

Development Control Committee

Councillors: J. I. Agnew, R. Alderson, A. Atkinson, M. Campbell, H. Christer, T. Clark, B. Cook, G. Coulson, R. Ellis, B. Gray, P. D. Hughes, D. Hume, D. Lavin, O. Milburn, T. Pattinson, S. J. Rothwell, A. Shield, E. Turner, A. Watson O.B.E, T. Westgarth, J. Williams, 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 19th June 2008 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 this committee's meeting held on 5th June 2008 as a correct record.

(Herewith 'A')

Attached Documents:

[MINUTES \(A\)](#)

3. PLANNING APPLICATIONS

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

Attached Documents:

[PLANNING APPLICATIONS \(B\)](#)

4. 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).

5. ENFORCEMENT

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

Agenda prepared by Lucy Stephenson, Democratic Services
email: l.stephenson@derwentside.gov.uk

10th June 2008

DEVELOPMENT CONTROL COMMITTEE

Minutes of a meeting of the Development Control Committee held in the Council Chamber, Civic Centre, Consett on Thursday 5th June 2008 at 2.00 p.m.

Present

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

Councillors A. Atkinson, M. Campbell, H. Christer, B. Cook, G. Coulson, R. Ellis, D. Hume, D. Lavin, T. Pattinson, S. Rothwell, A. Shield, A. Watson, T. Westgarth.

Apologies

Apologies for absence were submitted on behalf of Councillors R. Alderson, W. Gray, P. Hughes, O. Milburn, E. Turner and R. Young.

In Attendance

Councillor G. Reid.

1. DECLARATIONS OF INTEREST

Councillor S. Rothwell and Councillor Coulson declared a personal interest in Planning Application 08/0243 as they both knew the applicant personally and were both members of the Parish Council.

2. MINUTES

RESOLVED: that the minutes of the meeting held on 8th May be approved as a correct record with the inclusion of the following:

MR HUGH MASSEY: Speaking in **Support** of the Application – rather than **Against** as stated under minute number 93, application 08/0132.

3. 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 against Enforcement Notice and refusal to grant Retrospective planning permission for the change of use of land from agriculture to a mixed use of agriculture and the siting and residential occupation of a caravan at a site to the south

west of Peartree Terrace, Burnhope. – Appeal allowed and the Enforcement Notice be quashed.

Councillor Watson questioned whether it would be appropriate for the Council to appeal the decision of the Inspector, in response the Director of Environmental Services advised that there was no evidence to suggest that the decision was misdirected and therefore would not recommend that the Council pursue further action.

Councillor Watson asked that the committee's expression of disappointment over the decision be noted.

- (ii) Planning Application – Appeal against the refusal to grant Advertisement Consent for the erection of one advertising hoarding (retrospective) at 25 Front Street, Leadgate. – Appeal dismissed.
- (iii) Planning Application – Appeal against the refusal to grant Retrospective Advertisement Consent for the erection of a 96-sheet illuminated poster panel on land at Terry's Tyres, Tanfield Lea Road, Stanley. – Appeal dismissed.

4. ESH CONSERVATION AREA APPRAISAL ADOPTION

The Planning Officer (Development Plans) presented the report which informed members of the Esh Conservation Area Appraisal and to recommend approval of the document.

He advised that within Derwentside there were sixteen designated conservation areas. To help ensure that the Council can preserve and enhance these areas Conservation Area Appraisals were being completed the first one of which being Esh.

He went on to advise of the areas covered by the document such as justification for the features worthy of conservation and enhancement where possible, as well as giving guidance so that new development is appropriate to its setting. In addition the document contained planning advice for property owners.

He advised that the local residents of Esh had been notified of the document and were able to offer comment, workshops were held in the Village and valid comments were received during this session. He advised that comments and changes made on the document were appended to the report for member's consideration.

In conclusion he advised that the document was recommended for adoption.

Following a vote being taken it was

RESOLVED: that the Esh Conservation Area Appraisal be adopted.

5. PLANNING APPLICATIONS

(1) Public Speaking Applications

Councillors S. Rothwell and G. Coulson declared a personal interest in the following application, left the Chamber and took no part in the discussion or voting thereon.

08/0243 A and E HARLING

Change of use of land to domestic garden, 3 Middridge Road, Langley Park, County Durham.

The Senior Area Planning Officer (SW) presented the report which recommended approval of the application.

He advised that the area of land proposed to be changed to domestic garden was not seen to be of detriment to the local amenity and minimal impact would be had from the submission.

He advised that since the report had been written the comments of Esh Parish Council had been received and they had submitted no objections to the proposal.

MR CLIFF: Speaking Against the Application

Mr Cliff made the following points in support of refusal of the application:

- Views and line of sight interrupted by the proposals for the erection of the fence;
- This will also cause problems with Crime, ASB and problems with traffic and highway safety for both motorists and pedestrians;
- Vandalism in the area very minor at present and the area of land in question is currently well kept;
- If a corridor of land is created this will be more susceptible to vandalism;
- Concerns as water course runs partway under the section of land in question.
- 27 trees and 200 rose bushes surround the area for the proposed play area – not child friendly.
- Reference to Corporate Plan and Local Plan policies (copies of the highlighted areas were circulated to members.

Councillor Ellis questioned the use of the garden as the report suggested that the garden would not be used for building or planting.

Councillor Campbell added that in his opinion he struggled to see the benefits of splitting the land, the land currently had a purpose for children playing and therefore the division of land would be detrimental to the amenity and

undesirable to the community as creating a corridor for youths to congregate would lead to problems with ASB.

Councillor Atkinson added that his concerns were surrounding the watercourse under the area of land in question and added that he was 100% against the application.

Councillor Williams made reference to paragraph 5 of the report and questioned the restrictive covenant on the land. The Senior Area Planning Officer advised that restrictive covenants were separate from planning consideration and this could not be seen as a reason for refusal.

Councillor Christer asked for clarification as to how high the fence would be surrounding the area of garden. The Senior Area Planning Officer advised that the fence would be approximately 1.8m high.

Councillor Shield added that the division and enclosure of the land would be of significant imposition causing problems for those turning in and out of the estate as the line of sight would be significantly impaired.

The Director of Environmental Services advised that if members were minded to approve the application it may be felt appropriate to impose a condition restricting the height of the fence and where the fencing was used to prevent loss of sight for those using the space to turn or access properties.

Councillor Westgarth added that in his opinion he could not see the reasoning in only wanting to convert half the space into garden and not the whole section of land. The Senior Area Planning Officer advised that the planning application did not require that depth of information therefore he could not answer that question.

Councillor Watson added that in agreement with the objectors there were clear policies on protecting open space and in his opinion would find it hard to find any real justification to support the application. It was noted that Esh Parish Council had not submitted any objections however; the applicant was a member of the Parish Council.

Following a vote being taken it was

RESOLVED: that Planning Application be refused on the grounds that:

Area of valued open space/loss would be detrimental to the overall amenity of the area/ contrary to GDP1/Undesirable/subdivision would create a narrow area of open space which would lessen the attractiveness of the space, and could give rise to anti social behaviour.

08/0236 ORANGE HOMES LTD

Erection of one dwelling, Hillcrest, 75 Iveston Lane, Iveston, Consett.

The Chair welcomed to the meeting Mr McEvoy who was in attendance to speak in support of the application.

The Senior Area Planning Officer (AR) presented the report which recommended refusal of the application.

She advised that the development was in the opinion of officers to be outside of the development limit of Iveston and encroaching into the open countryside. She advised that a further letter of objection had been received from the neighbouring property advising that the land had been used for grazing up until last year and the land should therefore be reinstated as a field.

She further added that the application contravened Local Plan Policies H05, EN1 and EN2 as the land was considered to be Greenfield.

MR McEVOY: Speaking in Support of the Application.

Mr McEvoy made the following comments in support of the application:

- Orange Homes are a development company specialising in small high quality, sustainable developments. Reference was made to the high quality renovation of Grange Farm near Medomsley.
- Even though the site at Iveston is not complete, complimentary remarks have been made by residents and the conservation officer.
- The applicant has ensured that in building one final dwelling at the rear of the site it would not harm the character of the village, or extend out into the open countryside.
- The house is described in the officer's report as a "substantial size" with a large garden on all sides. The house in fact will be 160m² (1700 square feet), which is considered by the applicant to be modest for a four-bedroom house.
- The proposed house does not jut out any further northwards than the neighbouring property, 77 Iveston Lane.
- The Planning Officer has suggested that the boundary of the Conservation Area should be treated as the 'natural' settlement limit for the village; to the developer this does not make sense. In some areas the boundary is drawn generously, taking in whole fields. In those cases, The Council would want to resist any suggestion that the Conservation Area boundary indicated a limit to the development. Derwentside has villages with identified settlements limits, however Iveston isn't one of them.... surely it is then wrong to try and create one by reference to a Conservation Area boundary.
- The correct policy to use in deciding whether the proposal is acceptable in terms of Iveston's pattern and form is HO5. It sets out clear criteria which should be considered in deciding the acceptability of development on a site like this. The Officer's report does not assess the proposal against

each of the criteria, but makes general comments which lead onto reasons for refusal.

