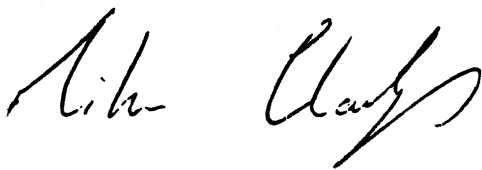


## **Development Control Committee**

**Councillors:** J. I. Agnew (Chair), R. Alderson, A. Atkinson, M. Campbell, H. Christer, T. Clark (Vice-Chair), 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, M. Wotherspoon, 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 11th September 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 the meeting held on 21st August 2008 as a correct record.(Herewith 'A')

Attached Documents:

[MINUTES \(A\)](#)

3. **ADOPTION OF THE REGIONAL SPATIAL STRATEGY:  
IMPLICATIONS FOR PLANNING PROPOSALS**

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

Attached Documents:

[ADOPTION OF THE REGIONAL SPATIAL STRATEGY: IMPLICATIONS FOR  
PLANNING PROPOSALS \(B\)](#)

4. **PLANNING APPLICATIONS**

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

Attached Documents:

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

Agenda prepared by Lucy Stephenson Democratic Services  
01207 218249 or email [l.stephenson@derwentside.gov.uk](mailto:l.stephenson@derwentside.gov.uk)

Date: 1st September 2008

## **DEVELOPMENT CONTROL COMMITTEE**

Minutes of a meeting of the Development Control Committee held in the Council Chamber, Civic Centre, Consett on Thursday 21<sup>st</sup> August 2008 at 2.00 p.m.

### **Present**

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

Councillors: R. Alderson, A. Atkinson, M. Campbell, B. Cook, R. Ellis, P.D. Hughes, D. Lavin, O. Milburn, T. Pattinson, S. Rothwell, A. Shield, E. Turner, A. Watson, J. Williams, M. Wotherspoon and R. Young.

### **Apologies**

Apologies for absence were submitted on behalf of Councillors: H. Christer, G. Coulson, D. Hume and T. Westgarth.

### **In Attendance**

**Councillors: G. Reid, D. Llewellyn, E. Edwards and I. McElhone.**

## 22. **DECLARATIONS OF INTEREST**

**In accordance with the provisions of the Local Government Act 1972 and Standing Order 33, Councillors R. Alderson, P.D. Hughes and O. Milburn declared an interest in planning applications 08/0397 and 08/406.**

## 23. **MINUTES**

**RESOLVED:** that the minutes of the meeting held on 31<sup>st</sup> July 2008 be approved as a correct record.

## 24. **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:

Councillor Shield referred to the report paragraphs 2 and 7 – the reference to Low

Westwood needed to be corrected to read High Westwood. Officers agreed with this amendment.

RESOLVED: That it be noted that the Planning Inspector had dismissed the following appeal.

- (i) Planning Application – Appeal against refusal to grant Outline Planning Permission for the erection of two bungalows at land to the east of The Bungalows, High Westwood – Appeal dismissed.

## **25. PLANNING APPLICATIONS**

-  
-  
-

**The Chairman advised that the following application had been withdrawn from the agenda.**

08/0489 MRS D WRIGHT

Erection of six town houses, Land to the south west of 5 Wrights Court, Burnhope, County Durham.

### **(1) Public Speaking Applications**

**In accordance with the provisions of the Local Government Act 1972 and Standing Order 33, Councillors R Alderson, P.D. Hughes and O. Milburn declared an interest in planning application 08/397. All three Councillors left the meeting at this point and took no part in the discussion or decision made on the application.**

**Councillor R. Alderson – Member of Board of Derwentside Homes.**

**Councillor P.D. Hughes – Personal Interest.**

**Councillor O. Milburn – Member of Board of Derwentside Homes.**

The Chairman welcomed Mr Barratt and Mr. Pye to the meeting.

08/0397 DERWENTSIDE DISTRICT COUNCIL AND DERWENTSIDE HOMES

Erection of 35 dwellings for affordable housing consisting of 25 houses and 10 bungalows, one, two and three storeys in height. Land south east of Iveston Road, Delves Lane, Consett.

The Development Control Manager presented the report which sought permission to erect thirty-five affordable dwellings, twenty of which would be for rent and fifteen would be offered under a shared ownership scheme. There would be a mixture of 2-bed roomed terraced and semi-detached bungalows; 3-bed roomed two storey semi-detached and terraced properties; 3-bed roomed two and a half storey terraced and semi-detached properties and 4-bed roomed two-storey semi detached properties.

Neighbours had been consulted and a site notice posted. Fifteen letters and e-mails of objection had been received from local residents, District and County Councillors and a petition had been received from twenty-nine local residents. Since the despatch of the report one further letter of objection had been received from a local resident who had previously requested that she be allowed permission to extend her garden. She felt it was hypocritical of the Council to consider approving this development in view of the refusal to grant her request to extend her garden.

The Development Control Manager went on to advise that major issue to consider is whether the principle of development is acceptable on this site. She advised that the site is Greenfield and therefore the development would be contrary to local and national planning policy. She asked members to assess whether an exception should be made to policy given the wider community benefits.

Members were advised that the design of the properties are considered acceptable and initial concerns from Durham County Council's Highways Officer had been resolved.

The Development Control Manager advised that although the scheme represents development of a Greenfield site, Officers felt that on balance the scheme is acceptable given the community benefits in terms of affordable housing.

In terms of the loss of open space it was noted that the site is currently informal recreational space and is not marked out as sports pitches. An area of open space to be retained was pointed out to the committee.

Officers proposed that the application be referred to the Government Office for the North East with a recommendation that it be MINDED TO APPROVE subject to the conditions detailed in the report.

The Development Control Manager went on to advise that this site was classed as Greenfield which meant that this proposal would be contrary to one of the main key objectives of PPS3. However it was advised that the primary aim of planning at the national level detailed in PPS3 Housing is to achieve sustainable

residential development on sites that are centrally located in settlements with access to a range of services and facilities with good (public and non-car based) transport links. It was considered that the site was in a suitable and central location in accordance with this guidance.

Furthermore PPS3 also states that when determining planning applications Local Planning Authorities should have regard to achieving high quality housing ensuring developments achieve a good mix of housing reflecting the accommodation requirements of specific groups, in particular families and older people, the suitability of a site for housing, including its environmental sustainability, using land effectively and efficiently and ensuring the proposed development is in line with planning for housing objectives, reflecting the need and demand for housing in the spatial vision for the area. It was considered that this proposal would provide a good mix of housing as it incorporates both rental and shared ownership bungalows for the elderly, starter homes and family homes, it had been identified that there was a need for such affordable housing in the District in the emerging Strategic Housing Market Assessment. The site was suitable for housing due to its central location, as it had few environmental constraints and was not considered open space of high recreational value.

As the site was public open space, PPG17 (Planning for open space, sport and recreation) it was also relevant in determining whether the site was acceptable in principle for development. PPG17 states that in considering planning applications relating to open space Local Authorities should weigh any benefits being offered to the community against the loss of open space that would occur. . Authorities should avoid any erosion of recreational function and maintain or enhance the character of open spaces, ensure that open spaces do not suffer from increased overlooking, traffic flows or encroachment, protect and enhance the Rights of Way network and consider the impact of any development on biodiversity and nature conservation. Although some open space would be lost, this open space was not considered of recreation high value as it is not a playing field nor is it particularly suitable for sports recreation given the uneven nature of the land. Whilst there would be increased overlooking of the remaining open space, the open space is already significantly overlooked and the increased traffic flow in the area would not be detrimental to the enjoyment of the remaining open space given its location adjacent to a main thoroughfare through a large housing estate in an urban area. The site does not contain any designated public Rights of Way and is not a Site of Nature Conservation Interest or contain any important natural features.

The District Local Plan Policy GDP1 also seeks to protect open land which is recognised for its amenity value or the contribution its character makes to an area. The site is used for informal recreation by locals and gives a feeling of space to the estate. Whilst a large amount of open space would be lost as a result of this development, it is considered that the three sections of open space which are to be retained would still allow sufficient amenity space and provide an

open feel to this estate. Members were also asked to bear in mind that there is also other existing open space in the vicinity, a playing field exists 40m to the north west of the site.

On balance, whilst it was considered regrettable that a Greenfield site and open space would be lost as a result of this development, it was considered that the development can be justified in this instance and the principle of development of the site was acceptable given that there would be significant benefits to the community from the provision of affordable homes of this nature. Also, the site was not considered high quality open space, it retains some open space and as there is a significant amount of other open space within close proximity. Officers proposed that the application be referred to the Government Office for the North East with a recommendation that it be MINDED TO APPROVE subject to the conditions detailed in the report.

#### **Mr. Barratt speaking against the application.**

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

- He believed the ground beneath the proposed site was solid Pennine rock and a pneumatic drill would be needed to drill into the rock.
- Disturbance would be caused to nearby properties e.g. dust, noise from the development and in his opinion, the estimated compensation would be approximately £20,000 per house.
- In his opinion it was an atrocity to build houses on a village green.
- It would be difficult to sell on as in his opinion nobody wanted to buy 50% of an affordable home.

#### **Mr Pye, Derwentside Homes, speaking in support of the application:**

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

- Derwentside Homes are a not for profit organisation and were established approximately one and a half years ago to deliver social housing in the area.
- A Housing Needs Assessment had showed a shortfall of affordable homes in the area.
- The proposal has tried to create modern, efficient and affordable homes.
- In his opinion this development would benefit the people of Delves Lane.
- Believes these homes will address problems of affordable housing in Delves Lane area.
- 25% of site would remain as open space.
- 59 car parking spaces provided on site plus storage for bikes.
- Contractor would be instructed to work with the local community to cause as little disruption as possible during the construction period.

Councillor Iain McElhone speaking against the application:

Councillor McElhone made the following comments in respect of the application:

- Not against affordable housing – opposed to this particular site at Delves Lane.
- Proposed development was contrary to GDP1 and PP17.
- He had received a letter from the Chief Executive advising that 13 possible sites across the district had been identified for this type of development and he therefore requested that Members consider a deferment of this application until the potential for building on these other sites / brownfield sites had been investigated.
- In his opinion this will not benefit the people of Delves Lane.

In response the Development Control Manager advised that the issue of the 13 sites mentioned above had not been addressed as Officers were obliged to consider the planning application as submitted and not obliged to consider the other sites. Members were advised that this development was contrary to policy and Members needed to balance whether the proposal for affordable housing outweighed the loss of open space. As the development would not fully comply with local and national Planning policy, if Members were minded to approve, the application would need to be advertised as a Departure and referred to the Government Office for the North East.

Councillor Watson commented that 15 letters of objection had been received and that Officers had stated that normally they would not recommend building on a Greenfield site. However, Derwentside Homes had worked with Officers of the Council both on a Housing Needs Assessment and a Strategic Assessment and both were in support of affordable housing in the area. Land had been allocated for affordable housing and approved by the Full Council and Members had to weigh the benefits for the community against the disadvantages of losing open space although 25% of the area would remain as open space. There were good reasons for this area being chosen, the policy on affordable homes advises that a good site was within walking distance of town centres and have school accessibility. He advised that in his opinion the Officers had got this right and he moved the recommendation detailed in the report. This was seconded by Councillor E. Turner.

Following a vote it was

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

- Standard Time Limit (ST)
- Approved Plans (ST01)
- Amended Plans 6<sup>th</sup> August 2008 (G04)



- Materials (A04)
- Details of treatments of blank gable end shall be submitted to, and approved in writing by, the Local Planning Authority before the development commences.
- The parking spaces shown on the approved plan shall be constructed and made available for use before the dwellings they serve are occupied.
- If during development, contamination not previously identified is found to be present at the site, no further development (unless otherwise agreed with the Local Planning Authority) shall be carried out until the developer has investigated the site for any contamination implications and submitted its findings and method for dealing with any contamination to the Local Planning Authority for approval.
- Foul drainage (D03)
- Removal of permitted development rights (PD01)
- Legal agreement for the off-site play provision contribution (LG01)
- Landscaping (L01)
- Vehicular access (R05)
- Solar panels shall be installed to the roof of each dwelling and shall be solar cells for water heating.
- Development shall not commence until a detailed scheme for diversion of the apparatus of Northumbrian Water Authority **or**, redesign of the proposal to avoid building over by the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water. Thereafter the development shall take place in accordance with the approved details.
- **Notwithstanding the details of the submitted application, the details of the affordable housing scheme for the site shall be submitted to and agreed in writing by the Local Planning Authority before the development is commenced and the agreed scheme shall thereafter be implemented in perpetuity unless otherwise first agreed in writing by the said Authority.**

**In accordance with the provisions of the Local Government Act 1972 and Standing Order 33, Councillors R Alderson, P.D. Hughes and O. Milburn declared an interest in planning application 08/397. All three Councillors left the meeting at this point and took no part in the discussion or decision made on the application.**

**Councillor R. Alderson – Member of Board of Derwentside Homes.**

**Councillor P.D. Hughes – Personal Interest.**

**Councillor O. Milburn – Member of Board of Derwentside Homes.**

**08/0406 DERWENTSIDE DISTRICT COUNCIL AND DERWENTSIDE HOMES**  
Erection of nine, two storey, three-bedroom dwellings. Land to the rear of 69-83, Castledene Road, Delves Lane, Consett.

The Senior Area Planning Officer presented the report which recommended permission for the erection of nine two-storey, three bedroom dwellings on land to the rear of Castledene Road, Delves Lane, Consett. The site was on the edge of the built up area of the settlement. Blocks of garages formerly occupied the site and these were demolished approximately 15 years ago. Although the site had been largely grassed over, it was difficult to determine whether the site should be regarded as greenfield land as some infrastructure and urban features remained discernable on the site.

The homes would be built as affordable / social housing and as such would need to comply with Level 3 of the Code for Sustainable Homes. Solar panels and increased insulation were proposed for the dwellings, which would help the units achieve reductions in non-renewable energy consumption. They would also contain rainwater recycling and sheds for cycle storage.

