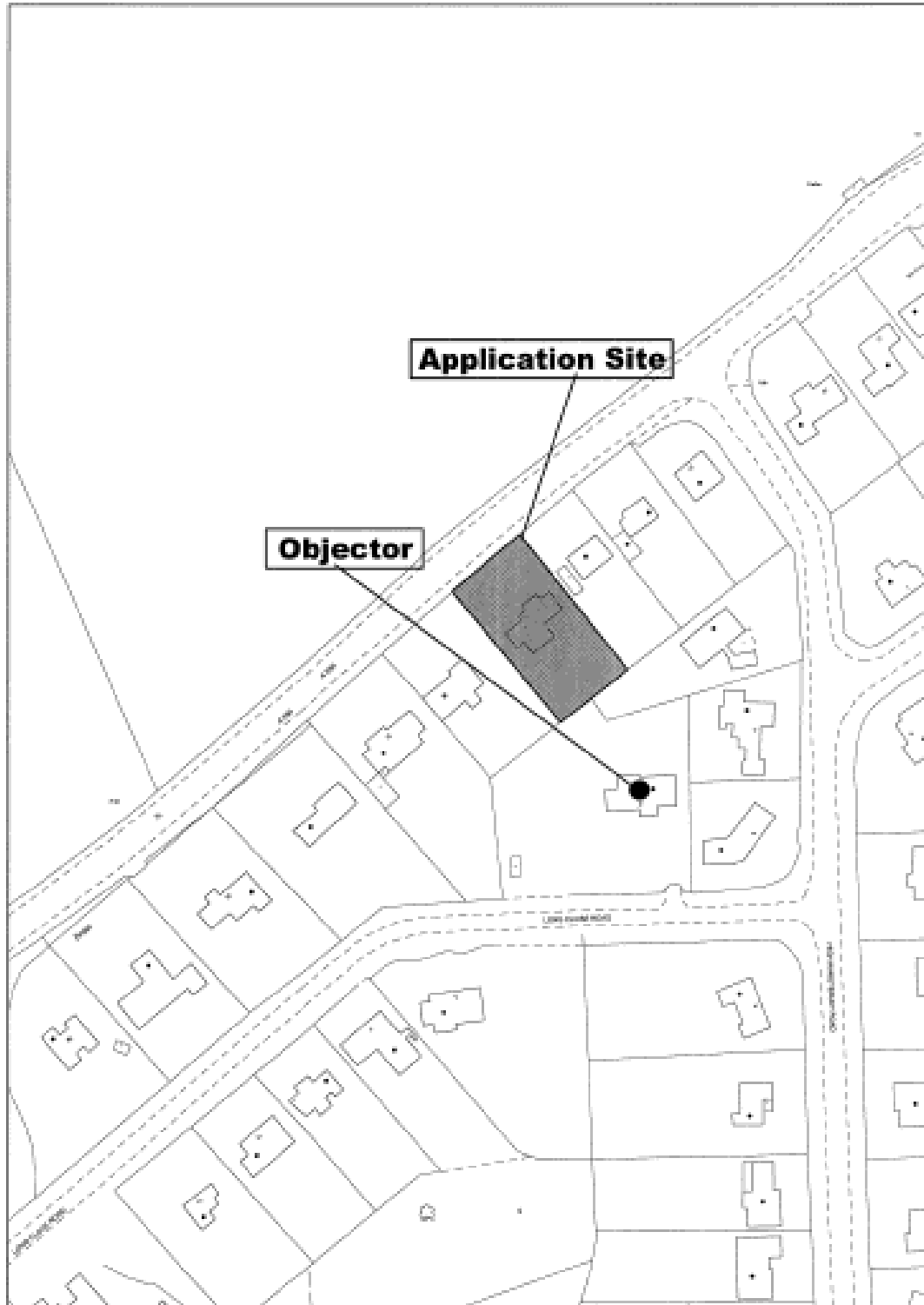
Reason for Approval

17. The decision to grant planning permission has been taken having regard to policy

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

Report Prepared by, Ann Rawlinson, Senior Area Planning Officer

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RECOMMENDATION FOR APPROVAL

1/2007/0541

14.06.07

Mr K Appleton

16 Hazel Grove, Crookgate

Single storey front and side extension

Burnopfield Ward

The Application

1. This application seeks Planning Permission for the erection of single storey front and side extensions incorporating a garage at 16, Hazel Grove, a semi-detached property in Crookgate, Burnopfield.
2. The side extension would be 3 metres in width and approximately 8.4 metres in length. The side extension incorporates a door and small window.
3. The front extension measures 5.8 metres in length and 1.4 metres in width. Both extensions measure 2.6 metres to the eaves and 3.8 metres to the ridge. The front elevation would incorporate a front door and a garage door. The extensions would use brickwork to match the existing house and would have slate roofs.