- If you look at the general arrangement of housing and rear fence lines in this part of the village, we think that developing the site will not cause any material encroachment into the open countryside. And therefore fit in with the pattern of the settlement.
- If concerns were had about possible further applications to the rear of Hillcrest, our clients would willingly enter into a 106 agreement to prevent this.
- Request if members still feel unsure about the arguments carry out a site visit.
- In conclusion there is a small opportunity with the Hillcrest site to provide a further dwelling to complement those which have already been developed at the site. There will be minimal, if any, impact on the character of the village or the Conservation area, and no breach of policy or precedents would be set.

Councillor Williams asked the Planning Officer to indicate on the location plan where the boundary lines of the settlement were. Councillor Chorister added that in her opinion the development would be a clear encroachment into the countryside.

Councillor Watson added that a site visit had been undertaken by some members of this committee back into 2005 and therefore felt there was no requirement for this to be revisited.

The Senior Area Planning Officer added that a site visit was undertaken in respect of the application for two dwellings in 2004 however this would have comprised of different members to those that make up the committee today.

Following a vote being taken it was

RESOLVED: that Planning Application 08/0236 be refused on the grounds that:-

1. The proposed dwelling is considered to be positioned beyond the built up form of the settlement and thus encroach into the open countryside contrary to policies EN2 and H05 of the Local Plan.
2. The proposal is not considered appropriate to the form and pattern of the existing settlement, nor would it maintain the historic landscape character, contrary to policies EN1 and H05 of the Local Plan.

08/0190 MR R HOWD

Erection of two residential dwellings, Heath field, Hobson, Bromfield, Newcastle Upon Tyne.

The Chair welcomed to the meeting Helen Wilson who was in attendance to speak in support of the application.

The Senior Area Planning Officer (SW) presented the report which recommended refusal of the application.

HELEN WILSON: Speaking in Support of the Application

Miss Wilson made the following comments in support of the application:

- The site is located in the settlement of Hobson (including Pickering Nook) and Burnopfield. Although no defined settlement limit exists the site is clearly part of the built form.
- We content that this application does not constitute development within the open countryside nor can it be described as isolated development as the site is part of the built form of Hobson and Pickering Nook being located adjacent to the industrial estate. This is a brownfield site in a sustainable location.
- Site used a garden area since 1983.
- Many services available in the villages of Hobson and Pickering Nook, along with regular bus services to both Consett and Newcastle. Burnopfield is a 15 minute walk away from the site and easily accessible by bus and car.
- It is important to note that the character of the area of Hobson and Pickering is a semi-urban village, within a sustainable location with employment opportunities on the adjacent industrial estate in Hobson.
- Members should determine their decision with firstly reference to policy and secondly material considerations. Local Plan H05 is the most relevant to this application; this refers to housing developments on small sites.
- The settlements listed in the policy do include the Hobson (including Pickering Nook) and Burnopfield, and is part of the built form and existing for and pattern of the settlement. As such the proposed development does not extend beyond the existing built up area, so this part of the policy is met. The site is part of the garden area of Heathfield House therefore cannot be considered as extending into the open countryside – and being a brownfield site this should be encouraged as a priority site for development in National Policy Guidance on housing (PPS3).
- The development does not exceed 0.4 hectares.

The Senior Area Planning Officer in response added that if the site had been used a garden since 1983 as the agent suggests then this has been done so unlawfully and they should seek to obtain a certificate of lawfulness for its use.

In response to comments made regarding sustainability, he advised that in terms of H05 this does not stack up in favour of the application.

Councillor Rothwell made reference to paragraph 5 and 6 of the report which highlighted that the Highways Authority were only happy to submit no objections if the removal of a tree took place to improve visibility, which was in ownership of

the District Council. She therefore added that it was wrong to suggest that no objections had been received from the Highways Authority.

Councillor Cook questioned the use of the garden since 1983, the Senior Area Planning Officer advised that he was of the understanding that the land had recently been purchased, however if the previous owners were using the land as an extension to the garden area this was unlawful.

Councillor Lavin added that in his opinion he could see no reasonable justification for approval of the application.

Following a vote being taken it was

RESOLVED: that Planning Application 08/0190 be refused on the grounds that:-
The dwellings as proposed would be located in a physically isolated site in the open countryside that is separated from any settlement or group of dwellings. As such the proposal would fail the criteria laid out in Policies EN1, EN2 and H05 of the Local Plan, as the development proposed would be outside of the existing built up area and is considered to be encroachment into the countryside, without demonstration for a need for persons engaged in agriculture, forestry or other such rural enterprise.

08/0095 and 08/0201 MR P WILKS

Erection of single storey rear extension, demolition of partially collapsed section to the south side of unit, installation of two underground tanks and erection of security fencing. Whitbank Garage, Durham Road, Lanchester.

The Chair welcomed to the meeting Dr Martin Bailey who was in attendance to speak against the application and Mr John Taylor who was in attendance to speak in support of the application.

The Senior Area Planning Officer (AR) advised that the site had an existing permission which was granted for the demolition of the existing garage and building of new garage. This permission had until December 2008 to be carried out. She advised that the site was in some state of disrepair and redevelopment should be welcomed.

She advised that since the report had been written comments had been received from Lanchester Partnership who had submitted no objections to the application, however had requested that some details be resolved such as the type fencing used and for some discrepancies with the drawings should be resolved.

She advised that in addition to this it was suggested that a further condition be attached to ensure that the shop remains ancillary to the petrol station.

She further advised that some residents did have reservations over highway safety however the Highways Authority had not submitted any objections to the proposals.

DR MARTIN BAILEY: Speaking Against the Application.

Dr Bailey provided a power point presentation for members and made the following comments in respect of the application:

- Traffic and Road Safety would be compromised, access points to and from the A691 would become more dangerous if the garage is permitted due to cars accessing and exiting the service.
- Screening of the garage would not be appropriate, the property at number 5 lies right on the boundary of the garage site and would be faced with the outlook of fuel tanks and jet washes.
- Contravenes Policy GDP1.
- Would cause a detrimental impact on the amenity of neighbours at Bishops Meadow and encroach into the private space of these residents, particularly at number 5 Bishops Meadow.

MR JOHN TAYLOR: Speaking in Support of the Application

Mr Taylor advised that the application sought for material alterations to that of the previously approved plans for the erection of a new garage and the previous business. He advised that there had been some legal problems involved with the purchase in the site and this had somewhat delayed the process.

He advised that no objections had been submitted by any of the statutory consultees other than that of Natural England who require that necessary mitigation measures are undertaken with regard to bats.

He added that there would be no change to the current access arrangements which were used whilst the previous garage was in use.

The Client had been in this type of business for many years and would ensure that it was run efficiently and well within the controlled legislation.

In conclusion he advised that he agreed with the officers comments under the recommendation for approval in that the application should be welcomed, it would enhance the appearance of the area and would be controlled under strict regulations and conditions.

Councillor Atkinson added that in his opinion he could not argue with the last speaker, the building was in a state of disrepair and the licence to sell petrol was already agreed in principle some time ago.

Councillor Shield added that a business of this nature was much needed in the area and the site in question was a prime position for such, in addition it would provide much needed employment in the area.

Councillor Williams queried whether it was possible to turn right at the junction into the station. In response the Senior Area Planning Officer confirmed that this was the case.

Councillor Watson added that he could see no reason for refusal of the application with the inclusion of the conditions with regard to the agreement of materials and for the shop to be ancillary to the garage.

Following a vote being taken it was

RESOLVED: that Planning Application 08/0095 be approved subject to:-

- Approved Plans (ST)
- Time Limit (ST01)
- Amended Plans (G04)
- The use shall not commence until details of the manifold and vapour recovery system, petrol vents and automated control unit, have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the use shall not be carried out other than in accordance with these approved details.
- No development shall commence until detailed plans of the jet washes and petrol pumps have been submitted to, and agreed in writing by the Local Planning Authority. This shall include the installation of one 'jet wash' only, as opposed to two, which shall incorporate tree and acoustic fence screenings adjacent the neighbouring property of no. 5 Bishops Meadow. The approved details shall be undertaken as agreed prior to the use of the Petrol Filling Station coming into effect.
- No development shall commence until details of the opening hours have been submitted to, and agreed in writing by, the Local Planning Authority. The development shall operate within the approved opening hours unless agreed otherwise in writing by the Local Planning Authority.
- No development shall commence until details of the colour finish to be used for the canopy of the Petrol Filling Station have been submitted to, and agreed in writing by, the Local Planning Authority. The approved details shall be undertaken as agreed prior to the use of the Petrol Filling Station coming into effect.
- No development shall commence until detailed plans highlighting the part of the site that is to be dedicated to Car Sales has been submitted to, and agreed in writing by, the Local Planning Authority. No cars shall be displayed for sale outside of the agreed Car Sales Area. This should also include landscaping of the site in order to screen outdoor car storage from the northern, eastern and southern side of the site.
- No development shall take place unless in accordance with the

mitigation detailed within the protected species report 'Bat and Barn Owl Survey of Whitbank Garage, Lanchester', County Durham 26 October 2007' including, but not restricted to adherence to timing and spatial restrictions; provision of mitigation in advance; adherence to precautionary working methods; provision of a bat boxes.