He advised that a total of four letters of objection to the proposal had been received. A letter from Councillor McElhone had appended four letters that he had received in early 2008 in response to the consultation exercise for both the Castledene Road site and the Iveston Road site the comments of which were summarised in the report.

He said that several of the residents' concerns were not material planning considerations e.g. in planning law there is no right to a view, and that valuation matters are not material.

He advised that this housing site met the site selection criteria of HO5 and that it formed a natural rounding off of the settlement. Nine houses were proposed and that some would continue the line of Iveston Road bungalows whilst others would face out over the countryside.

He further advised that 4 residents had taken access over the land. Negotiations with the architects revealed that 67 and 69 Castledene Road do not have formal right of way to the area of land that is currently used for access. Furthermore, this was a civil matter that cannot be considered as a material issue in planning terms. Existing access to the rear gardens of nos. 71, 73 and 75 would be retained. A garage has taken access across the site. However, no record had been found of any permission being given for this access. This would also be a civil matter between the applicant and the garage owner.

In conclusion the principle for residential on the site was considered to be acceptable as the scheme would provide much-needed affordable housing for the District. However, it had not yet been decided what form the affordable

housing provision would take i.e. whether it would be for rent or for shared ownership. It was not considered that the proposal would be significantly detrimental to the amenity of neighbours or detract from the visual amenity of the area. The parking provision and highway layout were acceptable, whilst no significant trees would be removed from the site. It was considered the proposed scheme accorded with Policies GDP1, H05 and TR2 of the District Local Plan and officers considered the proposal acceptable.

He advised that the house designs were simple but well designed, would be suitable distances from existing ones and are in character with the area.

He referred to the conditions detailed in the report and requested that Members consider the following amendment: page 55, last line “diversion of its apparatus” be deleted and “diversion of the apparatus of Northumbrian Water Authority” be inserted.

The Chairman advised that there were no speakers against the application present. Councillor McElhone had requested that the same comments he made on the previous application 08/0397 be also considered for this proposal 08/0406.

**Mr Pye, Derwentside Homes, speaking in support of the application:**

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

He requested that the comments he had made on the previous application 08/0397 be also considered for this proposal 08/0406.

Two residents would be retaining their access over the site, two would have to remove access.

Councillor Shield raised the issue of affordable housing and requested clarification. In response the Development Control Manager advised that this issue had not been confirmed however, Members could add an additional planning condition relating to affordable housing.

Councillor Watson confirmed that the affordable housing issue was a significant point and agreed that this should be included as a planning condition.

Following a vote being taken it was

**RESOLVED:** that Planning Application 08/0406 be approved subject to:-

- Time Limit (ST)
- Approved Plans (ST01)
- Sewage works (D03)
- Surface water drainage works (D04)
- Permitted development rights removed (PD01)
- Landscaping – general (L01)
- The proposed solar panels shall be provided to the roofs of each dwelling.

- The development shall be carried out in complete accordance with the submitted tree report.
- Notwithstanding the requirements of Condition ST01, development shall not commence until a satisfactory scheme for the enclosure of Plot 3 has been agreed in writing with this Planning Authority.
- This permission relates to the application as amended by plans received on 23<sup>rd</sup> July 2008 (ref: 07140/p101 – Revision A).
- Grey tiles to be used for all roofs in the development
- Development shall not commence until a detailed scheme for the diversion of the apparatus of Northumbrian Water Authority or redesign of the proposal to avoid building over by the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water. Thereafter the development shall take place in accordance with the approved details. The developer should contact Maurice Dunn at this office (0191 4196577) to discuss the matter further.

**Notwithstanding the details of the submitted application, the details of the affordable housing scheme for the site shall be submitted to and agreed in writing by the Local Planning Authority before the development is commenced and the agreed scheme shall thereafter be implemented in perpetuity unless otherwise first agreed in writing by the said Authority.**

**Councillors Alderson, Hughes and Milburn returned to the meeting at this point.**

08/0472 MR A BRADFORD

Erection of marquee to be used from April-September annually for the use of weddings, christenings, conferences and school promenades. Knitsley Mill, Knitsley, Consett, County Durham.

The Senior Area Planning Officer presented the report which asked Members to reconsider the permission for a marquee which was granted temporary planning permission (1/2007/0440) in July 2007. That permission required the use to be discontinued on or before 30<sup>th</sup> September 2007. However, the marquee was still on site, not having been removed as was required under the above temporary permission which expired 29<sup>th</sup> September 2007.

The applicant wished to be able to erect a marquee annually between April and September. It would be used seven days a week for weddings, christenings, conferences and school proms, the intended hours of operation being 11.00 am to 11.00 pm. The proposal was employment generating and would result in the creation of three additional full time and three additional part-time employees (as compared with ten full time and eleven part time as at present).

The white coloured PVC marquee measured 15.24m x 12.2m had already been erected on the site. There are 54 parking and 6 disabled parking spaces adjacent to the site. In addition the applicant had a field behind the marquee which can be used for overflow parking. It had recently been included in the application's red line boundary.

One letter of 'no disagreeable comments' and four letters of objection had been received and the issues raised were detailed in the report. Some of these were not material – matters outside the site such as traffic and parking on verges were outside the control of the applicant.

He explained that discussions had taken place with Environmental Protection as how best control noise nuisance emanating from the marquee. As a result, Members were asked to consider the following amendment: page 43 paragraph 27, delete the references to "noise reduction" and insert "noise control scheme."

He also advised that if Members granted a temporary permission, that screen tree planting at the front of the marquee could be considered when the permission fell due for review. This was not being recommended at this point in time.

He referred to the conditions detailed in the report and requested that Members consider the following amendment: page 43, paragraph 27, delete the references to "noise reduction" and insert "noise control scheme".

Councillor Campbell requested that Members consider two issues firstly, he would like the conditions to be more prescriptive of what type of events were allowed on the site and secondly that a safety measure be included to protect the customers inside the marquee from cars driving alongside. He also suggested that a fence be erected from the access road and continue parallel between the side of the marquee and the access road.

Councillor Clark commented on the information that the marquee had not been taken down last year as required by the temporary permission. In response the Senior Area Planning Officer advised that the site would be monitored and inspected to ascertain compliance with the planning conditions.

Councillor Rothwell raised the issue of landscaping / screening and requested that an additional planning condition be attached to begin landscaping as quickly as possible.

Councillor Shield raised concerns regarding road markings, speed control signs as road safety measures. In response Officers advised that they could discuss traffic issues with the applicant and Durham County Council Highways Sections.

Following the discussion Councillor Watson suggested that the planning conditions be amended to include a safety fence between the road and the marquee, landscaping / screening of the site and traffic issues.

Following a vote being taken it was

**RESOLVED:** that Planning Application 08/0472 be approved subject to:-

- Standard time limit (ST)
- Approved plans (ST01)
- Temporary permission (TP01 – 3 years and reason c – to enable the Local Planning Authority to review the acceptability of the proposal.
- The overflow parking area in the field at the rear of the marquee shall be kept open and available at all times when the marquee is in use.
- Within one month of the date of this permission or other such time period as may be agreed in writing with the Local Planning Authority details of a noise control scheme shall be submitted to and approved in writing by the Local Planning Authority.. The scheme shall be implemented in accordance with the approved details, within six weeks of the date of this permission, unless otherwise agreed in writing with the Local Planning Authority. The approved noise control measures shall be operational at all times when the marquee is in use.
- The marquee shall not be used outside of the hours 11.00 am and 11.30 pm unless the prior written permission of the Local Planning Authority has been received.
- The marquee shall be removed from the site between the months of September and April each year.
- **Notwithstanding the details of the submitted application, a fence shall be provided along the west side of the access track leading up to the gated entrance of the field parking area and where it passes along the length of the east side of the marquee. Moreover, the said fence shall be erected prior to 1st April 2009 in accordance with details which shall first be submitted to and agreed in writing by the Local Planning Authority.**
- **Notwithstanding the details of the submitted application, a scheme for the provision of speed limit signs for the vehicular routes within the site shall be submitted to and agreed in writing by the Local Planning Authority and the agreed scheme shall be implemented within two months of the date of this permission.**
- **Notwithstanding the details of the submitted application, a screen tree planting scheme for the area at the front of the marquee and continuing across on the east side of the access that leads to the field parking area shall be submitted to and agreed in writing by the Local Planning Authority and the said agreed scheme shall be implemented prior to 1st April 2009. Any trees dying or becoming damaged or diseased within a period of 5 years from the date of completion of the agreed tree planting scheme shall be replaced with**

**trees of the same size and species unless first agreed in writing by the said authority.**

## **26. EXCLUSION OF PRESS AND PUBLIC**

**RESOLVED:** on the motion of Councillor **E. Turner** seconded by Councillor **P.D. Hughes** that under Section 100(A)(4) of the Local Government Act 1972 the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 6 of Part 1 of Schedule 12(A) of the Act (as amended).

## **27. ENFORCEMENT**

08/Del/00024

Installation of pole mounted CCTV Camera, driveway, Delves House, Delves Lane.

Members were advised by the Senior Area Planning Officer, that the Planning Division's attention had been drawn to the above property where a pole mounted CCTV camera had been erected on the driveway of the property. Neighbours were concerned about loss of privacy in their homes. Following Planning Division advice, the owner had reduced the height of the installation. However, although advised that permission was still needed, the owner had not submitted an application. In the absence of an application the Local Planning Authority must consider whether planning enforcement action is appropriate. Circular 10/97 advises that planning enforcement action should only be used where the authority is satisfied that there had been a breach of planning control and it is expedient to issue a notice having regard to the provisions of the development plan and to any other material considerations.

Members were shown video material of the CCTV camera.

Lengthy discussion took place on the proposal for enforcement action and following consideration of the detailed comments of both the Senior Area Planning Officer and the Development Control Manager it was

**RESOLVED: That the enforcement be deferred to enable Officers to contact the householder to investigate whether adjustments can be made to the camera and report the findings to a future meeting.**

**Councillor Watson abstained from voting.**

## **Conclusion of Meeting**

The meeting closed at 3.52 p.m.

**Chair.**



**DERWENTSIDE DISTRICT COUNCIL**

**DEVELOPMENT CONTROL COMMITTEE**

**11<sup>TH</sup> SEPTEMBER 2008**

**REPORT OF THE DIRECTOR OF ENVIRONMENTAL SERVICES**

**ADOPTION OF THE REGIONAL SPATIAL STRATEGY: IMPLICATIONS  
FOR PLANNING PROPOSALS**

1. The purpose of this report is to inform Members of the publication of the finalised North East Regional Spatial Strategy (RSS) by the Secretary of State in July 2008. The Regional Spatial Strategy (RSS) sets out a long-term strategy for the spatial development of the North East Region to 2021, although the overall vision, strategy and general policies are intended to guide development over a longer timescale. The RSS is part of the statutory Development Plan, as described in the Planning and Compulsory Purchase Act 2004.
2. The RSS has been subject to a lengthy and thorough production and there have been many drafts and rounds of consultation on the document. This Authority has been fully involved with ensuring the document includes fair and appropriate policies for the Derwentside area that reflect the needs and aspirations of people of the District via regular reporting to, and steer from, the Council's Executive.
3. As the RSS is now adopted it forms an integral part of Derwentside's (and the new unitary authority's) Development Plan and as such documents in the new County Durham Local Development Framework must be prepared in general conformity with it. Significantly, Section 38 (3) of the Planning and Compulsory Purchase Act 2004 also requires that planning applications are determined in accordance with the policies in RSS, unless material considerations indicate otherwise. The RSS replaces all of the policies in the Durham County Structure Plan (1999).
4. A schedule of all policies that directly impact upon Planning Proposals is attached to this report as Appendix A. Members will note that these will be referred to and taken into consideration in forthcoming Development Control Committee reports.

**Recommendation**

5. This report and its appendix are noted.

Report prepared by Stuart Carter, Planning Officer.

## **Policy 2 - SUSTAINABLE DEVELOPMENT**

Planning proposals and Local Development Frameworks should support sustainable development and construction through the delivery of the following environmental, social and economic objectives:

### **2.1 Environmental Objectives**

- a. to ensure good local air quality for all;
- b. to protect and enhance the quality of the Region's ground, river and sea waters;
- c. to protect and enhance the Region's biodiversity, geodiversity and soil quality;
- d. to reduce the amount of waste produced and increase the amount recycled;
- e. to make better use of our resources, including the built fabric;
- f. to mitigate environmental and social costs of developments, and encourage efficient resource use;
- g. to protect and enhance the quality and diversity of the Region's rural and urban land and landscapes;
- h. to prevent inappropriate development in flood plains;
- i. to reclaim and reuse derelict land to make more productive use of land;
- j. to protect and enhance the Region's cultural heritage and diversity; and
- k. to promote the concept of green infrastructure, a network of linked, multifunctional green space in and around the Region's towns and cities.

### **2.2 Social Objectives**

- a. to tackle the social, economic and environmental impacts of multiple deprivation;
- b. to raise educational achievement across the Region and improve the skills of the workforce and of adults who are currently economically inactive, through training and skill development;
- c. to ensure everyone has the opportunity of living in a decent and affordable home;
- d. to improve the quality and choice of housing through market renewal and new development;
- e. to reduce crime and the fear of crime, particularly through good design;
- f. to improve health and well-being while reducing inequalities in health;
- g. to ensure good accessibility for all to jobs, facilities, goods and services in the Region particularly by public transport, walking and cycling;
- h. to reduce the need to travel by private car; and
- i. to increase public involvement in decision-making and civic activity.

### **2.3 Economic Objectives**

- a. to ensure high and stable levels of employment so everyone can share and contribute to greater prosperity;
- b. to achieve high and sustainable levels of economic growth by focusing on the Region's strengths and alleviating weakness; and

c. to reduce adverse impacts of economic growth on global communities by supporting the use of local labour, materials and produce.