History

4. No history

Policy

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

General Development Principles (GDP1)
Extensions to Existing Dwellings (HO19)
Development and Highway Safety (TR2)

Consultations

6. Director of Environmental and Technical Services (Highways) – No site plan has been submitted with the application. The proposed garage is forward of the existing building line by 1.34m and follows the line of the proposed porch. I have no reason to believe this would give an inadequate drive length, leading to vehicles parked on the drive overhanging the footway, to the detriment of highway safety. I must therefore object to the application as submitted until such times as a plan is submitted which shows a 5.0m minimum length driveway in association with a non-projecting garage door type.

7 Neighbours have been consulted and a site notice posted.

Officer Assessment

8 This application seeks Planning Permission for the erection of single storey extensions to the front and side of 16, Hazel Grove, Crookgate. The front extension measures 1.4 metres in length, 5.9m width and the side extension measures 3m in length and 9.6m in width. Both extensions measure 2.5m to the eaves and 3.8m to the ridge.

9 The main issue concerning this application is the length of the driveway, which would be 4.3 metres once development is completed. The Highways Development Control Officer has advised that the driveway would be short of what is deemed acceptable and therefore objected, stating 5.0 metres is the minimum length of the driveway acceptable and a non-projecting garage door would be required.

10 It is considered that creating an additional parking space to the side of 16, Hazel Grove would alleviate the issue of the driveway being too short providing an alternative place for vehicles to park.

Recommendation

11 Conditional Approval

- Approved Plan (ST01)
- Five year time limit (ST)
- Materials (DH05)
- The garage approved in this application shall be fitted with a roller shutter door, which shall remain in situ unless further written permission is received from the Local Planning Authority.
- Reason: In the interest of highway safety in accordance with Policy TR2 of the Local Plan.
- An extra car parking space be incorporated into the landscaping of the house.
- Reason: To satisfy the driveway length limit of a minimum of 5 metres.

12 Reason for Approval

The reason to grant Planning Permission has been taken having regard to General Development Principle 1, Policy HO19 and Policy TR2 of the Derwentside District Plan and Supplementary Planning Guidance Note 2, along with other material considerations, as detailed in the report to the Development Control Committee. There are no other material considerations which outweigh the decision to approve the application.

Report Prepared by, Tom Armfield Planning Officer.

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Policy GDP1

When considering proposals for new development, the Council will not only assess each application against the policies in the following chapters, but will also expect, where appropriate, the following measures to have been incorporated within each scheme:

- (a) a high standard of design which is in keeping with the character and appearance of the area. The form, mass, layout, density and materials should be appropriate to the site's location, and should take into account the site's natural and built features;
- (b) designed and located to conserve energy and be energy efficient;
- (c) protection of existing landscape, natural and historic features;
- (d) protection of important national or local wildlife habitats, no adverse effect upon, or satisfactory safeguards for, species protected by the Wildlife and Countryside Act 1981, no harmful impact on the ecology of the District and promotion of public access to, and the management and enhancement of, identified nature conservation sites;
- (e) the protection of open land which is recognised for its amenity value or the contribution its character makes to an area;
- (f) the provision of adequate landscaping within the design and layout of the site and where appropriate creation of wildlife habitats reflecting the semi-natural vegetation of the surrounding area and using native species wherever possible;
- (g) designed and located to deter crime and increase personal safety;
- (h) protection of the amenities of neighbouring occupiers and land users;
- (i) adequate provision for surface water drainage;
- (j) protection of areas liable to flood from development;
- (k) protection of ground water resources and their use from development.

Policy EN1

Development in the countryside will only be permitted where it benefits the rural economy or helps to maintain or enhance landscape character. Proposals should be sensitively related to existing settlement patterns and to historic, landscape, wildlife and geological resources of the area.

Policy EN2

Except where specific provision has been made in the Plan, development outside existing built up areas will not be permitted if it results in:

- (a) the merging or coalescence of neighbouring settlements; or
- (b) ribbon development; or
- (c) an encroachment into the surrounding countryside.

Policy EN13

Development in Conservation Areas will only be permitted if it preserves or enhances the character or appearance of the area.

Applications for development will be assessed against all the following criteria:

- (a) whether the proposal, including the location and massing of any building, preserves or enhances the character or appearance of the area;
- (b) whether the architectural details and materials to be used reflect the character of the area;
- (c) whether there is an adverse effect on trees and hedgerows and other landscape features which contribute to the area's character and appearance.

Outline applications for planning permission will only be considered if sufficient details are submitted to enable proper assessment of the proposal. Temporary buildings and structures will not usually be permitted.