- There shall be no alterations to the ground levels of the site unless agreed otherwise in writing by the Local Planning Authority.
- No floodlighting or other form of external lighting shall be installed unless in accordance with details which have previously been submitted to, and approved in writing by, the Local Planning Authority. Such details shall include location, height, type and direction of light sources and intensity of illumination. Any lighting which is so installed shall not thereafter be altered without the prior consent in writing of the Local Planning Authority other than for routine maintenance which does not change its details.

07/0361 BARRATT NEWCASTLE

Residential development (outline), Land to the south of Oxhill Farm, South Moor, Stanley, Co. Durham.

The Chair welcomed to the meeting Sandra Thompson who was in attendance to speak in support of the application.

The Senior Area Planning Officer (SW) presented the report which recommended approval of the application. He advised that the application for the erection of dwellings had been approved by the committee on the 13th December 2007 however at that meeting members asked that it should be put to Barratts that they make a contribution to help bring the identified alternative site up to a useable standard, as the development would mean the loss of eighteen allotment sites. He advised that since that meeting Barratts had agreed to offer a sum of £5,000 as a 'good will' gesture.

Members were asked to reaffirm the authorisation for the release of the decision notice for the application and accept the gesture of £5,000 towards improvement of an alternative allotment site.

SANDRA THOMPSON: Speaking in Support of the Application.

Sandra Thompson advised that the Barratts project team had worked closely with the Officers of both Derwentside Council and Durham County Council with regard to progressing proposals for the site and a number of significant benefits had been agreed as a result of this.

She went on to outline the application proposals which had been approved at an earlier meeting of the committee and the significant benefits that would arise from the proposal such as highway improvements, affordable housing, sustainable urban drainage to be incorporated within the Great North Forest and further revenue being generated by the sale of Council land.

In respect of the request for enhancements to the allotment provision she advised that the applicants were willing to make a contribution of £5,000 which was considered by the developer as to more reasonably relate to the scale of the issues connected with the allotments.

Councillor Watson added that the issue was the level of contribution and the application itself had already been approved however thanked Ms Thompson for her recap. He suggested that the amount should if possible be sent directly to the allotment holders rather than directed through the Council.

The Senior Area Planning Officer advised that legal advice had been sought on that issue and this had also been discussed with the developer, he advised that both parties were more than happy for the money to be paid directly to the allotment holders.

Following a vote being taken it was

RESOLVED: that Members reaffirm authorisation for the release of the decision notice for the approved application and accept the applicant's gesture of £5,000 payment toward improvement of an alternative Allotment site, to be paid directly to the allotment holders.

08/0237 MR G TAYLOR

Erection of two storey rear extension (resubmission). Holyoak House, High Westwood.

The Chair welcomed to the meeting Mr Hindmarsh who was in attendance to speak against the application and Mr McGiven who was in attendance to speak in support of the application.

The Senior Area Planning Officer (AR) presented the report which recommended approval of the application.

MR HINDMARSH: Speaking Against the Application.

Mr Hindmarsh made the following comments in respect of the application:

- Extension for 66% contravenes policy EN3 of the Local Plan which indicates that extensions should not exceed 50%.
- Large windows proposed will create a greenhouse effect.
- Cost of oil, heating – consider solar energy.
- 1.5m height increase from plans agreed Jan 2008.

- HO19 – adverse effect on neighbouring property will result in loss of light, loss of outlook and over-dominance.
- Drainage – should members be minded to approve the application could the same conditions be implemented as requested for the previous plans.
- Personal thanks to officers who have helped to warn us of the impending blame that would be placed upon us re: legal issue with applicant.

MR MCGIVEN: Speaking in Support of the Application

Mr McGiven made the following comments in support of the application:

- Previous permission was for extension was 50% of the footprint of the original building, this submission requests to increase that to become an extension which would be 60% increase of the original footprint of the building.
- With regard to loss of outlook, attic windows will be 25m away from the neighbouring property which will amount to very minimal overlook.

Councillor Shield advised that the guidelines suggests that the maximum size for a house extension should be no more than 50% of the dwelling and therefore these limits should be adhered to and on that grounds he advised that he had major concerns in approving the application.

Further discussion took place over the limits of house extensions and whether this application would have been submitted for approval if originally submitted at 66%.

Councillor Watson added that in his opinion this application should be judged on the effect it would have on the hamlet and would argue against the officer's recommendation for approval. He advised that the extension and property if approved would be highly visible when approaching High Westwood being more prominent in scale and detracting from the appearance of the original building. He added that on the grounds of the above comments and its virtue in size and the fact that the size of the extension contravened policy EN3 he would recommend refusal of the application.

Following a vote being taken it was

RESOLVED: that Planning Application 08/0237 be approved subject to:-

- Standard Time Limit (ST)
- Approved Plans (ST01)
- Within one month of the commencement of the development, or any such time period to be agreed in writing with the Local Planning Authority, samples of the external finishing materials shall be submitted and agreed with the Local Planning Authority (A03).
- Sills (and lintels if not covered by eaves) shall be of stone or artificial stone, coloured to resemble natural sandstone (A09)
- The extension shall be constructed with the external walls of natural sandstone and the roofs of natural slate.

- Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order) the glass to be used in the boundary elevation of the extension adjacent to Idylwild shall be frosted/opaque and shall remain so unless the further written permission of the Local Planning Authority has been received.

08/0128 MRS N WILSON

Erection of one dwelling (Outline) Resubmission. Briarhill, The Avenue, Burnhope, County Durham.

The Chair welcomed to the meeting Mrs Wilson who was in attendance to speak in support of the application.

The Senior Area Planning Officer (SW) presented the report which recommended approval of the application.

He advised since the report had been written the road had been upgraded and therefore the condition regarding the upgrading of the access was no longer required.

MRS WILSON: Speaking in Support of the Application

Mrs Wilson made the following comments in support of the application:

- Upgrade of the road has already begun and it has now has a Tarmac surface;
- Fencing has also begun and the landscaping of the edges of the road is planned to start within the next couple of weeks when the Northumbrian Water contractors return to complete the Whitehouse Farm site works.
- The access to the land has been used for 19.5 years and have lived on the site for 2 years whilst the home is being constructed – in this time there have been no accidents, incidents or issues regarding access. Prior to this The Avenue was used to access two terraces of homes and the Colliery.
- In the conveyance of neighbouring land from the Coal Authority (Deed Ref DU285958) to private ownership in 1983 the right of access over the conveyed section of The Avenue was protected via The Third Schedule of this Deed.
- The remaining part of The Avenue is owned by the Parish Council.
- The Avenue is also used to access the Picnic / Children's Play area for maintenance purposes as well as neighbouring land. It is typical of many farm and rural access roads throughout the country, at the moment it is in exceptionally good condition. Ongoing maintenance or possibly adoption is a matter which could be addressed in the future.
- The development would have no impact whatsoever on a nearby footpath.

Councillor Watson advised that ward Councillor Bennett asked that her support of the application be noted.

Following a vote being taken it was

RESOLVED: that Planning Application 08/0128 be approved subject to:-

- Outline Time Limit (ST)
- Approved Plan (ST01)
- Approval of the details of the scale, layout, appearance, and the landscaping of the site (hereinafter called “the reserved matters”) shall be obtained from the Local Planning Authority before any development is commenced.
- Prior to the development commencing full details of the upgrading of the access between the site and Co-operative Terrace shall be submitted to and approved in writing by the Local planning Authority. The agreed details shall be implemented prior to the occupation of the dwelling hereby approved.
- The dwelling hereby approved shall not be occupied until the sewage disposal and drainage works have been completed in accordance with details to be submitted to and agreed in writing by the Local Planning Authority.

4.15 p.m. - At this point members voted to take a 10 minute comfort break.

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

08/0293 MR J SHEPHERD

Change of use of land to domestic garden, 35 Lambton Gardens, Burnopfield, NE16 6JY.

Following a vote being taken it was

RESOLVED: that Planning Application 08/0293 be approved subject to:-

- Three year time limit (ST)
- Approved Plans (ST01)

08/0282 MR B DAVINSON

Garage extension to front, 25 The Elms, Shotley Bridge, Consett, County Durham.