## **Policy 4 - THE SEQUENTIAL APPROACH TO DEVELOPMENT**

Local Development Frameworks should adopt a sequential approach to the identification of land for development to give priority to previously developed land and buildings in the most sustainable locations. All sites should be in locations that avoid areas at the highest risk from flooding, having particular regard to the vulnerability of the proposed development to flooding. Locations should be selected in the following priority order:

- a. Suitable previously-developed sites and buildings within urban areas, particularly around public transport nodes;
- b. Other suitable locations within urban areas not identified as land to be protected for nature or heritage conservation or recreational purposes;
- c. Suitable sites in locations adjoining urban areas, particularly those that involve the use of previously-developed land and buildings; and
- d. Suitable sites in settlements outside urban areas, particularly those that involve the use of previously-developed land and buildings.

For the purposes of this policy, urban areas are defined as the Conurbations, Main Settlements, Regeneration Towns and Rural Service Centres, as defined in this RSS, and Secondary Settlements identified in Local Development Frameworks as providing a significant opportunity in terms of previously developed land and buildings.

All sites should be in locations that are, or will be, well related to homes, jobs and services by all modes of transport, particularly public transport, walking and cycling.

## **Policy 6 - LOCATIONAL STRATEGY**

Plans, strategies and programmes should support and incorporate the locational strategy to maximise the major assets and opportunities available in the North East and to regenerate those areas affected by social, economic and environmental problems. This will be done by the following means, which should also be delivered by planning proposals:

- a. supporting the polycentric development and redevelopment of the Tyne & Wear City-Region and the Tees Valley City-Region by concentrating the majority of new development in the two Conurbations and the Main Settlements;
- b. allowing development appropriate in scale within the Regeneration Towns and Rural Service Centres to meet local needs and achieve a balance between housing, economic development, infrastructure and services;
- c. maintaining vibrant rural areas with a diversified economy and sustainable market towns, service centres and villages whilst preserving their historic fabric and character;

- d. conserving and enhancing biodiversity, geodiversity, heritage resources, tranquility and the high quality landscapes, including the Northumberland National Park, the North Pennines and Northumberland Coast AONBs and the Durham, Northumberland and North Yorkshire and Cleveland heritage coasts and protecting them from development that would endanger these qualities; and
- e. improving sustainable internal and external connectivity and accessibility, including sustainable accessibility from Other Regeneration Areas to the Conurbations and the Main Settlements.

## **Policy 7 - CONNECTIVITY AND ACCESSIBILITY**

Strategies, plans and programmes, and planning proposals should seek to improve and enhance the sustainable internal and external connectivity and accessibility of the North East by:

- a. Reducing the impact of travel demand particularly by promoting public transport, travel plans, cycling and walking;
- b. reducing the need to travel long distances, particularly by private car, by focusing development in urban areas that have good access to public transport and for cyclists and pedestrians, and by encouraging home-working and improving electronic communications;
- c. minimising the impact of the movement of people and goods on the environment and climate change;
- d. making best use of resources and existing infrastructure;
- e. ensuring safe transport networks and infrastructure;
- f. maximising the potential of the International Gateways of the ports and airports and strategic transport infrastructure in supporting regional economic growth and regeneration; and
- g. improve and enhance the sustainable internal and external connectivity and accessibility of the North East region by improving accessibility and efficiency of movements with emphasis on promoting sustainable modes and reducing travel demand along the four key transport corridors set out in Policy 49.

## **Policy 8 - PROTECTING AND ENHANCING THE ENVIRONMENT**

Strategies, plans, programmes, and planning proposals should seek to maintain and enhance the quality, diversity and local distinctiveness of the environment throughout the North East by:

- a. promoting a high quality of design in all development and redevelopment;
- b. promoting development that is sympathetic to its surroundings;
- c. protecting the special qualities of the environment in the nationally designated areas of the Northumberland National Park, and the North Pennines and Northumberland Coast AONBs and upholding their statutory purposes, while recognising their role in a living, working and vibrant countryside. Major development should not take place in these areas other than in exceptional circumstances when it can be demonstrated that there is an overriding national need and it could not be located elsewhere;

- d. seeking to conserve and enhance historic buildings, areas and landscapes;
- e. identifying and giving an appropriate degree of protection to historic parks and gardens, battlefields, ancient field systems, green lanes trackways, industrial monuments and other unscheduled archaeological sites, which reflects their national or regional importance;
- f. identifying and giving appropriate protection to the Region's internationally and nationally important sites for biodiversity and geodiversity, including full assessment of the potential impacts of development on Internationally Designated Nature Conservation Sites;
- g. identifying and protecting existing woodland of amenity and nature conservation value, particularly ancient woodlands;
- h. encouraging and facilitating the implementation of the Regional Forest Strategy, Great North Forest and Tees Forest community forestry strategies, related biodiversity initiatives and other woodland planting;
- i. paying due regard to the needs of the aquatic and marine environment including taking into account the potential risk of coastal squeeze, and considering measures to address this; and
- j. encouraging and supporting the establishment of green infrastructure including strategic wildlife corridors.

## **Policy 9 - TYNE AND WEAR CITY-REGION**

Strategies, plans and programmes, and planning proposals should support the polycentric development and redevelopment of the Tyne & Wear City-Region by:

### **9.1. Regeneration**

- a. giving priority to the regeneration of the following areas: the central parts of the Tyne River Corridor, extending over including the Bridging Newcastle Gateshead area, Newcastle City Centre, Teams, Gateshead Quays and town centre, and North Felling, both banks of the river Tyne including Hebburn, Jarrow, South Shields, Wallsend and North Shields, and the town centre of South Shields forming the Tyne Gateway, for appropriate mixed-use development; the River Wear Corridor in Central Sunderland;
- b. ensuring a scale and quality of development to reflect Durham City's unique character and its role as a major service and employment centre for its surrounding hinterland;
- c. supporting the regeneration and development of Amble, Ashington, Blyth, Cramlington, Chester-le-Street, Consett, Stanley, Crook, Seaham, Peterlee, Hetton-le-Hole and Houghton-le-Spring, for sustainable growth without adversely impacting on the regeneration initiatives within the Tyne and Wear Conurbation.

### **9.2 Economic Prosperity**

- a. focusing the majority of new economic development on the city centres of Newcastle and Sunderland and the Key Employment Locations of West Hartford, Blyth Valley; Newcastle Great Park; Newburn Riverside, Newcastle; and Baltic Business Quarter, Gateshead (as set out in Policy 20);

- b. supporting the Science City Newcastle initiative, focusing development on the western area of Newcastle for science and technological development and developing a network of complementary nodes including Baltic Business Park, Gateshead; Northumbria University (Manors development); the Centre for Renewables, Blyth; Durham University and NetPark, County Durham;
- c. continuing to support the influential economic role of the four universities in the city-region, enabling better links between universities and business, and campus expansions where appropriate;
- d. focussing new knowledge based Small Medium Enterprise accommodation and offices within and adjacent to Newcastle and Sunderland city centres, with provision in regeneration centres and rural service centres to meet local needs;
- e. developing manufacturing and logistics based accommodation in line with Policies 18 and 20; developing manufacturing and logistics based accommodation in line with Policies 18 and 20;
- f. focusing on the creation of local jobs and retraining and up-skilling of local workforces in the Other Regeneration Areas;
- g. broadening and better integrating the city-region's tourism offer by building on the success of the Newcastle-Gateshead Initiative including a major regional conference facility; sustainably developing the tourism potential of Hexham, Morpeth, Alnwick, Durham and the region's World Heritage Sites; and improving sustainable accessibility between tourist facilities and destinations.

### 9.3 Sustainable Communities

- a. supporting the integrated housing market renewal initiatives and programmes of:
  1. Bridging NewcastleGateshead, and Sunderland Arc areas, including large scale housing demolitions, and
  2. the SENNTRi area, Rural Coalfield Regeneration Area, and Durham Coalfield Communities Area, with particular emphasis on rebalancing the housing stock and meeting local housing needs;
- b. locating the majority of new retail and leisure development in the regional centre of Newcastle and the sub-regional centre of Sunderland. Additional development in other town centres should be consistent with their scale and function to maintain and enhance their vitality and viability;
- c. developing housing to support the economic growth strategies in sustainable locations, mainly on previously developed land in areas where it does not undermine existing housing markets, particularly housing market restructuring areas;
- d. encouraging high standards in the layout, design and energy efficiency of new development and redevelopment, which improve the quality of the environment and promote sustainability.

### 9.4 Connectivity

- a. strengthening international air connections from Newcastle International Airport, and encouraging the development of 55 hectares of undeveloped allocated land for airport-related uses (as defined in this RSS), to enable its potential as an economic driver to be realised and cater for its anticipated passenger growth;

- b. improving public transport links from throughout the city-region to Newcastle International Airport, and from Durham Tees Valley Airport to Durham City in particular;
- c. supporting the sustainable growth of the Port of Tyne, Blyth Harbour, Port of Sunderland and Seaham Docks, and ensuring good public transport links to the Port of Tyne are maintained to facilitate and cater for its passenger growth and tourism potential;
- d. promoting a further crossing of the River Wear and improved transport connections along the river in Sunderland;
- e. investigating the modernisation of the Metro system and improvements to the Newcastle/Gateshead Western Bypass; supporting improvements to the A19 junctions in North and South Tyneside and Northumberland;
- f. promoting the improvement of rail services between the two conurbations and to destinations outside the region, especially Edinburgh, Manchester, Leeds and London, particularly on the Durham Coast and East Coast Main Line.
- g. improving interchange facilities at the Strategic Public Transport Hubs of Newcastle, Sunderland and Durham City, particularly Newcastle Central Station;
- h. promoting bus based public transport improvements between the regeneration centres and Tyne & Wear and, for the longer term, investigating enhanced rail passenger services;
- i. protecting the Leamside rail line from development that would restrict its reinstatement in the longer term.

#### 9.5 Green Belt

Ensuring that the Green Belt continues to safeguard the countryside from encroachment and check the unrestricted sprawl of Tyne & Wear. The Green Belt should:

- a. prevent the merging of: Sunderland with Seaham, Houghton-le-Spring, Washington or Tyneside; Gateshead with Hebburn, Washington, Birtley or Whickham; Washington with Chester-le-Street; Newcastle upon Tyne with Ponteland, Newcastle International Airport, or Cramlington; North Tyneside with Cramlington or Blyth; and Durham City with Chester-le-Street.
- b. preserve the setting and special character of Durham City, Hexham, Corbridge and Morpeth;
- c. assist in urban regeneration in the city-regions by encouraging the recycling of derelict and other urban land; and
- d. maintain the broad extent of the Green Belt with detailed boundaries to be defined in relevant Local Development Frameworks, around Morpeth and the area to the north of Consett and Stanley and eastwards to Chester-le-Street.

#### 9.6 Environment

- a. supporting the establishment of strategic networks of green infrastructure that links existing and proposed greenspace with green corridors running through urban, suburban and urban fringe areas to the countryside and coast;
- b. subjecting development proposals in or likely to affect internationally designated sites of nature conservation importance and the Heritage Coast to rigorous examination;

c. encouraging the development of renewable energy whilst carefully considering the local impacts of proposals.

## **Policy 11 - RURAL AREAS**

Strategies, plans and programmes, and planning proposals, should support the development of a vibrant rural economy that makes a positive contribution to regional prosperity, whilst protecting the Region's environmental assets from inappropriate development by:

### **11.1. Regeneration**

- a. strengthening the role of the Rural Service Centres of Alnwick, Barnard Castle, Berwick-upon-Tweed, Guisborough, Haltwhistle, Hexham, Middleton-in-Teesdale, Morpeth, Prudhoe, and Stanhope; and
- b. identifying an appropriate scale of development that is sufficient to sustain settlements and a vibrant rural economy. Local Development Frameworks should identify a settlement hierarchy, including Secondary Settlements to determine the appropriate scale and nature of development.

### **11.2. Economic Prosperity**

- a. providing a positive framework to capitalise on the key opportunities the environment provides for the development of a range of employment uses, including the diversification of agriculture, tourism, culture and leisure and new sectors of the economy including renewables and environmental technologies.

### **11.3. Sustainable Communities**

- a. protecting and improving the provision of rural service infrastructure and other physical development where this is critical for supporting and maintaining sustainable rural communities;
- b. addressing affordable housing problems arising throughout the Region's rural areas, particularly in Alnwick, Berwick, Tynedale and Castle Morpeth; and;
- c. combining landscape improvements, wildlife and heritage conservation and enhancement measures with the provision of leisure and educational opportunities, where appropriate.

### **11.4. Connectivity**

- a. providing attractive and innovative public transport services to improve accessibility for their surrounding hinterland to Rural Service Centres, between Rural Service Centres and to the Conurbations and the Main Settlements in the city regions;
- b. developing core networks of public transport links focused on key hubs, in particular on the main rural service centres, with frequent services from these centres to the Conurbations and Main Settlements within the two city regions;
- c. developing feeder public transport services from surrounding rural areas to the main Rural Service Centres, ensuring integration with core network services;
- d. supporting the introduction, concept and development of Community Rail Partnerships; and



e. protecting the land at the former goods yard at Tweedmouth that may be required as part of the ECML improvements.

## **Policy 13 - BROWNFIELD MIXED-USE LOCATIONS**

13.1. Strategies, plans and programmes should support brownfield mixed use developments in sustainable locations throughout the Region.

13.3. Local Development Frameworks should make provision for regeneration schemes within the above brownfield mixed-use locations. Provision for the employment element of proposals at these locations will be met from the General Employment Land Allocation in Policy 18. LDFs and planning proposals should ensure that the development of each site:

- a. is subject to the preparation of a detailed masterplan prior to the commencement of development;
- b. adopts an appropriate phasing and monitoring framework to ensure alignment with changing local and wider city-region objectives so that housing development does not exceed the respective local authority's housing provision;
- c. mitigates any potential exacerbation of housing market failure in the respective local authority and surrounding districts;
- d. ensures that the respective adjacent town centres are not adversely affected by the proposed development of town centre uses associated with the mixed use scheme;
- e. is served by high levels of public transport, walking and cycling, particularly through the development of workplace travel plans;
- f. secures any necessary improvements to the strategic and local road network required to accommodate traffic generated by the development, taking account of the likely use of public transport to the site;
- g. seeks to maximise the employment opportunities for residents of surrounding wards, particularly from the more deprived wards;
- h. ensures that the necessary utilities infrastructure is coordinated with new development; and
- i. protects and enhances environmental, historic and resource assets.