Policy EN27

Planning permission will only be granted for new development within a 250 metre radius of a landfill site, mine workings, or on or adjacent to a contaminated site, if the developer:

- (a) provides the results of an expert investigation to detect and monitor the presence and likely effects of any gases, leachates, corrosive materials, groundwater areas of permeable sub strata and the potential for subsidence within and around the site; and
- (b) identifies a detailed programme of remedial works to resolve known and potential problems, covering site preparation, design and building construction, protection for workers and all other measures required to make the site, proposed development and surrounding area safe and stable.

Policy HO3

The following large sites are proposed for housing development:

	Dwellings (Estimated)
<u>Annfield Plain</u>	
Harperley Road	40
Pontop Terrace	15
Rear Of Earl Grey Public House	10
<u>Burnhope</u>	
South Of Vale View	15

<u>Consett</u>	
Railway Street	25
Sherburn Terrace	40
<u>Delves</u>	
Gloucester Road	80
<u>Dipton</u>	
Ewehurst	40
<u>Hamsterley</u>	
East Of Dane Engineering	50
<u>Langley Park</u>	
Adjacent To Hillside Estate	20
<u>Leadgate</u>	
Garden Terrace	25
Station Yard	20
<u>Medomsley</u>	
Medomsley Sawmill	35
<u>New Kyo</u>	
Shield Row Lane	75
<u>Quaking Houses</u>	
Oswald Terrace	10
<u>Shotley Bridge</u>	
Elm Park	38
North Of Murray House	50
Wood Street	10
<u>South Moor</u>	
Oxhill Farm	60
<u>Stanley</u>	
Chester Road	15
Stanley Hall	270
Tyne Road	35

Policy HO5

Housing development on small sites will only be permitted in the settlements listed below, where the development:

- (a) is appropriate to the existing pattern and form of development in the settlement; and
- (b) does not extend beyond the existing built up area of the settlement; and
- (c) represents acceptable backland or tandem development; and
- (d) does not exceed 0.4 hectares in size if taken together with an adjoining site.

Annfield Plain (Including Catchgate And West Kyo)

Blackhill

Burnhope

Burnopfield

Castleside

Consett

Cornsay Colliery
Craghead
Crookgate
Delves Lane (Including Crookhall)
Dipton (Including Flinthill)
Ebchester
Esh
Esh Winning
Greencroft
Hamsterley (Including Low Westwood)
Hamsterley Mill
Harelaw
Hobson (Including Pickering Nook)
Iveston
Lanchester
Langley Park
Leadgate
Maiden Law
Medomsley
Moorside
New Kyo
No Place
Oxhill
Quaking Houses
Quebec
Satley
Shotley Bridge
Stanley (Including Shield Row)
Tanfield
Tanfield Lea (Including Broomhill)
Tantobie
The Dene
The Grove
The Middles
South Moor (Including Oxhill)
White-Le-Head

Policy HO19

Planning permission will only be granted for the extension or alteration of a dwelling if the proposal:

- (a) reflects the character of the original dwelling and its surroundings; and**
- (b) respects the scale of the original dwelling; and**
- (c) incorporates pitched roofs wherever possible; and**
- (d) specifies materials to match those of the existing dwelling; and**
- (e) does not result in an unacceptable loss of privacy and/or amenity to neighbouring occupiers; and**
- (f) does not result in the loss of off-street car parking space such that the level of provision is reduced to below the minimum requirements.**

Policy HO23

Planning permission for new housing developments will be approved provided that:

- (a) the proposals respect the density and character of the locality; and
- (b) no harm would be caused to the living conditions of the occupiers of proposed or existing dwellings from loss of privacy or daylight or from overshadowing; and
- (c) the design and layout of the development minimises opportunities for crime.

Policy CF1

Health centres, doctors, dentists, other surgeries and community facilities should be located within or on the edge of town, local or village centres. Where possible, they should:

- (a) have level access; and
- (b) be located close to public transport; and
- (c) not adversely affect the amenities of neighbouring residents or land users.

Policy IN7

New, or the limited extension of existing, industrial/business development in the countryside will only be permitted where:

- (a) it is directly related to the winning, processing and treatment of minerals, or the processing of agricultural or forestry products and is essential for such processing to take place close to the source of new materials, and that such permissions will be related to the life of such raw material sources; or
- (b) it involves a conversion of a building complying with Policy EN4, or the diversification of an agricultural enterprise complying with AG2.

Policy TR2

Planning permission for development will only be granted where the applicant can satisfy the Council that the scheme incorporates, where necessary:

- (a) a clearly defined and safe vehicle access and exit; and
- (b) adequate provision for service vehicles; and
- (c) adequate vehicle manoeuvring, turning and parking space; and
- (d) effective access at all times for emergency vehicles; and
- (e) satisfactory access to the public transport network; and
- (f) a satisfactory access onto the adopted road network.

Planning permission will only be granted if the proposal also complies with the car parking standards in Appendix D.