Following a vote being taken it was

RESOLVED: that Planning Application 08/0282 be approved subject to:-

- Three year time limit (ST)
- Approved Plans (ST01)
- Materials to match existing property (DH05)
- The garage door shall be of a type which on opening and closing does not protrude forward of the garage building line.

(2) TREE PRESERVATION ORDERS

Tree Preservation Order 198
Newbell House, Villa Real Road, Consett.

Following a vote being taken it was
RESOLVED: that Tree Preservation Order No. 198 be confirmed with modification, with the removal of tree number 136.

Conclusion of meeting

The meeting closed at 4.30 p.m.

Chair.

DERWENTSIDE DISTRICT COUNCIL
DEVELOPMENT CONTROL COMMITTEE

19th JUNE 2008

REPORT OF THE DIRECTOR OF ENVIRONMENTAL SERVICES
PLANNING APPLICATIONS AND ASSOCIATED MATTERS

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RECOMMENDATION FOR APPROVAL

1/2008/0329

02/05/2008

Derwentside CVS & VB

Glenroyd House
Medomsley Road
Consett
County Durham

Proposed application to remove Condition 3 and Condition 7 of Planning Permission reference 1/2007/0901 in order to propose a new access

Consett North Ward

The Application

1. This application seeks approval to remove Condition 3 and Condition 7 of Planning Permission 1/2007/0901/DM in order to allow the formation of a new access at Glenroyd House, Medomsley Road, Consett. The previously approved application for Glenroyd House sought permission for the partial change of use of the former nursing home to offices (Class B1), alterations to the access and the creation of parking spaces. A shared access was to be provided to service Glenroyd House and the adjacent nursing home, Rosemount. Condition 3 of the permission required the proposed shared vehicular access between Glenroyd House and Rosemount to be widened to a minimum of 5 metres in width. Condition 7 of the permission required the shared access to remain in perpetuity. Details of the proposed car parking layout have also been submitted to discharge Condition five of the permission. The applicants are requesting that these conditions are removed is because the neighbouring property owners are now not agreeable to a shared access, and a detailed car parking scheme has now been finalised for consideration.
2. It is now proposed that access is separated from the Rosemount access by a boundary fence. A total of thirteen car parking spaces are proposed in the car parking area to the south and west of the property. A small number of trees would be lost as a result of this car parking area.

History

3. An application for Planning Permission for the change of use of the property from residential institution (Class C2) to non-residential institution (Class D1) and offices (class B1) was refused by the Committee, contrary to Officer recommendation, in September 2007 (reference 1/2007/0553/DM).
4. An application for partial change of use from Class C2 to B1 (Offices),

shared access and the creation of additional car parking spaces was granted Planning Permission in December 2007 (reference 1/2007/0901/DM).

5. The applicant subsequently submitted an Appeal against the Refusal (reference 1/2007/0553/DM) but withdrew the Appeal in January 2008 following the granting of permission for the second application (1/2007/0901/DM).

Policy

6. The following Policies of the adopted Local Plan are relevant in determining this application:

GDP1	GDP1 - General Development Principles
TR02	Development and highway safety
EN11	Trees and development

Consultations

7. County Highways Development Control Officer – Notes that the proposal is similar to Planning Permission reference 1/2007/0901/DM differing only in that the access position from the B6308, Medomsley Road, is now not to be shared which is considered to be acceptable in principle.
8. As no details are shown on the plan relating to secure cycle parking provision it is considered that Condition 4 of the previous approval, which requested details and the provision of cycle racks to be applicable.
9. It is advised that a vehicular crossing of the highway will be required to be constructed in accordance with Section 184(3) of the Highways Act 1980, and the applicants need to contact the Area Engineer in order to receive the necessary (separate) permission.
10. Neighbours have been consulted and a site notice posted. No objections have been received to date.

Officer Assessment

11. The main issues to consider with this application are whether the new access and parking would be acceptable in terms of highway safety; whether the physical separation of the access and additional parking area would be detrimental to neighbouring amenity, and whether the loss of the trees would be damaging to the character and appearance of the area.
12. All development schemes must incorporate a clearly defined and safe vehicle access and exit and adequate manoeuvring, turning and parking space. The positioning of an access to the site in very much this location has already been considered to be acceptable and the only issue to

consider is whether the separation into two accesses would be considered acceptable. It is considered that the access would allow vehicles to enter and exit both Rosemount and Glenroyd House without conflict at a point where visibility is satisfactory therefore it is agreed with the Highways Officer that a separate access to Glenroyd House is acceptable and would not be detrimental to highway safety. The County Highways Officer has stated that the condition requiring cycle racks will need to be imposed. This application only seeks to vary specific Conditions of the original Permission, therefore the condition requiring the cycle racks remains on the original approval and would still need to be discharged.

13. Local Plan Policy GDP1 seeks to ensure that the amenity of neighbouring occupiers and landowners is protected from harmful development. The application is in essence very similar to the previous application, the only changes being the creation of a separate private access and the creation of a larger and more clearly defined car parking area. Whilst additional parking is proposed, it is considered that the impact upon the amenity of occupiers of Rosemount House in terms of noise and disturbance would not be significantly greater than the previous permission, given that the additional parking area is located 24m from Rosemount and as the physical separation of the access should ensure vehicles do not enter the curtilage of Rosemount House.
14. On development sites existing trees should be retained and incorporated into new developments where possible, and Local Plan Policy EN11 states that consideration must be given to the effect of the proposed development on existing trees which contribute to the visual amenity of the area. The proposal would lead to a loss of trees on this site where the parking is proposed. The previous Permission, which included a parking area to the south of the property, in effect has already given permission for the removal of some of the trees. However, the additional parking area proposed for this application would lead to the loss of an additional tree to west of the property. The loss of this additional tree would not be harmful to the visual amenity of the area as it is not considered to be a mature tree worthy of protection or retention.
15. The application forms indicate that the hours of working for the non-residential office use is 24 hours a day. Clarification has been sought on this matter as Condition 4 of the previous approval restricted the hours of opening to 8.30am to 6.00pm, Monday to Saturday. The applicants have confirmed that the stated 24 hours of working was an error and that the correct working hours for the offices are to remain 8.30am to 6.00pm Monday to Friday. Since this application is a variation of the previous application only, all of the other Conditions of the Planning Permission still apply. The opening hours remain as previously agreed, and would be enforceable , if necessary.

Recommendation

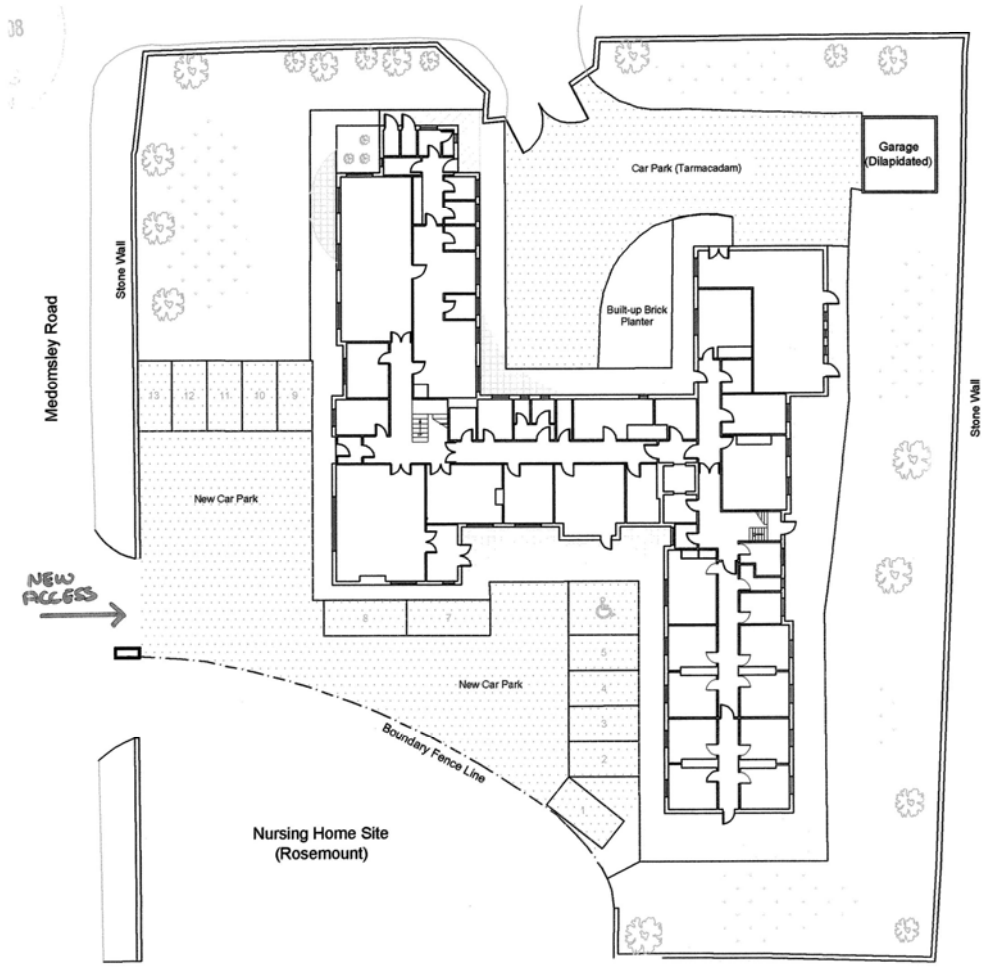
16. Conditional Permission

- Standard Time Limit (ST).
- Approved Plans (ST01).
- This approval relates to the variation of Conditions 3 and 7 of Planning Permission 1/2007/0901/DM only, to allow the provision of a new vehicular access onto Medomsley Road. All of the other Conditions of the original Permission still apply.
Reason - To define the approval.