## **Policy 14 - SUPPORTING FURTHER AND HIGHER EDUCATION**

Strategies, plans, programmes, and planning proposals should support the growth and increasing role of universities and colleges in the regional economy by:

- a. recognising their pivotal role in the transition to higher productivity and a more knowledge-based economy;
- b. encouraging greater links with local businesses, particularly in terms of workforce development and research and development opportunities;
- c. enabling the necessary infrastructure and campus development to facilitate their expansion;
- d. supporting the emerging Science City concept;

- e. maintaining, improving and adopting innovative public transport solutions and information and communication technologies to improve access to learning and training opportunities in both urban and rural areas; and
- f. strengthening their links to assist existing and new companies to take advantage of partnering opportunities and/or cluster activity, particularly at NetPark, Knowledge Campus, NaREC, Greater Middlehaven, Central Park and North Shore.

## **Policy 15 - INFORMATION AND COMMUNICATIONS TECHNOLOGY NETWORKS**

Strategies, plans and programmes, and planning proposals should seek to provide flexible responses to rapidly changing physical and social demands for ICT business and in particular should:

- a. seek to ensure that broadband infrastructure is available to all communities, particularly within the more rural and peripheral areas;
- b. encourage flexi-working patterns in order for people to achieve a better work-life balance and quality of life overall;
- c. promote e-tailing, working from home and e-business to contribute to a better environment by reducing the need to travel, particularly by private car;
- d. seek investment into ICT training and skills in schools and the workplace;
- e. establish strategic priorities for providing access from rural areas in order to guide investment decisions;
- f. ensure the roll out of ICT networks to existing urban areas, rural communities, business parks and industrial estates;
- g. ensure ICT infrastructure needs are incorporated into the development of sites and premises and enabled at an early stage;
- h. establish a targeted programme to promote broadband-enabled small and medium-sized business accommodation in every district in the Region, including possible refurbishment and improvements to existing premises; and
- i. promote the use of telecommunications technology in traffic management and in improving information available to public transport users.

## **Policy 16 - CULTURE AND TOURISM**

Strategies, plans and programmes and planning proposals should promote culture and tourism, including provision for sport and leisure and the resources which support these, by:

- a. improving the first impressions gained by visitors arriving and passing through the Region, including supporting environmental improvements to gateways and transport corridors;
- b. ensuring that the development of culture, sports, leisure, recreation and tourist facilities and attractions protects, invests in and enhances and maintains the Region's natural, built and heritage environments, and that adverse effects on internationally designated nature conservation sites are avoided or mitigated;
- c. ensuring that the planning and development of cultural, sports, leisure, recreation and tourism facilities of regional or sub-regional significance is

taken forward in a coordinated way, including working across local authority boundaries;

- d. encouraging cultural, sports, leisure, recreation and tourism developments that benefit the local economy, people and environment without diminishing the attractiveness of the place visited;
- e. ensuring that the identification and development of cultural, sports, leisure, recreation and tourist facilities is guided by the principles of sustainability and information on market demand, including maximising opportunities to travel by means other than the private car;
- f. ensuring all major cultural, sports, leisure, recreation and tourism attractions and services are accessible by a range of transport modes to improve links to develop the Region as an integrated visitor destination; and
- g. encouraging the creation of concentrations of , cultural, sports, leisure, recreation and tourism related development within sustainable locations to contribute to wider regeneration objectives.

## **Policy 19 - OFFICE DEVELOPMENT OUTSIDE OF CITY AND TOWN CENTRES**

City and town centres will be the preferred locations for major office development (B1a) which is not ancillary to other uses. Proposals for this form of office development, other than those already allocated in existing adopted development plans, will only be approved at Key Employment Locations, if it can be shown that:

- a. in order of priority, they cannot be accommodated in a city or town centre, in an edge of centre location, or at other brownfield mixed-use locations in Policy 13;
- b. any such proposal will not put at risk the strategy set out in any approved Local Development Document for a city or town centre, or Master Plan for a major brownfield mixed-use development. This policy is not intended to restrict small scale developments as provided for in Policy 11.1 and 11.2.

## **Policy 20 - KEY EMPLOYMENT LOCATIONS**

In planning for Key Employment Locations, Local Development Frameworks and planning proposals should ensure a high level of sustainability. They should:

- a. prepare a detailed masterplan prior to the commencement of development setting out such considerations and meeting the requirements of clauses b-e;
- b. seek to achieve zero or low carbon emissions, including energy conservation measures and secure energy supply from decentralised and renewable or low-carbon sources in accordance with the approach set out in Policy 38;
- c. encourage high levels of public transport, walking and cycling accessibility and use;
- d. discouragement of the need to travel by car through limited parking, the use of other demand management measures, and requiring a Travel Plan for each future occupier;

- e. include a waste audit in view of Policy 46;
- f. secure any necessary improvements to the strategic and local road and rail networks required to accommodate traffic generated by the development, taking account of the likely use of public transport to the site;
- g. maximise the employment opportunities for residents of surrounding areas, particularly those in deprived communities;
- h. ensure that the necessary infrastructure is coordinated with new development;
- i. employ sustainable construction and design methods, which deliver biodiversity benefits and foster local distinctiveness;
- j. protect and enhance major environmental, historic assets; and
- k. ensure that the integration of the development with the landscape meets high environmental standards;
- l. give priority to accommodating major investors and prestige business development of national or regional significance.

## **Policy 24 - DELIVERING SUSTAINABLE COMMUNITIES**

Strategies, plans and programmes and planning proposals, should assess the suitability of land for development and the contribution that can be made by design in relation to the following criteria:

- a. the nature of the development and its locational requirements;
- b. concentrating the majority of the Region's development within the defined urban areas;
- c. the need to utilise previously developed land wherever possible;
- d. locating development to reduce the need to travel, journey length and fuel consumption;
- e. the ability for movement needs and accessibility of development sites to homes, jobs, services and facilities to be well served by all modes of transport, particularly walking, cycling and public transport;
- f. linking development to appropriate provision of infrastructure including green infrastructure, water supply and wastewater treatment, energy supplies;
- g. linking development to provision of educational, health and other social facilities and services;
- h. the impact that the development of sites and its design will have on the Region's natural resources, biodiversity, landscapes, environmental and cultural assets, and people's health; and its potential to contribute to enhancement of these;
- i. physical constraints on the development of land including the level of contamination, flood risk and land stability, incorporating flood protection and alleviation mechanisms such as Sustainable Drainage Systems;
- j. the potential contribution of development to reducing health and social inequalities including fuel poverty, and to meeting the needs of an ageing population and the disabled, through design and the provision of accessible health, sports, community, recreational, and other facilities including suitable provision of play space and greenspaces with accessible woodland, with new development;

- k. the promotion of mixed use developments, well served by public transport, to reduce journey lengths and ensure that the best use is made of land, transport infrastructure and services;
- l. the potential contribution of development to the strengthening of local communities and their social cohesion;
- m. the potential contribution of development to secure crime prevention and community safety by design;
- n. ensuring that development has low consumption of natural resources both in construction and in operation, and incorporates embedded renewable energy generation where appropriate;
- o. the potential contribution of development to the enhancement and creation of habitats and species populations and to the promotion of biodiversity and geodiversity; and,
- p. the use of local labour markets and materials.

## **Policy 25 - URBAN AND RURAL CENTRES**

Local Development Frameworks and planning proposals should ensure that:

- a. in the Conurbations and Main Settlements development of retail, commerce; entertainment, leisure, community, cultural and religious facilities, recreation, education, health services, business, public services and other high trip generating uses are focused within defined urban centres commensurate with their scale, function, environmental capacity and ability to be served by transport modes other than the car;
- b. within the Tyne & Wear City-Region, the majority of new retail and leisure floorspace should be located in Newcastle (Regional Centre) and Sunderland (Sub-Regional Centre). Durham City will continue to have an important role in servicing its hinterland;
- ...
- d. in other centres, additional retail, commerce; entertainment, leisure, community, cultural and religious facilities, recreation, education, health services, business, public services development should be consistent with their scale and function to maintain and enhance their health and vitality;
- e. where a need for retail-led regeneration has been identified for Regeneration Towns and for Rural Service Centres, retail and leisure development may be allowed above the scale that would be required for the centre to maintain its role; provided that it would support the sustainable regeneration of these centres without compromising the vitality and viability of other town centres; and
- f. The design of development in centres should contribute to the creation of sustainable communities and be in harmony with and enhance the built environment.

## **Policy 27 - OUT-OF-CENTRE LEISURE DEVELOPMENTS**

Proposed regional and sub-regional scale leisure developments will need to be considered and justified through the sequential approach (Policy 4) and locational strategy (Policy 6) of the Regional Spatial Strategy. Local Development Frameworks should ensure that leisure developments are of an

appropriate scale in relation to nearby settlements, and should not make provision for new out-of-centre leisure developments unless there are demonstrable benefits that would contribute to the sustainable growth of the local economy.

## **Policy 28 - GROSS AND NET DWELLING PROVISION**

### 28.1. Total dwelling construction (Gross completions)

Local Development Frameworks should make provision for the following average annual level of total dwelling construction in the period 2004-2021.

Gross Dwelling Provision				
Figures Rounded (Oct 2005)	2004-11	2011-16	2016-21	2004-21
Tees Valley	2,860	2,695	2,280	2,640
Durham	1,890	1,620	1,225	1,615
Northumberland	945	930	900	925
Tyne & Wear	3,580	4,200	4,670	4,080
NORTH EAST	9,270	9,450	9,070	9,265

(Regional totals rounded to the nearest 5)

### 28.2. Improving the housing stock

Strategies, plans and programmes and planning proposals should develop an integrated package of measures to address low demand and abandonment that:

- a. maximises the improvement of existing properties where sufficient demand exists for their continued residential use and reduces or maintains vacancy rates at or below 3%;
- b. increases the average annual level of demolitions, particularly in the housing market restructuring areas, to the indicative estimated level identified below:

Demolitions					
Figures Rounded		2004-11	2011-16	2016-21	2004-21
Tees Valley	Replacement	580	575	460	545

	Demolition	920	635	440	695
Co Durham	Replacement	220	285	190	230
	Demolition	355	360	145	295
Northumberland	Replacement	45	35	50	45
	Demolition	70	35	55	55
Tyne & Wear	Replacement	1,005	820	715	865
	Demolition	1,595	780	750	1,110
NORTH EAST	Replacement	1,845	1,720	1,410	1,680
	Demolition	2,940	1,815	1,395	2,155

(Regional totals rounded to the nearest 5)

c. considers, in areas of older high-density housing, replacement at lower densities where this would improve the living environment and quality of life, and achieve a better mix of dwelling type, size and tenure.

### 28.3. Net dwelling provision

Local Development Frameworks and planning proposals shall:

a. provide for average annual net additions to the dwelling stock, by District, for the financial years 2004-2021, as identified below:

Net Dwelling Provision				
(Figures Rounded)	2004-11	2011-16	2016-21	2004-21
Chester-le-street	100	130	130	120
Derwentside	320	270	200	270
Durham	250	220	190	225
Easington	370	215	70	235
Sedgefield	280	260	225	260
Teesdale	70	80	75	75
Wear Valley	280	160	145	205
County Durham	1,670	1,330	1,035	1,385
NORTH EAST	7,425	7,725	7,660	7,580

Figures for the other sub-regions are included below:

Hartlepool	390	400	400	395
Redcar & Cleveland	325	365	330	340
Middlesbrough	440	485	300	410
Stockton-on-Tees	600	530	525	555
Darlington	525	340	265	395
Tees Valley	2,280	2,120	1,820	2,100

Alnwick	105	95	85	95
Berwick-upon-Tweed	85	85	75	80
Blyth Valley	250	290	290	275
Castle Morpeth	140	130	120	130
Tynedale	140	115	100	120
Wansbeck	180	180	180	180
Northumberland	900	895	850	885
Gateshead	435	585	775	580
Newcastle upon Tyne	700	940	1,070	880
North Tyneside	400	500	500	460
South Tyneside	340	415	540	420
Sunderland	700	940	1,070	880
Tyne and Wear	2,575	3,380	3,955	3,220
NORTH EAST	7,425	7,725	7,660	7,580

(Sub-Regional and Regional totals rounded to the nearest 5)

The District Allocations set out above should not provide the justification for the refusal of windfall housing proposals that fall within the guidance set out for Strategic Housing Land Availability Assessments.

#### 28.4. Provision post 2021

a. To plan for the continuous delivery of housing for at least 15 years from the date of adoption, the first round of Local Development Documents should make the assumption that the annual average rate of provision during the early years after 2021 will be the same as the average for 2004 to 2021.

#### 28.5. Housing markets and assessments

- a. Local Development Frameworks should identify and develop specific strategies and programmes in liaison with stakeholders and local communities, for each Housing Market Restructuring area;
- b. In preparing strategies, plans and programmes, and in determining planning proposals, local planning authorities should ensure that they have regard to the wider housing market area, including that beyond their local authority boundary and the potential impact that their proposals may have on that wider area;
- c. In preparation for future reviews of housing within RSS, the RPB and Local Planning Authorities should develop Strategic Housing Market Assessments. These should take into account of market information and have regard to housing market areas.

## **Policy 29 - DELIVERING AND MANAGING HOUSING SUPPLY**

Local Development Frameworks and/or planning proposals shall:

#### 29.1. Previously Developed Land Targets

a. meet the sub-regional targets for housing development on previously developed land and through the re-use of existing buildings as set out below;



Previously Developed Land Targets		
Area	2008	2016
TeesValley	70%	
DurhamCounty	65%	
NorthumberlandCounty	50%	
Tyneand Wear	80%	
North East	70%	75%

## 29.2. Infrastructure Provision

a. ensure that the necessary new or improved infrastructure and services are provided and co-ordinated with the development of new housing.