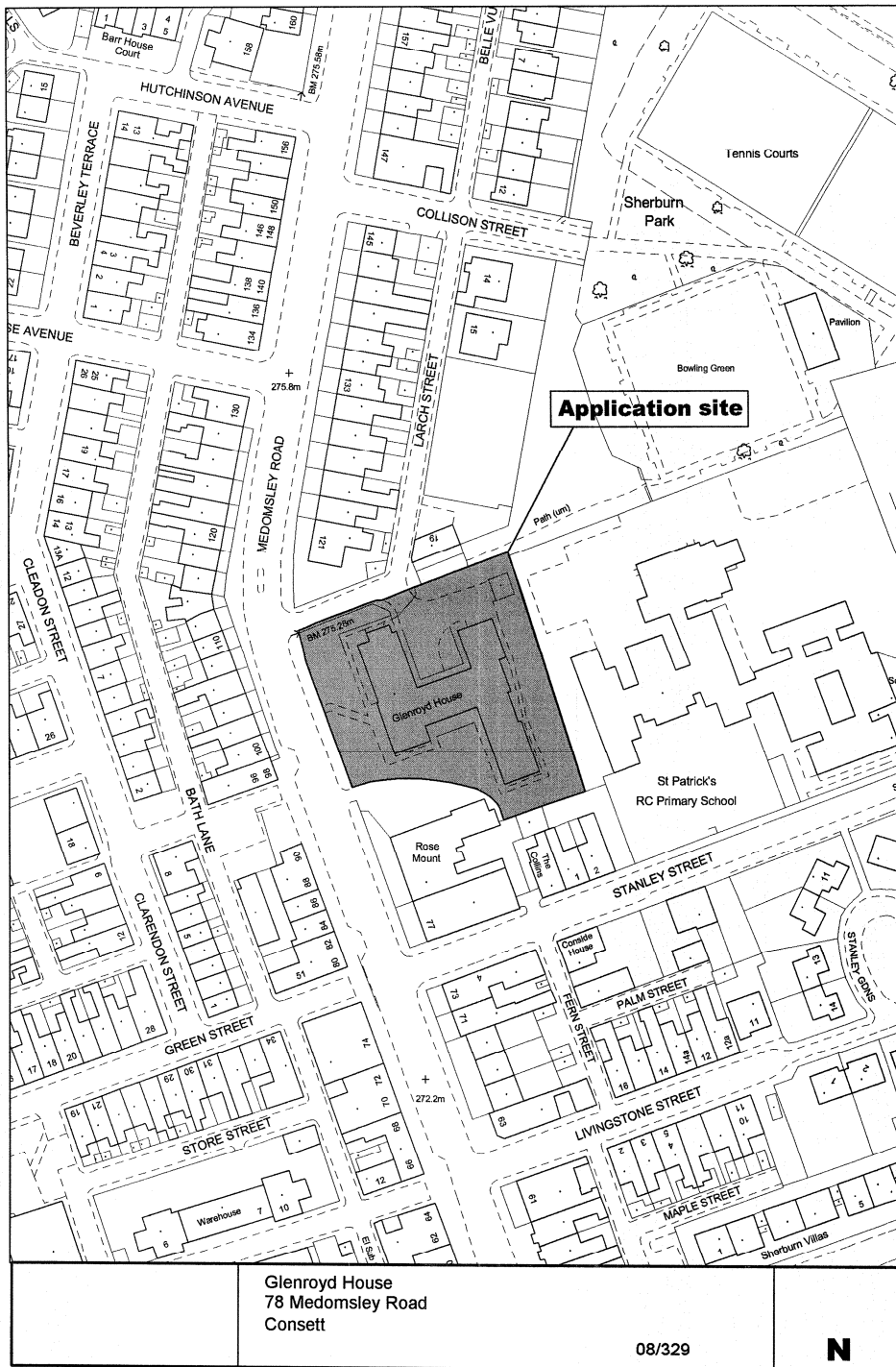
Reason for Approval

17. The private access and formalised parking areas for the proposed use are not considered to be detrimental to neighbouring amenity or highway safety and would not result in the loss of any trees of value to the visual amenity of the area. The proposal is therefore considered to be acceptable and in accordance with Local Plan Policy GDP1, EN11 and TR2 of Derwentside Local Plan.

Report prepared by Louisa Ollivere, Area Planning Officer.



Glenroyd House
 78 Medomsley Road
 Consett 08/329



Glenroyd House
 78 Medomsley Road
 Consett

08/329



RECOMMENDATION FOR APPROVAL

1/2008/0371

14/05/2008

O2 UK Ltd

Land to the south west of 2
Humber Hill
East Stanley
County Durham

Prior Approval application for the
erection of one 12.5 metre high
O2 UK Ltd Base Station

Craghead and South Stanley
Ward

The Application

1. This application seeks a determination from the Local Planning Authority as to whether the prior approval of the Authority will be required for the siting and the appearance of a 12.5 m high streetworks telecommunications column with an associated equipment cabinet on land to the south west of 2 Humber Hill, East Stanley.
2. The Council has 56 days from the date that the application is received to either grant or refuse prior approval. If a decision is not made within the 56 day period the proposed telecommunications development is automatically granted approval.

History

3. There are no records of any planning history directly relating to the site.

Policy

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

CF10	Development of telecommunication equipment
GDP1	GDP1 - General Development Principles

Consultations

5. Neighbours have been consulted within an approximate 100 metre radius of the application site and a site notice placed next to the site. At the time of writing there have been no objections received, however a number of telephone calls have been received voicing health concerns. Any objections received will be reported verbally at your meeting.

Officer Assessment

6. This application, for the prior approval for a 12.5 m high streetworks telecommunications column with an associated equipment cabinet, needs to be considered in relation to its siting and design. It should be recognised that it is the Government's view that the planning system is not the place to determine health safeguards providing that the operator certifies that the proposed telecommunications apparatus meets the ICNIRP guidelines. The application has been supported by an ICNIRP Certificate, which meets the guidelines set. As such it is considered that health considerations should not be considered any further.
7. In terms of the design of the proposed 12.5m high installation, given the urban location of the site it is considered that the proposed streetworks column would not be out of character with the rest of street furniture in the area. Its appearance would essentially be similar to that of a lamp post or street light. The small scale nature of the associated ancillary cabinet would have a minimal impact on the streetscene as cabinets of this type are common in an urban environment. Also a British Telecom cabinet is located on the opposite side of the footpath from the proposed mast and cabinet, along with a bench and litter bin adjacent to the site.
8. The nearest property is located just 25 metres from the mast site, with a significant number of properties within 100 metres of the site. This predominately residential setting has been taken into account in the design of the mast as a streetworks column. The appearance of the column is similar to that of a lamppost or street light in the locality, and can if necessary be coloured to the liking of the Local Planning Authority. As mentioned previously, planning applications for telecommunications equipment are not the arena for determining health impacts.
9. It is expected under Policy CF10 of the Local Plan, and the Government's planning policy in PPG8, that every opportunity should be taken for mast sharing between operators or the use of existing buildings for the siting of the apparatus in order to keep the number of masts to a minimum. If the evidence regarding mast sharing opportunities is unsatisfactory then this could justify the refusal of prior approval. However, full consideration needs to be given to the availability of other sites and whether other sites would achieve the required network coverage for the operator.
10. The details submitted to support these proposals show that six other sites within the general locality have been considered. Due to technical constraints and build reasons these sites have been discounted. Mast sharing at three of the sites have been ruled out due to the need for significant works to be carried out to increase the existing mast height; one site of a existing streetworks column cannot be shared for structural reasons, and two new sites have been discounted close the proposed site due to build reasons and the nature of the unadopted highway.