## 29.3. Densities

- a. consider making suitable land available for replacement housing which is unable to be accommodated on its original site due to re-building at lower density;
- b. where appropriate restrict higher density housing resulting from sub-division or other intensification to protect an area's characteristics and ability to contribute towards types, sizes and tenure under-represented in the Region's dwelling stock; and
- c. provide for an average density of 30-50 dwellings per hectare at the local authority level, and set out criteria to define circumstances where provision of lower densities is needed for additional dwellings to better provide for future households and a better mix of dwelling type, size and tenure within the context of the RSS Locational Strategy and Sequential Approach.

## 29.4. Release of land

Local Development Frameworks should put in place phasing policies that:

- a. ensure the managed release of housing land occurs in accordance with the locational strategy and sequential approach and consider reaching at or below 3% vacancy in local authority areas by 2011;
- b. bring forward previously developed land opportunities first, taking account of new previously developed land potential as identified in up-to-date Strategic Housing Land Availability Assessments.

## 29.5. Consideration of planning proposals

In considering planning proposals local planning authorities should:

- a. take into account lapsed planning permissions and unimplemented development plan allocations in light of up-to-date Strategic Housing Land Availability Assessments, and the locational strategy;
- b. consider phasing the release of housing land to ensure that it does not compromise the successful delivery of housing market restructuring initiatives;
- c. consider the re-use of employment sites for housing only where they are not required for long-term employment use;
- d. consider the compatibility of housing with the operation of adjacent employment land; and
- e. take into account the impact on the local planning authority's housing and previously-developed land trajectories.

## **Policy 30 - IMPROVING INCLUSIVITY AND AFFORDABILITY**

30.1. In preparation for future reviews of housing within RSS, Strategic Housing Market Assessments will inform a review of the regional approach to addressing affordable housing needs, including an affordable housing target for the Region and each housing market area.

30.2. Strategies, plans and programmes and planning proposals should:

- a. make provision for a range of dwelling type, size and tenure to meet the assessed needs of all sectors of the community, including the needs of families with children, single person households, the disabled and older people. In doing so they should consider those elements of the housing stock which are currently under-represented and the contribution that could be made by replacement dwellings in the housing market restructuring areas;
- b. set local authority affordable housing provision targets informed by up to-date local housing assessments;
- c. address the problems of local affordability in both urban and rural areas, including ensuring a high provision of affordable housing is sought within the districts of Alnwick, Berwick-upon-Tweed, Castle Morpeth and Tynedale;
- d. have regard to the level of need for affordable housing, including the use of planning obligations in the development of all housing sites, including when considering the renewal of lapsed planning consents;
- e. ensure housing is served by public transport and is accessible to jobs, services and facilities by modes other than the car; and
- f. ensure the integrated and phased provision of new or improved schools, health, community and other services and facilities with new housing development.

30.3. Provision of sites for gypsies and travellers

- a. Local authorities should carry out an assessment of the housing needs of Gypsies and Travellers and Showpeople. Collaboration between authorities on these studies is encouraged to more fully understand the patterns of need and the adequacy of current provision; and
- b. Local development frameworks / documents should provide the criteria following the plan, monitor and manage and sequential approaches for the provision and release of pitches for the Gypsy and Travelling and Showpeople communities and, where appropriate, identify locations for these pitches.

## **Policy 31 - LANDSCAPE CHARACTER**

Strategies, plans and planning proposals should:

- a. promote development appropriate to the special qualities and statutory purposes of these areas in the Northumberland National Park, the Northumberland Coast and the North Pennines AONBs, and the three areas of Heritage Coast: North Northumberland, Durham and North Yorkshire and Cleveland;
- b. contribute to the implementation of the National Park and AONBs Management Plans whilst helping to achieve favourable condition status at European sites;

- c. have regard to landscape character assessments and the content of AONB/National Park Management Plans to justify the retention or creation of any local landscape designations, guide policy formulation and development control decisions, and assist in targeting landscape restoration and environmental improvement schemes;
- d. promote integrated management initiatives to sustain nationally, regionally and locally valued landscapes, including the Durham, North Northumberland and North Yorkshire and Cleveland Heritage Coasts and urban fringe landscapes;
- e. recognise the role that character-based planning tools such as Town Design Statements, Village Design Statements, Countryside Design Summaries and Concept Statements can play in promoting high quality development that respects local character and distinctiveness; and
- f. Incorporate the findings of Shoreline Management Plans and Catchment Flood Management Plans.

## **Policy 32 - HISTORIC ENVIRONMENT**

32.1. Strategies, plans and programmes and planning proposals should seek to conserve and;

- a. enhance the historic environment of the Region by: clearly identifying and assessing the significance of any heritage assets and their vulnerability to change;
- b. using the process of characterisation to understand their contribution to the local environment and to identify options for their sensitive management;
- c. encouraging the refurbishment and re-use of appropriate disused or under-used buildings and incorporating them into regeneration schemes;
- d. seeking to preserve, in situ, archaeological sites of national importance and, where appropriate, other archaeological remains of regional and local importance;
- e. recognising the opportunities for heritage led regeneration to be used in a constructive way to help bring about social and economic regeneration, and to encourage its potential for business, education and tourism; and
- f. encouraging and supporting the preparation and review of the management plans for Hadrian's Wall Military Zone World Heritage Site, Durham Cathedral and Castle World Heritage Site, and the candidate World Heritage Site at Jarrow and Monkwearmouth and incorporating their principles and objectives.

32.2. Local authorities should:

- a. prepare, and regularly maintain registers of Grade II listed buildings 'at risk'; for their areas, and pursue policies and measures which seek to repair and remove all grades of building from 'at risk' registers through repair;
- b. consider preparing, and regularly maintaining, lists of locally important buildings for their areas, and set out policies in LDFs, which seek, as far as possible, their protection against inappropriate change;
- c. consider preparing Conservation Area Appraisals for existing and proposed conservation areas, and proceed to the preparation of Management Plans for the delivery of improvements to those areas;

- d. consider preparing lists of locally important registered landscapes, Historic Landscape Assessments and Conservation Management Plans for historic designated landscapes; and
- e. consider preparing urban surveys of historic towns and other substantial settlements, to improve knowledge of their entire historic fabric as a guide to ensure future development maximises the potential for preservation, protection and enhancement.

### **Policy 33 - BIODIVERSITY & GEODIVERSITY**

Strategies, plans and programmes, and planning proposals should ensure that the Region's ecological and geological resources are protected and enhanced to return key biodiversity resources to viable levels by:

- a. continuing to promote the protection and enhancement of internationally and nationally important sites and species;
- b. reversing habitat fragmentation and species isolation particularly in Biodiversity Target Zones;
- c. developing habitat creation / restoration projects particularly in the priority Habitat Creation and Enhancement Areas;
- d. providing for the expansion and linking of existing habitats and species populations including the creation of semi-natural green spaces in and around urban areas and for habitat restoration;
- e. contributing to improving the Region's SSSIs to a favourable condition, by 2010;
- f. preparing biodiversity and geological audits;
- g. preparing and implementing Local Biodiversity Action Plans and Local Geodiversity Action Plans;
- h. supporting proposals for biodiversity and geodiversity within Sustainable Community Strategies; and
- i. including proposals for action to stop the spread of, and eliminate, invasive species.

### **Policy 34 - THE AQUATIC & MARINE ENVIRONMENT**

Strategies, plans and programmes, and planning proposals should:

- a. ensure that any schemes involving the transfer of water between catchments have consideration to the impacts on environmental and recreational assets of areas both nearby and upstream of the transfer base, particularly in relation to Kielder Water;
- b. integrate the objectives of emerging and existing plans and strategies which consider the wider management of water bodies, groundwater and coastal / marine areas;
- c. ensure that the construction and use of new development along river corridors takes account of its potential polluting effects; any opportunities for improvements and conservation of water quality; the possibility of flooding onsite and elsewhere along the watercourse; the availability of water resources; biodiversity; the impacts of climate change and the incorporation of necessary adaptation and mitigation measures, and the risk from minewater pollution;

- d. ensure, where appropriate, that Sustainable Drainage System techniques are adopted;
- e. set a positive policy framework for delivering plans for Integrated Coastal Zone Management, River Basin Management, Shoreline Management and Catchment Flood Management for the Region's coastal, estuarine and near-shore zones by adopting an ecosystem based approach to promote the recovery and conservation of marine eco-systems, including designated sites, favouring the evolution of the coast, estuaries and near-shore zones through natural processes wherever possible and seeking to safeguard the conservation of marine heritage features;
- f. take into account, and where possible plan to ameliorate, the risk of "coastal squeeze" having an impact on internationally designated nature conservation sites; and
- g. promote appropriate water-based recreational and leisure opportunities, particularly at Kielder Water and along the Region's coastline.

### **Policy 35 - FLOOD RISK**

B. In developing Local Development Frameworks and considering planning proposals, a sequential risk-based approach to development and flooding should be adopted as set out in PPS25. This approach must be informed by Strategic Flood Risk Assessments prepared by planning authorities in liaison with the Environment Agency to inform the application of the Sequential Test and, if necessary, the Exception Test, in development allocations in their LDDs and consideration of planning proposals.

### **Policy 36 - TREES, WOODLANDS AND FORESTS**

Strategies, plans and programmes, and planning proposals should:

- a. in line with the North East Regional Forest Strategy, seek to maximise the social, economic and environmental opportunities that trees, woodlands and forests present, particularly in regeneration areas and on derelict, damaged and underused sites;
- b. support the expansion of community forestry;
- c. facilitate the expansion of tree cover, particularly in urban centres and the rural urban fringe, to provide accessible leisure, recreation and environmental education opportunities;
- d. support the establishment of integrated timber processing facilities, including related industries such as renewable energy, close to existing facilities and timber resources;
- e. seek to maximise the tourism development opportunities presented by woodlands and forests, particularly in rural areas; and identify and ensure strong protection of areas of ancient woodland; and
- f. ensure that proposals for expansion of tree cover do not have adverse effects on internationally designated sites of nature conservation importance.

### **Policy 37 - AIR QUALITY**

Strategies, plans and programmes and planning proposals should:

- a. contribute to sustaining the current downward trend in air pollution in the region;
- b. consider the potential effects of new developments and increased traffic levels on air quality; and
- c. consider the potential impacts of new developments and increased traffic levels on internationally designated nature conservation sites, and adopt mitigation measures to address these impacts.

## **Policy 38 - SUSTAINABLE CONSTRUCTION**

Strategies, plans and programmes, and planning proposals should:

- a. ensure that the layout and design of new buildings and developments minimise energy consumption;
- b. encourage and promote opportunities for new developments or the redevelopment or refurbishment of existing buildings to achieve high energy efficiency and minimise consumption in terms of energy efficiency best practice, BREEAM rating and the Code for Sustainable Homes;
- c. encourage and facilitate homeowners and businesses in improving their energy efficiency and reducing consumption; and
- d. promote and secure greater use of local renewable energy in new development, including through Development Plan Documents, setting local level size thresholds for major new development and require all relevant developments, particularly major retail, commercial and residential developments, to secure an ambitious but viable percentage of their energy supply from decentralised and renewable or low carbon sources. In advance of local targets being set in DPDs, major new developments of more than 10 dwellings or 1000m<sup>2</sup> of non-residential floorspace should secure at least 10% of their energy supply from decentralised and renewable or low-carbon sources, unless, having regard to the type of development involved and its design, this is not feasible or viable.

## **Policy 39 - RENEWABLE ENERGY GENERATION**

Strategies, plans and programmes, and planning proposals should:

- a. facilitate the generation of at least 10% of the Region's consumption of electricity from renewable sources within the Region by 2010 (454 MW minimum installed capacity);
- b. aspire to further increase renewable electricity generation to achieve 20% of regional consumption by 2020;
- c. facilitate the achievement of the following minimum sub regional targets to 2010:

Northumberland	212MW
Durham	82MW
Tyne & Wear	22MW
TeesValley	138MW
	454MW

## **Policy 40 - PLANNING FOR RENEWABLES**

Strategies, plans and programmes should support and encourage renewable energy proposals and identify renewable resource areas. In assessing proposals for renewable energy development significant weight should be given to the wider environmental, economic and social benefits arising from higher levels of renewable energy, and the following criteria should be considered:

- a. anticipated effects resulting from development construction and operation such as air quality, atmospheric emissions, noise, odour, water pollution and the disposal of waste;
- b. acceptability of the location and the scale of the proposal and its visual impact in relation to the character and sensitivity of the surrounding landscape;
- c. effect on the region's World Heritage Sites and other national and internationally designated heritage sites or landscape areas, including the impact of proposals close to their boundaries;
- d. effect of development on nature conservation sites and features, biodiversity and geodiversity, including internationally designated and other sites of nature conservation importance, and potential effects on settings, habitats, species and the water supply and hydrology of such sites;
- e. maintenance of the openness of the Region's Green Belt;
- f. accessibility by road and public transport;
- g. effect on agriculture and other land based industries;
- h. visual impact of new grid connection lines;
- i. cumulative impact of the development in relation to other similar developments; and
- j. proximity to the renewable fuel source such as wood-fuel biomass processing plants within or close to the Region's major woodlands and forests.

## **Policy 42 - OVERALL MINERALS STRATEGY**

Minerals and Waste Development Frameworks, Minerals Development Frameworks, Local Development Frameworks, and planning proposals should:

- a. ensure that land is made available to provide an appropriate contribution to local, regional and national needs for minerals;
- b. ensure the prudent use of minerals resources in line with sustainable development objectives;
- c. ensure the effective environmental management of mineral extraction and processing sites, high quality restoration and aftercare, and appropriate beneficial after uses;
- d. promote the transport of minerals and minerals products by rail or water wherever practicable and minimise the effects of transport by road;
- e. identify and safeguard significant mineral resources from other types of development; and
- f. include criteria based policies against which individual minerals proposals will be assessed.

## Policy 43 - AGGREGATE MINERALS PROVISION

Minerals and Waste Development Frameworks, Minerals Development Frameworks, Local Development Frameworks, and planning proposals should make provision to maintain a landbank of planning permissions for primary aggregates which is sufficient to deliver 26.25 million tonnes of sand and gravel and 156 million tonnes of crushed rock over the 21 year period 2001-2021 based on the following apportionment to sub regional areas.