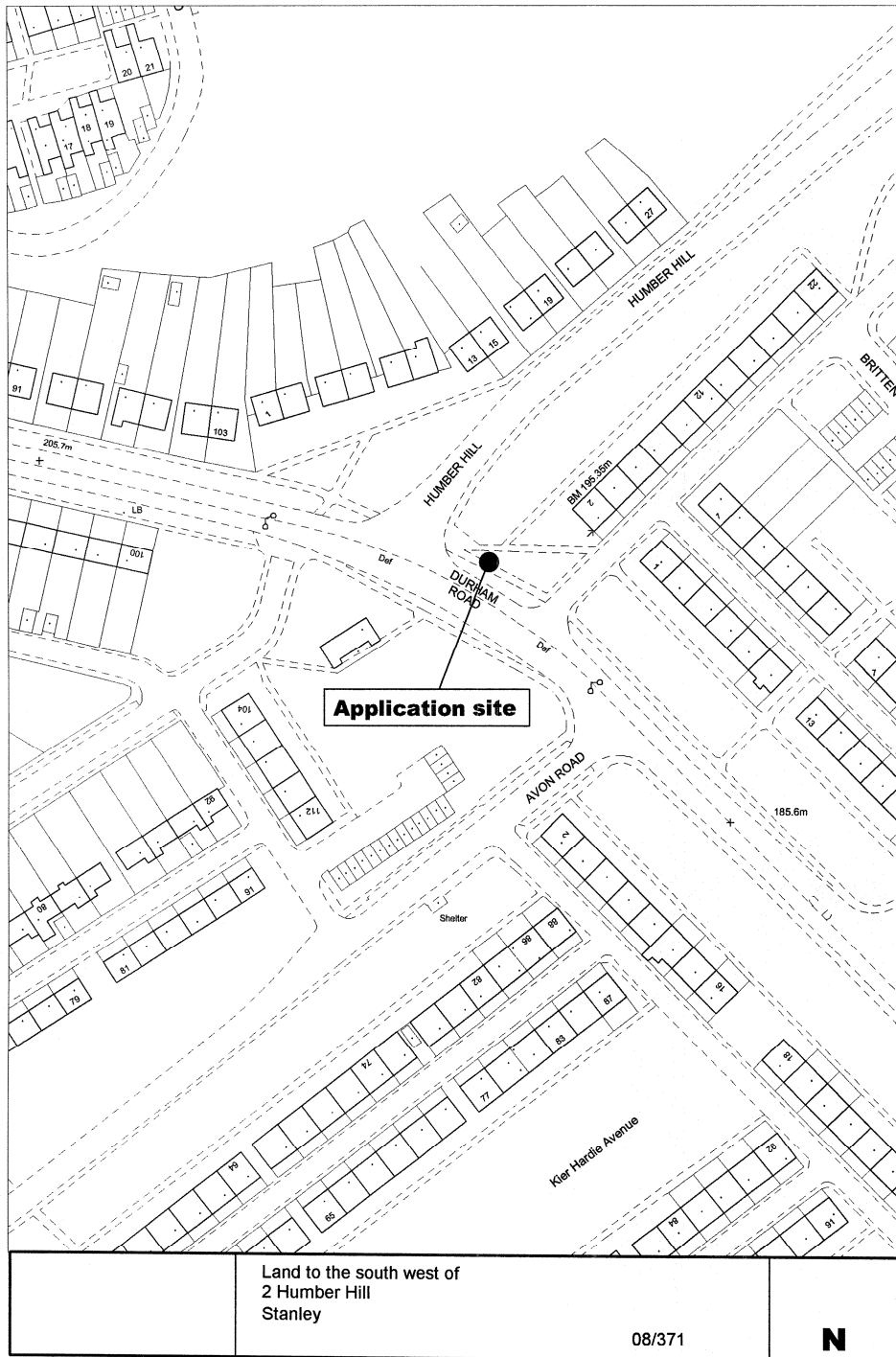
Recommendation

11. Prior Approval be granted.

Reason for Approval

12. The decision to grant Prior Approval has been taken having regard to Policies GDP1 and CF10 of the Derwentside District Plan, along with all other material considerations, as detailed in the report to the Committee. There are no other material considerations which outweigh the decision to approve the application.

Report prepared by Graham Blakey, Area Planning Officer.



DEVELOPMENT CONTROL COMMITTEE

19th June 2008

APPENDIX – DISTRICT LOCAL PLAN POLICIES

The following Local Plan policies have been referred to in report contained in this Agenda:

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 EN11

Development will only be permitted which will not cause harm to, or result in the loss of:

- (a) trees protected by preservation orders; or
- (b) trees which contribute to the character and appearance of conservation areas.

Throughout the District existing trees should be retained and incorporated in new developments where possible. In determining planning applications consideration will be given to the effect of a proposed development on any existing trees, either on the site itself or on adjacent sites, which do, or which when mature will, contribute significantly to any of the following:

- (a) the landscape diversity
- (b) the setting of nearby existing or proposed buildings
- (c) a wildlife habitat
- (d) visual amenity

This will be achieved by requiring the developer to provide a full tree survey to enable the trees to be graded according to their condition and amenity value.

Where the loss of an important tree or trees is considered acceptable, approval will be subject to a requirement that suitable replacement planting be carried out either within the application site or on related land within the applicant's control.

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 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.

DERWENTSIDE DISTRICT COUNCIL
DEVELOPMENT CONTROL COMMITTEE

19th JUNE 2008

REPORT OF THE DIRECTOR OF ENVIRONMENTAL SERVICES
PLANNING APPLICATIONS AND ASSOCIATED MATTERS

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RECOMMENDATION FOR APPROVAL

1/2008/0329

02/05/2008

Derwentside CVS & VB

Glenroyd House
Medomsley Road
Consett
County Durham

Proposed application to remove Condition 3 and Condition 7 of Planning Permission reference 1/2007/0901 in order to propose a new access

Consett North Ward

The Application

1. This application seeks approval to remove Condition 3 and Condition 7 of Planning Permission 1/2007/0901/DM in order to allow the formation of a new access at Glenroyd House, Medomsley Road, Consett. The previously approved application for Glenroyd House sought permission for the partial change of use of the former nursing home to offices (Class B1), alterations to the access and the creation of parking spaces. A shared access was to be provided to service Glenroyd House and the adjacent nursing home, Rosemount. Condition 3 of the permission required the proposed shared vehicular access between Glenroyd House and Rosemount to be widened to a minimum of 5 metres in width. Condition 7 of the permission required the shared access to remain in perpetuity. Details of the proposed car parking layout have also been submitted to discharge Condition five of the permission. The applicants are requesting that these conditions are removed is because the neighbouring property owners are now not agreeable to a shared access, and a detailed car parking scheme has now been finalised for consideration.
2. It is now proposed that access is separated from the Rosemount access by a boundary fence. A total of thirteen car parking spaces are proposed in the car parking area to the south and west of the property. A small number of trees would be lost as a result of this car parking area.

History

3. An application for Planning Permission for the change of use of the property from residential institution (Class C2) to non-residential institution (Class D1) and offices (class B1) was refused by the Committee, contrary to Officer recommendation, in September 2007 (reference 1/2007/0553/DM).
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shared access and the creation of additional car parking spaces was granted Planning Permission in December 2007 (reference 1/2007/0901/DM).

5. The applicant subsequently submitted an Appeal against the Refusal (reference 1/2007/0553/DM) but withdrew the Appeal in January 2008 following the granting of permission for the second application (1/2007/0901/DM).

Policy

6. The following Policies of the adopted Local Plan are relevant in determining this application:

GDP1	GDP1 - General Development Principles
TR02	Development and highway safety
EN11	Trees and development

Consultations

7. County Highways Development Control Officer – Notes that the proposal is similar to Planning Permission reference 1/2007/0901/DM differing only in that the access position from the B6308, Medomsley Road, is now not to be shared which is considered to be acceptable in principle.
8. As no details are shown on the plan relating to secure cycle parking provision it is considered that Condition 4 of the previous approval, which requested details and the provision of cycle racks to be applicable.
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10. Neighbours have been consulted and a site notice posted. No objections have been received to date.

Officer Assessment

11. The main issues to consider with this application are whether the new access and parking would be acceptable in terms of highway safety; whether the physical separation of the access and additional parking area would be detrimental to neighbouring amenity, and whether the loss of the trees would be damaging to the character and appearance of the area.
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consider is whether the separation into two accesses would be considered acceptable. It is considered that the access would allow vehicles to enter and exit both Rosemount and Glenroyd House without conflict at a point where visibility is satisfactory therefore it is agreed with the Highways Officer that a separate access to Glenroyd House is acceptable and would not be detrimental to highway safety. The County Highways Officer has stated that the condition requiring cycle racks will need to be imposed. This application only seeks to vary specific Conditions of the original Permission, therefore the condition requiring the cycle racks remains on the original approval and would still need to be discharged.