	Sand and gravel (m tonnes)	Crushed rock (m tonnes)
Durham	8.0	99.5
Northumberland (including National Park)	14.6	47.8
Tyne & Wear	3.5	6.0
TeesValley	0.21	2.9

To reduce the need for primary aggregates over the period 2001-2016 Minerals and Waste Development Frameworks, Minerals Development Frameworks, and Local Development Frameworks should:

- a. facilitate the increased use of alternative (secondary and recycled) materials, including suitably located minerals recycling facilities, to enable the regional target of supplying 76 million tonnes of alternative materials to be met;
- b. ensure that development projects use construction materials that reduce the demand for primary aggregates where practicable; and
- c. safeguard existing wharves and where appropriate propose new wharves for the handling and distribution of imported materials to enable a minimum of 9 million tonnes of marine dredged sand and gravel to be imported.



**DERWENTSIDE DISTRICT COUNCIL****DEVELOPMENT CONTROL COMMITTEE****11<sup>th</sup> SEPTEMBER 2008****REPORT OF THE DIRECTOR OF ENVIRONMENTAL SERVICES****PLANNING APPLICATIONS AND ASSOCIATED MATTERS****CONTENTS**

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## RECOMMENDATION FOR APPROVAL

08/0336

29/04/2008

Banks Development Ltd

Northern Site of Inkerman Colliery,  
Inkerman Road, Tow Law, Bishop  
Auckland

Sustainable mixed use  
development including eco-office  
building, sixty-nine low carbon  
houses, sixteen live / work units  
and associated road, car parking  
and landscaping (Outline)

Cornsay Ward

### The Application

1. This forms part of a large cross-boundary application of which 3.79 hectares, the bulk of the proposal, lies within the administrative boundary of Wear Valley District Council (WVDC). Only 0.15 hectares of the site is within Derwentside.
2. This is an Outline application with only the details of the access submitted for consideration at this stage. Access is proposed off the A68 road where it passes the southeast site boundary within WVDC. The application includes an indicative layout plan which shows the part of the plan within Derwentside's boundary as proposed for Eco houses. These total some six units of which only two are fully within Derwentside's area. Within the WVDC area are 63 more Eco houses, 16 live/work units and a new office block of some 1500sq m for Banks – the applicants. The scheme is anticipated to provide employment for 183 persons of which 123 would be new employment.
3. The application is accompanied by a wealth of information including indicative drawings, a Design and Access Statement, a Habitat Study, a Bat Survey Report, a Drainage Report, an Archaeological Assessment and an Archaeological Evaluation.
4. This is a 'brownfield' site that has been in industrial use for over a century, the land having been used for a colliery (Inkerman Colliery), coking plant, minerals storage / sales, a builder's yard and offices. The applicants presently have part of their company's offices on the site. Some of the land has been previously opencast and there are landscaped restoration areas adjacent to the site that are proposed to remain untouched.
5. Within Derwentside's boundary, the site is close to the Inkerman Coke Ovens, a Scheduled Ancient Monument abutting the northwest boundary. The remains of more ovens are known to extend under the

land within the Council's part of the site.

6. Whilst there is presently a vehicular access leading from the northwestern corner of the site onto Inkerman Road, this would be closed off.

### History

7. There is no planning history within the majority of Derwentside's portion of the site. However, there are two application records within the very tip of the north-eastern corner.
8. An application for the 'Extraction of brickclays with associated coal / shale mining by opencast methods' was approved conditionally on 12<sup>th</sup> October 1989 (reference 1/1989/0740).
9. An application for the 'Extraction of coal, brickshales, fireclay by opencast methods and associated tipping' was approved conditionally on 5<sup>th</sup> July 1988 (reference 1/1987/0873).
10. An application for the current development has been submitted to Wear Valley for the Sustainable Mixed Use Development Including Eco-office Building, 68 Low Carbon Houses, 16 Live-work Units and Associated Roads, Car Parking and Landscaping at Inkerman Depot, Inkerman Road, Tow Law (reference 3/2007/0773/DM).
11. The Council offered the following (summarised) advice to Wear Valley concerning their parallel application:
  - The previously developed site seems outside the Tow Law settlement envelope. Greenfield agricultural land behind existing housing is included. An area described as disused yard is grassed.
  - The area for offices appears substantially less than allocated for employment uses.
  - Careful consideration should be given to the height and design of the prominent office building – this would not necessarily compliment the rural landscape / provide an attractive gateway feature. The design of the dwellings is chosen on basis of reduced carbon consumption. However, level 4 code for sustainability is achievable within a variety of styles, including more traditional homes.
  - Should there be a need, affordable housing should be included.
  - Expensive ground remediation may affect viability. A s106 agreement should be sought for more desirable aspects.
  - Proposal appears to contain a number of positive elements, including low carbon sustainable homes, employment opportunities, open space areas / landscaping / a village green, and renewable energy use.

## Policy

12. The following policies within the recently agreed North East of England Plan: Regional Spatial Strategy to 2021 are relevant to this application within Derwentside:

- 2 – Sustainable Development
- 7 – Connectivity and accessibility
- 8 – Protecting and Enhancing the Environment
- 24 – Delivering Sustainable Communities
- 28 – Gross and Net Dwelling Provision
- 30 – Improving Inclusivity and Affordability
- 32 – Historic Environment
- 38 – Sustainable Construction
- 54 – Parking and Travel Plans

13. That part of the application site that lies within Derwentside is shown as 'White Land' on the District Local Plan. However, the following all-encompassing policies are relevant:

- GDP1 – General Development Principles
- EN1 – Protecting the Countryside
- EN19 – Protection of Sites and Settings of Ancient Monuments and Archaeological Features
- EN27 – Development on or close to Landfill, Mine Workings or Contaminated Sites
- HO3 – Large Sites Identified for Housing
- HO10 – Affordable Housing in Rural Areas
- IN2 – Location of New Industrial Development
- TR2 – Development and Highway Safety

14. Also relevant are the following:

- Planning Policy Statement 3 – Housing
- Planning Policy Statement 7 – Sustainable Development in Rural Areas
- Planning Policy Statement 13 – Transport
- Planning Policy Statement 15 – Historic Environment
- Planning Policy Statement 16 – Archaeology

## Consultations

15. Northumbrian Water Limited: have commented that a condition should be imposed requiring that development shall not commence until details of the disposal of surface water has been approved.
16. The Divisional Head of General Services: has confirmed that the drainage proposals are satisfactory. He has recommended that the following be assessed: Desk Studies, Site Investigations, Risk Assessments, Remediation Strategies and Validations.

17. Durham County Council Traffic Section: advises that the access is acceptable but that visibility splays should be provided. However, the internal layout is not acceptable and a reserved matters application would need to be designed to current standards.
18. English Heritage have advised that the setting of the Inkerman Beehive Coke Ovens must be considered at all stages. They agree with the Archaeologist's assessment that the development would not have an adverse effect but that it might enhance it through the removal of the existing site offices, etc. and they support any recommendations for further archaeological investigation and assessment. In addition, following discussion with the applicant, the possibility of using the Banks Foundation, a community fund designed to help in Heritage Restoration, could be utilised to assist in further consolidation works.
19. Cornsay Parish Council: offers no formal objection. However, Members have concerns that the development may exacerbate the current problem of traffic speeding through Cornsay Village and would like mitigating measures to be looked at.
20. Neighbours: have been consulted and a site notice posted. No representations have been received to date

#### Officer Assessment

21. Whilst Members have copies of the whole scheme before them, it is important to understand that this is being provided primarily for information purposes. Derwentside Council can only determine that part of the overall plan which lies within Derwentside District and which is the subject of this application. The majority of this development proposal forms the subject of an application to Wear Valley District Council. At the time of writing, Wear Valley had not yet reached a final decision on the application.
22. Their Development Control Committee did not agree an officer recommendation of refusal and a decision has yet to be issued. Wear Valley have now to prepare a report for their Full Council regarding the decision and the need for conditions and a possible Section 106 legal agreement regarding the provision of Affordable Housing. However, they are awaiting the results of a Housing Need Assessment that has been commissioned from an outside body. From this they will be in a position to determine whether affordable housing is needed.
23. If WVDC are minded to grant permission the application will need to be advertised as a departure prior to its referral to the Government Office for the North East. The majority of the application site area lies within the settlement limit of Tow Law and is allocated for industrial land specifically for business uses (Use Class B1), general industries (B2) and warehousing and distribution (B8). The application was classed as a major departure to their Development Plan, largely because of the

amount of the site being proposed for housing.

24. Derwentside's portion of the site is prominent from Inkerman Road. It falls within what is classed as White Land in the Derwentside District Local Plan, that is land on which there is no detailed policy covering it in the Local Plan.
25. The site is untidy looking and comprises an access to Banks' offices from Inkerman Road. Banks' main access is from the A68 that runs through Tow Law. Much of the site is man-made, having been previously a colliery, coke ovens and partly opencast. The development presents an overall opportunity to redevelop / improve essentially what is brownfield land for appropriate development. The offices currently used by Banks are unsightly, being a mixture of old mining buildings and portable buildings that Banks describe as 'reaching the end of their useful life.'
26. Much of the site, including Derwentside's portion, is outside what is classed by Wear Valley as part of Tow Law's settlement envelope. Thus, one question of principle that needs to be answered is whether this overall proposal should be allowed to proceed in order to reclaim this site.
27. In essence, Derwentside's portion falls within countryside. However, there is a medium sized operational coal depot on a triangular shaped piece of land just outside the north west corner of the site. There are also some stables fronting onto Inkerman Road which form part of Inkerman Farm (these are the subject of a current application for alterations / conversion to a single residential unit reference 1/2008/0539/DM).
28. As well as Inkerman Farm itself, there are a group of five other dwelling houses on Inkerman Road, only some 190m from the NW corner of the site.
29. To the immediate northwest, lie the Inkerman Beehive Coke Ovens, a Scheduled Ancient Monument. There are known to be the remains of further beehive coke ovens extending underneath Derwentside's application site. The public have access to the site of the Ovens and there is interpretive material within the site.
30. There would appear to be six key issues to be considered in determining this application; the principle of the acceptability of housing; the ability to accommodate the anticipated drainage from the site; the potential impact on archaeological remains; the impact on the countryside; the potential benefits of redevelopment this brownfield site, and the potential impact upon any bats in the existing buildings.

## The Principle of the Development

31. Prior to submitting the application, the applicants carried out a public consultation exercise with the local community. This comprised a presentation to the Parish Council and a leaflet distribution to local residents followed by a public exhibition held on 15 March 2007 in Tow Law Community Centre. Thirty seven people visited the exhibition. Thirteen people were in favour of the scheme whilst one was against it.
32. Because the application is in Outline, with all matters reserved excepting access, and that is to be taken off the A68 within Wear Valley's portion of the development, there is very little else that falls to be considered on this application.
33. Whilst there are some sketch plan and elevational drawings of what the built development would look like, these are only illustrative of what the development might look like and they do not fall to be considered on this application. These illustrations depict a very modern architectural style that is very 'boxy' and 'angular' in form. The style would be a complete contrast to the older existing development that characterises the rest of the surrounding area. Whilst these details are not submitted for approval, it would be possible for the Committee to pass on any 'comments' it wishes to make to the applicants about this style or, indeed, on any other matter, in a letter accompanying the decision.
34. The proposed housing is described as 'Eco houses' which the applicants explain would utilise modern construction techniques thus reducing carbon consumption and they would use sustainable materials. They have indicated that the materials are 'likely to include natural materials with sustainable qualities, predominantly timber...' Orientation to the south would maximise solar gain reducing the need for central heating, and the houses would attain level four of the Government's Code for Sustainable Housing. There is also mention of solar heat pumps and possible Scandinavian methods of construction.
35. As the application is concerned with housing on land shown as 'white land' on the District Local Plan, the main consideration must be whether the site would be classed as an acceptable small site development under Policy H05. However, since Tow Law lies outside Derwentside District, it is not referred to under the settlements listed under that policy. Although the size of the application within Derwentside is only some 0.15 hectares, this, taken together with the Wear Valley application area, gives a total site area for both applications of 3.94 hectares – well in excess of the site combination 0.4 hectares maximum of H05. Thus, on overall site size, the site cannot comply with H05.
36. That being so, it is necessary to consider the application against policy H03. Again, because it is outside Derwentside, this site does not appear in the list of proposed large sites. This policy relates to sites of more than 0.4 hectares. However, if Members consider the site against the

assessment criteria within Appendix E, the site obtains a score of some 23 (there are some unknowns which could increase that score) out of 37. Therefore, as a potential housing site, if it were in Derwentside, this proposal site would have been included in the District Plan and the development could be said to comply with Policy H03.

37. This is the main criteria to be assessed by the Council in the consideration of its relatively small application. The site within Derwentside is on former brownfield land which is in need of reclamation, and would be a useful addition to the housing in the area. It is appropriate to take into account employment generation and the fact that 123 new jobs are envisaged to result from the overall scheme.
38. Looking at affordability under Policy HO10, as the site is within Wear Valley administrative area, we do not have an assessment of demand for affordable housing at this site. This, therefore, is an issue which will have to be dealt with as necessary by WVDC.

#### Drainage

39. The application contained a detailed drainage impact assessment. Northumbrian Water (NWL) have confirmed that all foul flows from the development can be discharged into an existing adopted combined sewer in North Road. However, NWL have stated that there is no capacity in any adopted sewer to take the surface water run-off. Discussions with the Environment Agency have concluded that SW run-off can be discharged into an existing watercourse some 500m NW of the site. This watercourse is a tributary of Mossy Burn, which in turn discharges into the River Browney via Pan Burn. The possibility of flooding has been taken into account. Thus, the development's drainage is capable of being adequately serviced.

#### Archaeological Policy Considerations

40. The other element most relevant is the proposal's impact on the site's archaeology content and that adjacent to it.
41. The Inkerman Beehive Coke Ovens are of major regional significance and are a Scheduled Ancient Monument (Ref No.30929). They are on the 2007 Buildings at Risk (BAR) register, with their condition being graded as 'poor' and priority 'C' – this is the top priority for all BAR sites.
42. There were once two banks of ovens, some 90 and 120m long, stretching eastwards from behind the stables on Inkerman Road and which were present at the time the ovens were in operation. Two other banks of ovens once existed through the middle of the overall site running on a NE/SE axis parallel with the main length of the site.
43. Tyne and Wear Museums carried out the primarily desk-based Archaeological Assessment that is included with the application.



44. The report advises that the areas which once contained coke ovens, including that area in the north end of the site, should be considered to be of archaeological potential. It recommended that mitigation work be carried out in the form of evaluation trial trenching in areas where development may adversely affect surviving remains. The Assistant County Archaeological Officer should determine the number, location and dimensions of the trenches. Results from the trenching would enable mitigation measures to be recommended.
45. Following the above desk-top study, Banks commissioned five trial trench investigations in conjunction with the Durham County Archaeologist. Two of these were in the northern part of the site, one being within the Derwentside portion. Details of the findings submitted with the application concluded that the ovens continue to the east under the northern portion of the site. Unless an engineering solution is employed to protect the potential archaeological remains, the report recommended that a broader excavation be carried out to 'record the nature and extent of the oven banks and their supporting infrastructure'.
46. Accordingly, any approval should take this into account through the imposition of appropriate conditions.
47. In addition, English Heritage are in discussion with the applicants regarding the possibility of private funding maintenance, etc. work to the ovens. This may well be achievable through the Banks Foundation, a community fund designed to help in Heritage Restoration, comprising monies from the Landfill Tax Credit Scheme.
48. Given all this work and appropriate safeguarding conditions, the scheme would be in accordance with the objectives of Policy EN19, which is concerned with protection of Scheduled Ancient Monuments and archaeological remains. It should be noted that this policy specifically mentions the 'Inkerman Coke Ovens (near Tow Law)'. Also, that this scheduling does NOT apply to the potential remains lying beneath the application site.

#### Impact on the Countryside

49. The development would undoubtedly be beneficial in enabling the brownfield landscape / unsightly buildings within the development site to be replaced with appropriate modern development. Providing that the housing within the Derwentside portion does not exceed two storeys in height, it would not intrude greatly into the surrounding landscape, and peripheral tree planting could further lessen any impact. However, it may be necessary for this to take place on land outside the northern site boundary (presently within the applicant's ownership) in order to avoid root damage to any underlying archaeological remains.
50. Given the visual improvements that would result, the development is in line with Policy EN1 for the Protection of the Countryside.

### Brownfield Site Considerations

51. The development would undoubtedly benefit a site that has long needed attention. This would be of great benefit to the visual amenities of the surrounding area.
52. It may be that there are contamination issues that also need to be examined in this process and this should take place at the detailed application stage. The applicant has advised that there are known to be five abandoned mine shafts within the overall site that need to be located and dealt with, probably by grouting and capping. We are also informed that there are underlying shallow coal workings that are likely to need grouting; that any asbestos present in the buildings to be demolished will need to be identified and dealt with, and that contamination hot spots may be present and, if so, would probably require to be tackled by removal and backfilling with inert material.
53. These considerations should be conditioned on any approval requiring further investigation and remediation. Given this, the proposal would be in line with the requirements of Policy EN27 whereby 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 where the developer provides the results of an investigation and a programme of remedial works.

### Bat and Other Ecological Considerations

54. The application's detailed Habitat Study carried out in February 2006 recorded the distribution and extent of all major wildlife habitats on the site. It recommended that detailed surveys be carried out as follows:
  - a) For great crested newts in the vicinity of a complex of ponds to the north of the site and which links with a ditch on the site. The survey should be carried out between March and May.
  - b) An emergence survey for the possible presence of bats within the buildings. This should be done between May and September.
55. Additionally, it recommended that existing trees and shrubs be protected and the site ditch be given a stand-off distance of 2m during development.
56. Following the Habitat Study, a Bat Survey was carried out on the 12 and 13 September 2007. An emergence survey did not pinpoint any bats leaving the buildings. Nonetheless, some may roost in some of the buildings and although that risk is low, any demolition should be timed to take place between October and April when bats are most active and there is the risk of bats nesting in the buildings.
57. Further, the report recommended that all demolition take place between October and March so as to avoid the potential of destruction of nests or

disturbance to breeding birds.

58. These desirable requirements can be conditioned on any approval and would be in accordance with objectives of Policy GDP1 of the Derwentside District Local Plan.

#### Conclusion

59. The overall proposal is considered to be beneficial to this part of Derwentside area and it is in accordance with the District Local Plan's general policy objectives.

#### Recommendation

60. Conditional Permission in Outline
- Outline Permission (OTL).
  - Any development adjacent to the northern boundary shall not exceed two storeys in height and shall have a pitched roof.
  - Reason: In order to lessen the visual impact of the development within the surrounding countryside in accordance with the objectives of policies GDP1 and EN1 of the Derwentside District Local Plan.
  - The details of a tree planting scheme along the northern boundary of the site shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development and the said agreed scheme shall be implemented within the first planting season following the commencement of development. Any trees dying, being removed or becoming diseased within 5 years of planting shall be replaced with trees of the same species and size unless otherwise first agreed in writing by the said Authority.
  - Reason: In order to ensure that the any buildings along the northern boundary are not unduly prominent when viewed from the surrounding countryside and in accordance with the objectives of Policies GDP1 and EN1 of the Derwentside District Local Plan.
  - Before any development is commenced a scheme for the archaeological investigation and recording and preservation / protection of the remains of the former coke ovens beneath the site shall be submitted to and agreed in writing by the Local Planning Authority and the said agreed scheme shall be wholly implemented / put into effect before any other development takes place on the land to which this particular permission relates.
  - Reason: In order to investigate, record, preserve and protect the archaeological remains that are known to lie beneath the application site in accordance with Policy EN19 of the Derwentside District Local Plan.
  - Demolition of buildings shall take only place between the months of October and March inclusive. Should any bat(s) be discovered during demolition, demolition must cease immediately and shall not be recommenced until an agreed course of protective measures

have been agreed in writing with the Local Planning Authority. Thereafter, the said agreed course of protective action shall be wholly implemented before any further demolition takes place unless an alternative course of action has been first agreed in writing by the said Authority.

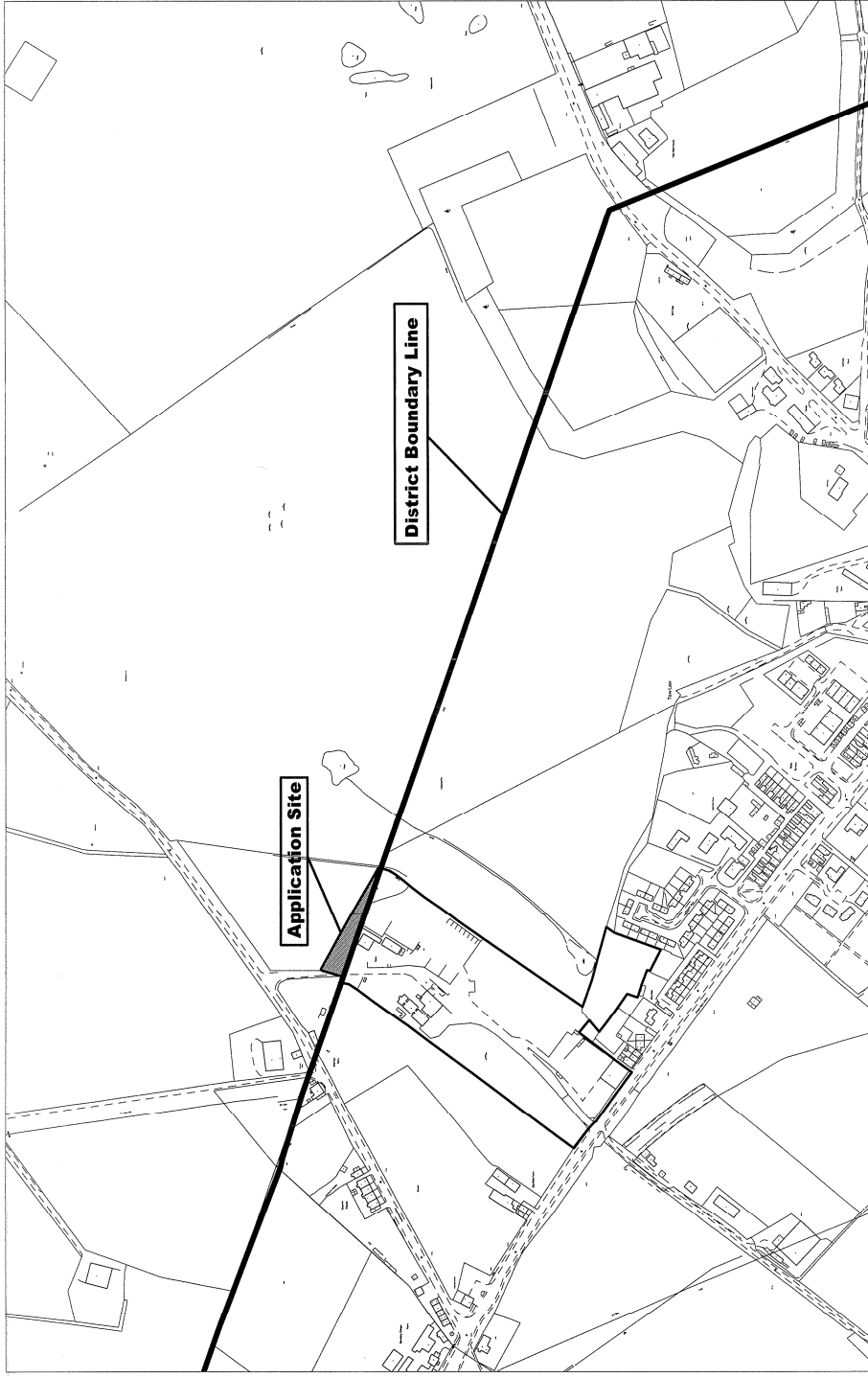
- Reason: In order to protect any bats or breeding birds from undue disturbance and in accordance with Policy GDP1 of the Derwentside District Local Plan.
- Prior to any development commencing, including any demolition, a survey of the pond to the north of the application site and of the ditch within the site into which it runs, shall be carried out to detect the possible presence of greater crested newts. The results of the survey shall be provided in writing to the Local Planning Authority and, if required by the said Authority, a scheme shall be submitted to and agreed in writing by the said Authority for the protection of greater crested newts and the said agreed scheme shall be implemented prior to development commencing.
- Reason: In order to protect any greater crested newts that may be present in or adjacent to the site and in accordance with the objectives of Policy GDP1 of the Derwentside District Local Plan.
- Unless otherwise agreed in writing by the Local Planning Authority, no development, including any demolition, shall take place until any known mine shafts and any known former underlying mine workings within 250 metres of the application site have been located and remediated in accordance with details which shall be first submitted to and agreed in writing by the said Authority.
- Reason: In order to minimise the potential for subsidence of the land and in the interests of safety of users of the site and of its future occupiers and in accordance with the objectives of Policy EN27 of the Derwentside District Local Plan.
- Before development is commenced, a scheme for the investigation of the site in order to identify any contaminated areas shall be submitted to and agreed in writing by the Local Planning Authority and the said agreed scheme shall be wholly implemented prior to construction commencing. Moreover, any contamination found within the site resulting from the implementation of the said scheme shall be remediated prior to construction commencing in accordance with details which shall be first submitted to and agreed in writing by the said Authority.
- Reason: In the interests of safety of users of the site and of its future occupiers and in accordance with the objectives of Policy EN27 of the Derwentside District Local Plan.
- No development shall commence before a scheme for the discharge of surface water drainage from the site has been first submitted to and agreed in writing by the Local Planning Authority and the said agreed scheme shall be fully implemented and operational prior to any of the buildings to be constructed on the site are occupied.
- Reason: In the interests of proper drainage provision and of the amenities of the future occupiers and in accordance with the

provisions of Policy GDP1 of the Derwentside District Local Plan.