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14. On development sites existing trees should be retained and incorporated into new developments where possible, and Local Plan Policy EN11 states that consideration must be given to the effect of the proposed development on existing trees which contribute to the visual amenity of the area. The proposal would lead to a loss of trees on this site where the parking is proposed. The previous Permission, which included a parking area to the south of the property, in effect has already given permission for the removal of some of the trees. However, the additional parking area proposed for this application would lead to the loss of an additional tree to west of the property. The loss of this additional tree would not be harmful to the visual amenity of the area as it is not considered to be a mature tree worthy of protection or retention.
15. The application forms indicate that the hours of working for the non-residential office use is 24 hours a day. Clarification has been sought on this matter as Condition 4 of the previous approval restricted the hours of opening to 8.30am to 6.00pm, Monday to Saturday. The applicants have confirmed that the stated 24 hours of working was an error and that the correct working hours for the offices are to remain 8.30am to 6.00pm Monday to Friday. Since this application is a variation of the previous application only, all of the other Conditions of the Planning Permission still apply. The opening hours remain as previously agreed, and would be enforceable , if necessary.

Recommendation

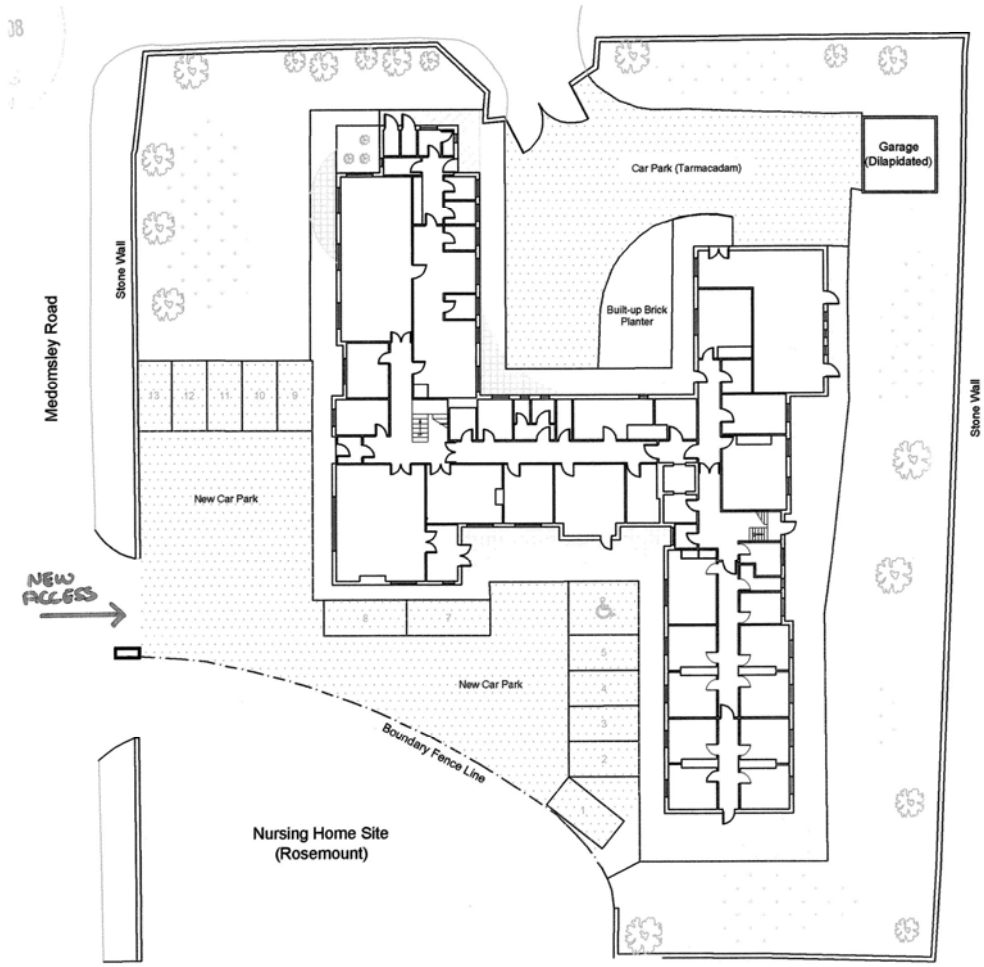
16. Conditional Permission

- Standard Time Limit (ST).
- Approved Plans (ST01).
- This approval relates to the variation of Conditions 3 and 7 of Planning Permission 1/2007/0901/DM only, to allow the provision of a new vehicular access onto Medomsley Road. All of the other Conditions of the original Permission still apply.
Reason - To define the approval.

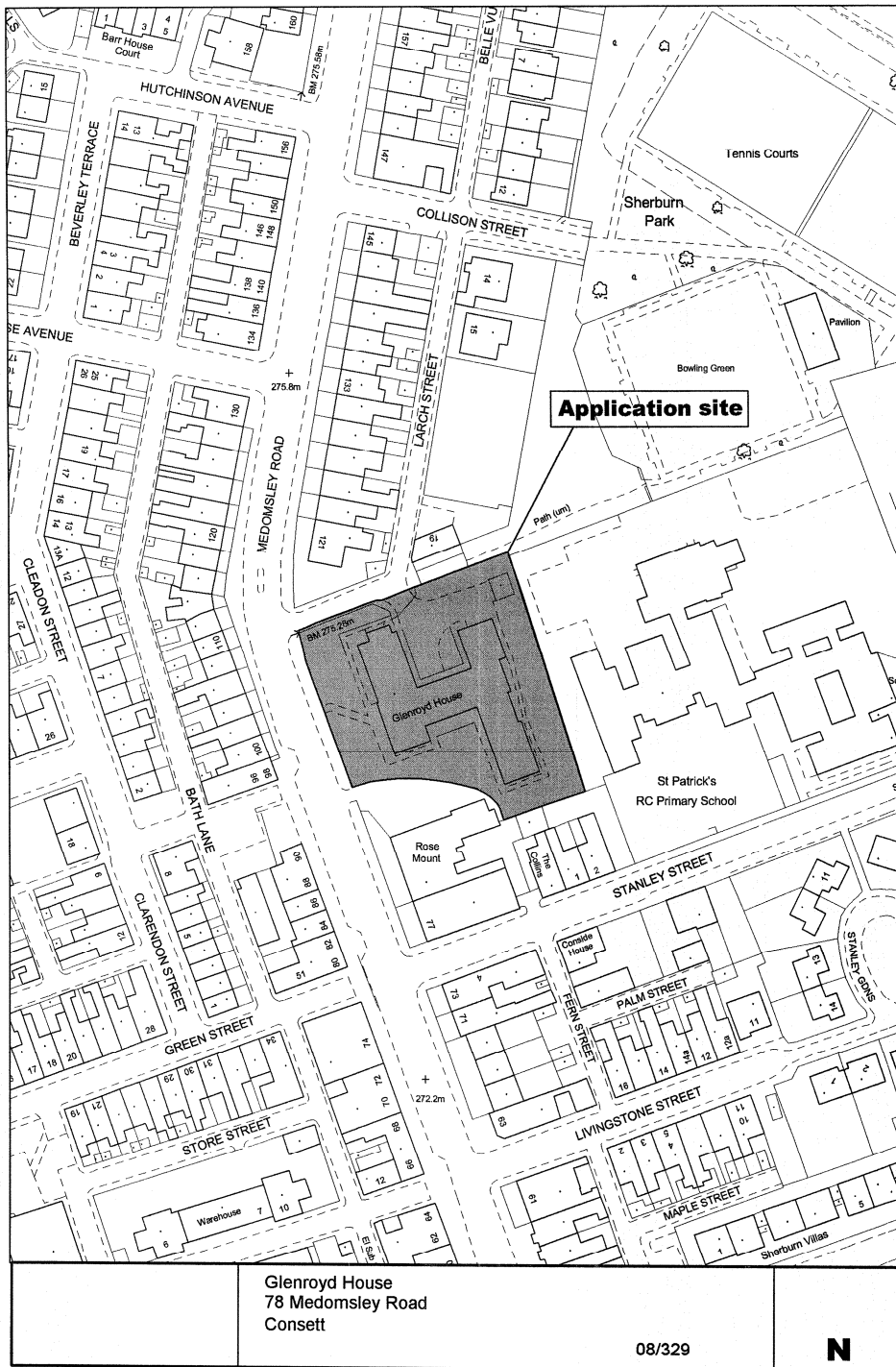
Reason for Approval

17. The private access and formalised parking areas for the proposed use are not considered to be detrimental to neighbouring amenity or highway safety and would not result in the loss of any trees of value to the visual amenity of the area. The proposal is therefore considered to be acceptable and in accordance with Local Plan Policy GDP1, EN11 and TR2 of Derwentside Local Plan.

Report prepared by Louisa Ollivere, Area Planning Officer.



Glenroyd House
 78 Medomsley Road
 Consett 08/329



RECOMMENDATION FOR APPROVAL

1/2008/0371

14/05/2008

O2 UK Ltd

Land to the south west of 2
Humber Hill
East Stanley
County Durham

Prior Approval application for the
erection of one 12.5 metre high
O2 UK Ltd Base Station

Craghead and South Stanley
Ward

The Application

1. This application seeks a determination from the Local Planning Authority as to whether the prior approval of the Authority will be required for the siting and the appearance of a 12.5 m high streetworks telecommunications column with an associated equipment cabinet on land to the south west of 2 Humber Hill, East Stanley.
2. The Council has 56 days from the date that the application is received to either grant or refuse prior approval. If a decision is not made within the 56 day period the proposed telecommunications development is automatically granted approval.

History

3. There are no records of any planning history directly relating to the site.

Policy

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

CF10	Development of telecommunication equipment
GDP1	GDP1 - General Development Principles

Consultations

5. Neighbours have been consulted within an approximate 100 metre radius of the application site and a site notice placed next to the site. At the time of writing there have been no objections received, however a number of telephone calls have been received voicing health concerns. Any objections received will be reported verbally at your meeting.

Officer Assessment

6. This application, for the prior approval for a 12.5 m high streetworks telecommunications column with an associated equipment cabinet, needs to be considered in relation to its siting and design. It should be recognised that it is the Government's view that the planning system is not the place to determine health safeguards providing that the operator certifies that the proposed telecommunications apparatus meets the ICNIRP guidelines. The application has been supported by an ICNIRP Certificate, which meets the guidelines set. As such it is considered that health considerations should not be considered any further.
7. In terms of the design of the proposed 12.5m high installation, given the urban location of the site it is considered that the proposed streetworks column would not be out of character with the rest of street furniture in the area. Its appearance would essentially be similar to that of a lamp post or street light. The small scale nature of the associated ancillary cabinet would have a minimal impact on the streetscene as cabinets of this type are common in an urban environment. Also a British Telecom cabinet is located on the opposite side of the footpath from the proposed mast and cabinet, along with a bench and litter bin adjacent to the site.
8. The nearest property is located just 25 metres from the mast site, with a significant number of properties within 100 metres of the site. This predominately residential setting has been taken into account in the design of the mast as a streetworks column. The appearance of the column is similar to that of a lamppost or street light in the locality, and can if necessary be coloured to the liking of the Local Planning Authority. As mentioned previously, planning applications for telecommunications equipment are not the arena for determining health impacts.
9. It is expected under Policy CF10 of the Local Plan, and the Government's planning policy in PPG8, that every opportunity should be taken for mast sharing between operators or the use of existing buildings for the siting of the apparatus in order to keep the number of masts to a minimum. If the evidence regarding mast sharing opportunities is unsatisfactory then this could justify the refusal of prior approval. However, full consideration needs to be given to the availability of other sites and whether other sites would achieve the required network coverage for the operator.
10. The details submitted to support these proposals show that six other sites within the general locality have been considered. Due to technical constraints and build reasons these sites have been discounted. Mast sharing at three of the sites have been ruled out due to the need for significant works to be carried out to increase the existing mast height; one site of a existing streetworks column cannot be shared for structural reasons, and two new sites have been discounted close the proposed site due to build reasons and the nature of the unadopted highway.

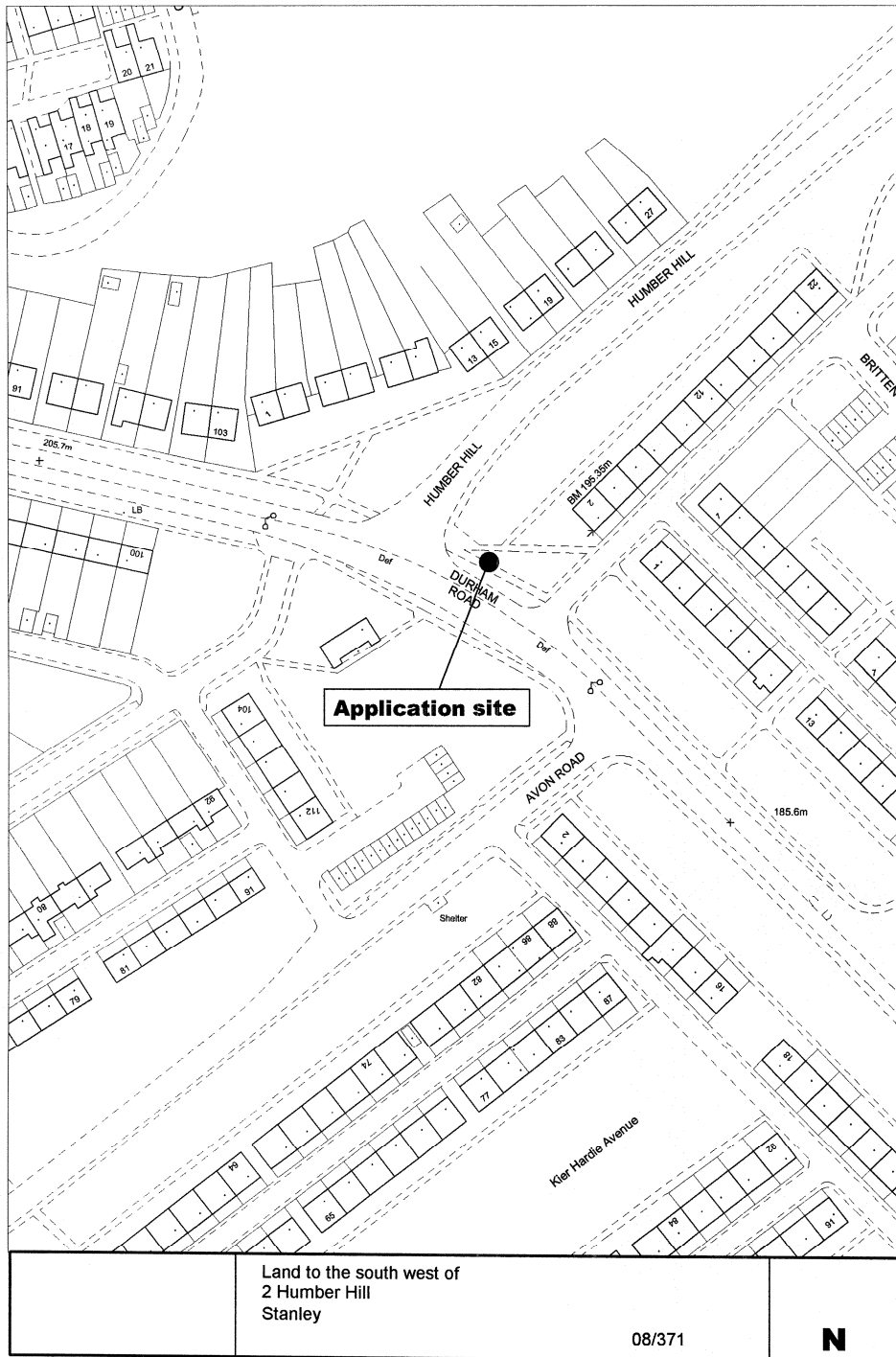
Recommendation

11. Prior Approval be granted.

Reason for Approval

12. The decision to grant Prior Approval has been taken having regard to Policies GDP1 and CF10 of the Derwentside District Plan, along with all other material considerations, as detailed in the report to the Committee. There are no other material considerations which outweigh the decision to approve the application.

Report prepared by Graham Blakey, Area Planning Officer.



Land to the south west of
2 Humber Hill
Stanley

08/371

N

DEVELOPMENT CONTROL COMMITTEE

19th June 2008

APPENDIX – DISTRICT LOCAL PLAN POLICIES

The following Local Plan policies have been referred to in report contained in this Agenda:

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 EN11

Development will only be permitted which will not cause harm to, or result in the loss of:

- (a) trees protected by preservation orders; or
- (b) trees which contribute to the character and appearance of conservation areas.

Throughout the District existing trees should be retained and incorporated in new developments where possible. In determining planning applications consideration will be given to the effect of a proposed development on any existing trees, either on the site itself or on adjacent sites, which do, or which when mature will, contribute significantly to any of the following:

- (a) the landscape diversity
- (b) the setting of nearby existing or proposed buildings
- (c) a wildlife habitat
- (d) visual amenity

This will be achieved by requiring the developer to provide a full tree survey to enable the trees to be graded according to their condition and amenity value.

Where the loss of an important tree or trees is considered acceptable, approval will be subject to a requirement that suitable replacement planting be carried out either within the application site or on related land within the applicant's control.

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 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.