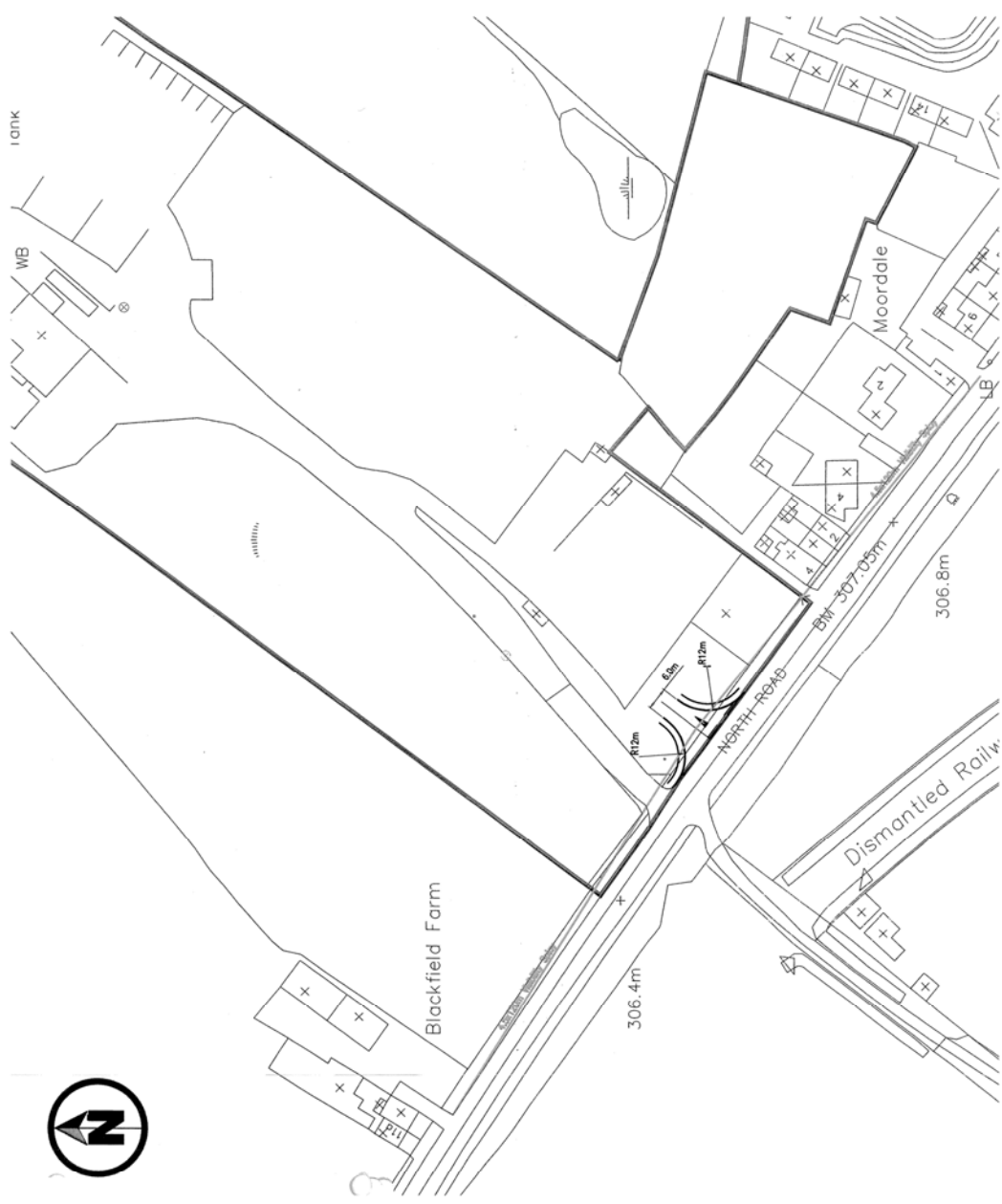
Reason for Approval

61. The proposal is in accordance with the objectives of the Derwentside District Local Plan, including policies GDP1, EN1, EN19, EN27 and H03. It is also in accordance with all other key material considerations including those relative to housing development on 'White Land', visual impact, the Inkerman Coke Ovens Scheduled Ancient Monument, underlying archaeological remains, access, development scale, tree screening, brownfield land, employment generation, sustainability, affordable homes, impact on wildlife / protected species, mining safety, contamination issues and drainage. No objections were made against the proposal. A copy of the Committee report documenting the considerations in more detail is available on request.

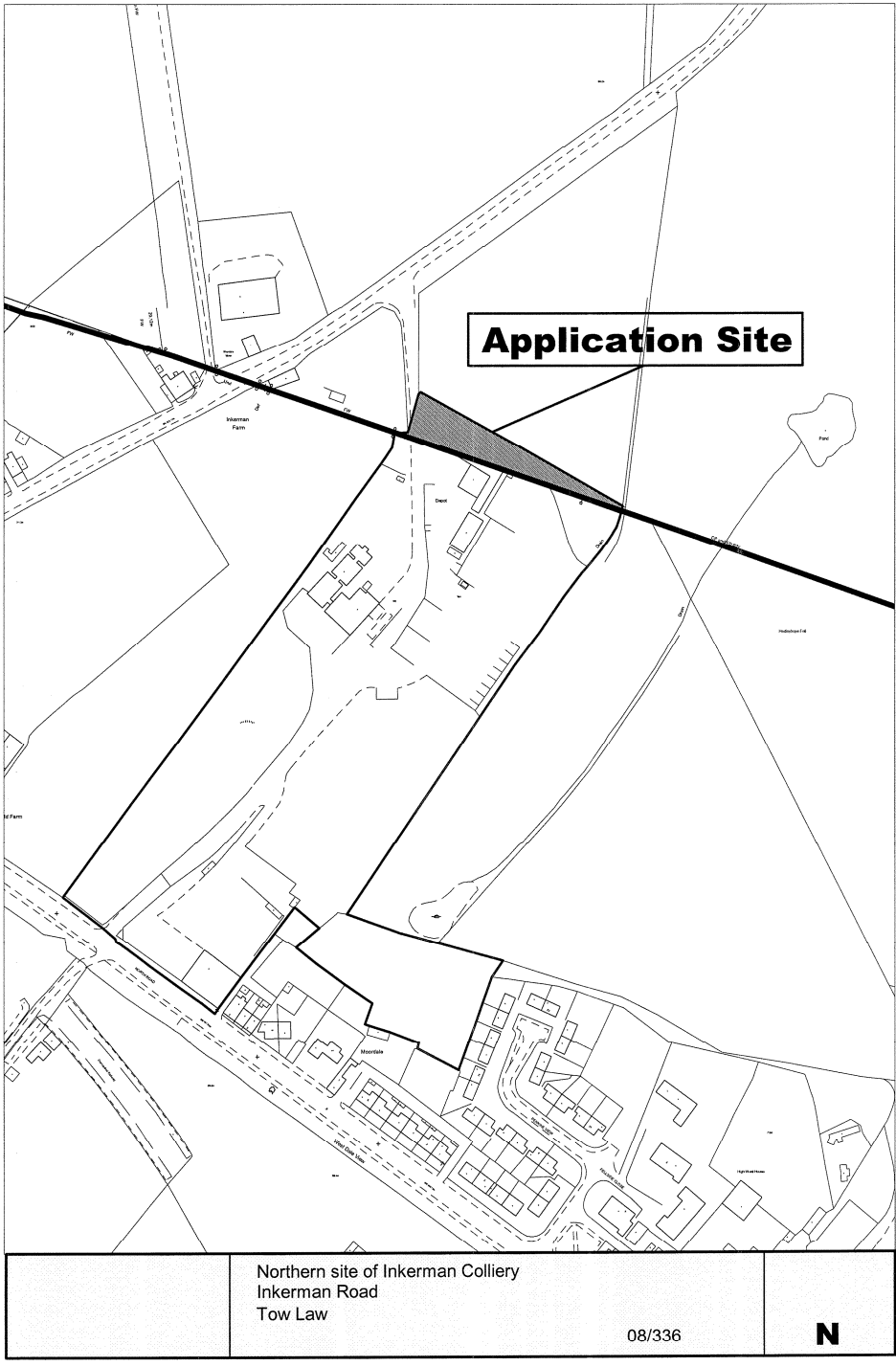
Report prepared by Mike Hemsall, Senior Planning Officer.



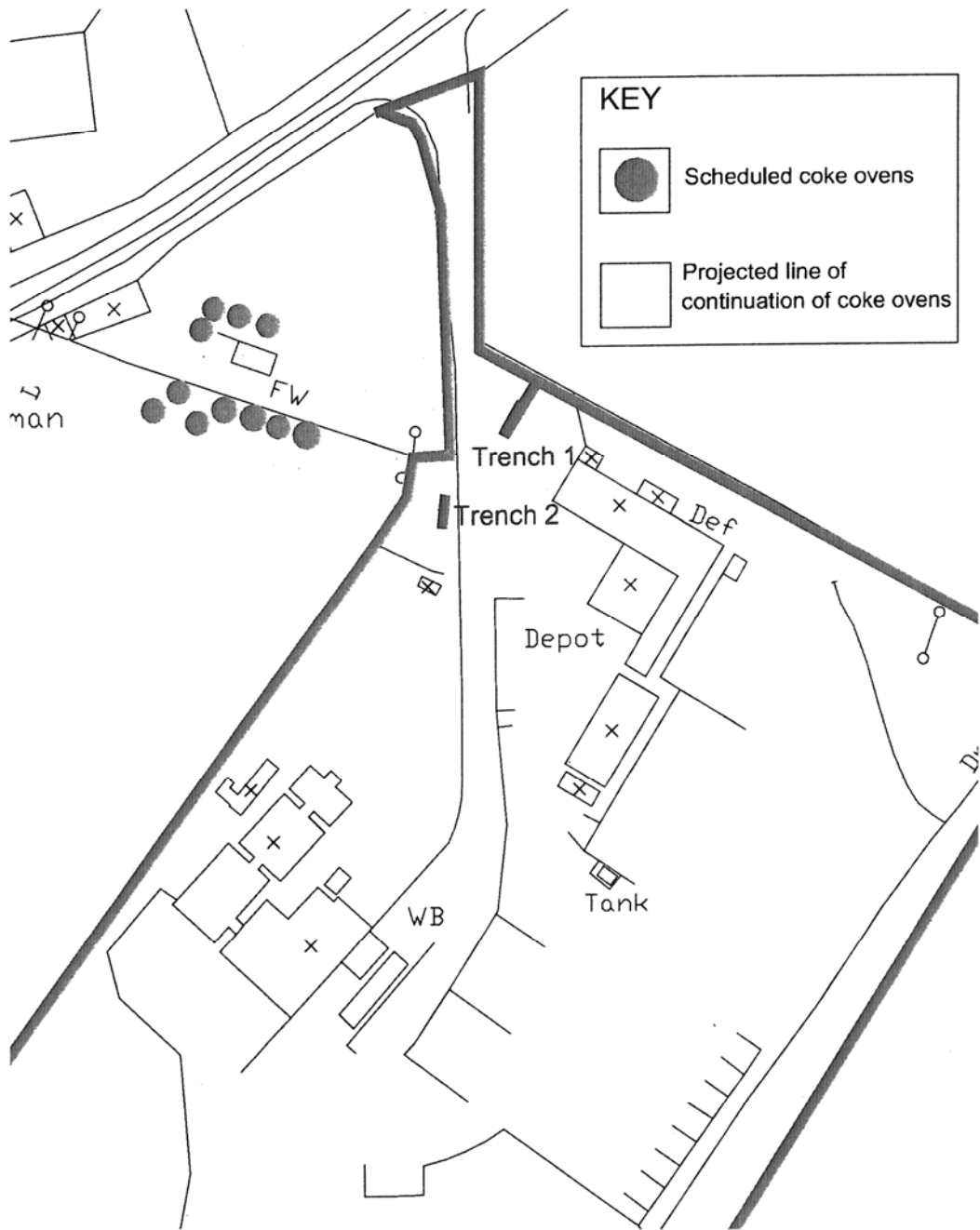
<p>SCALE: 1:5000 Crown Copyright Reserved</p>	<p>Northern site of Inkerman Colliery Inkerman Road Tow Law</p>	<p>08/336</p>	<p>N</p>
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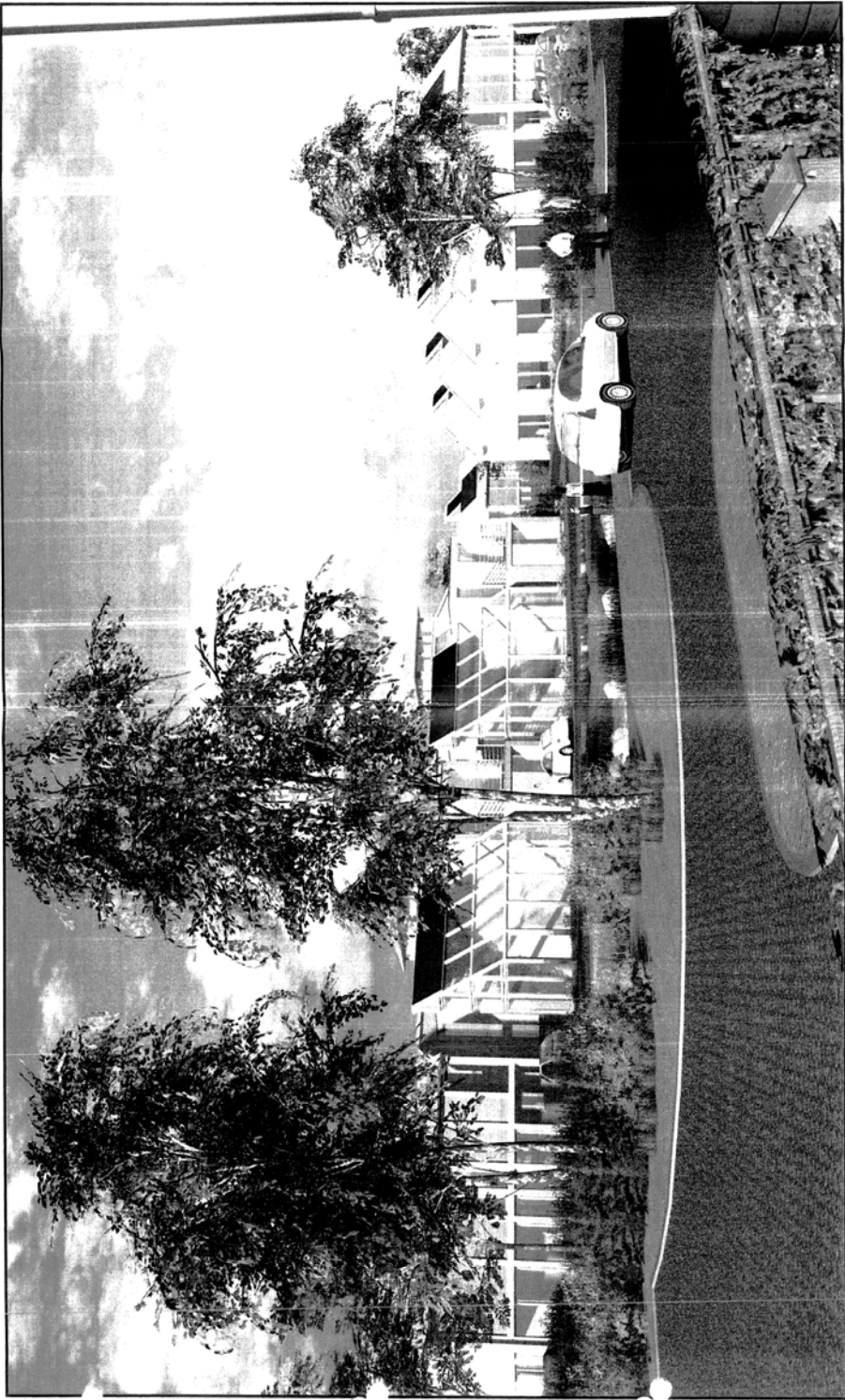
Access off A68







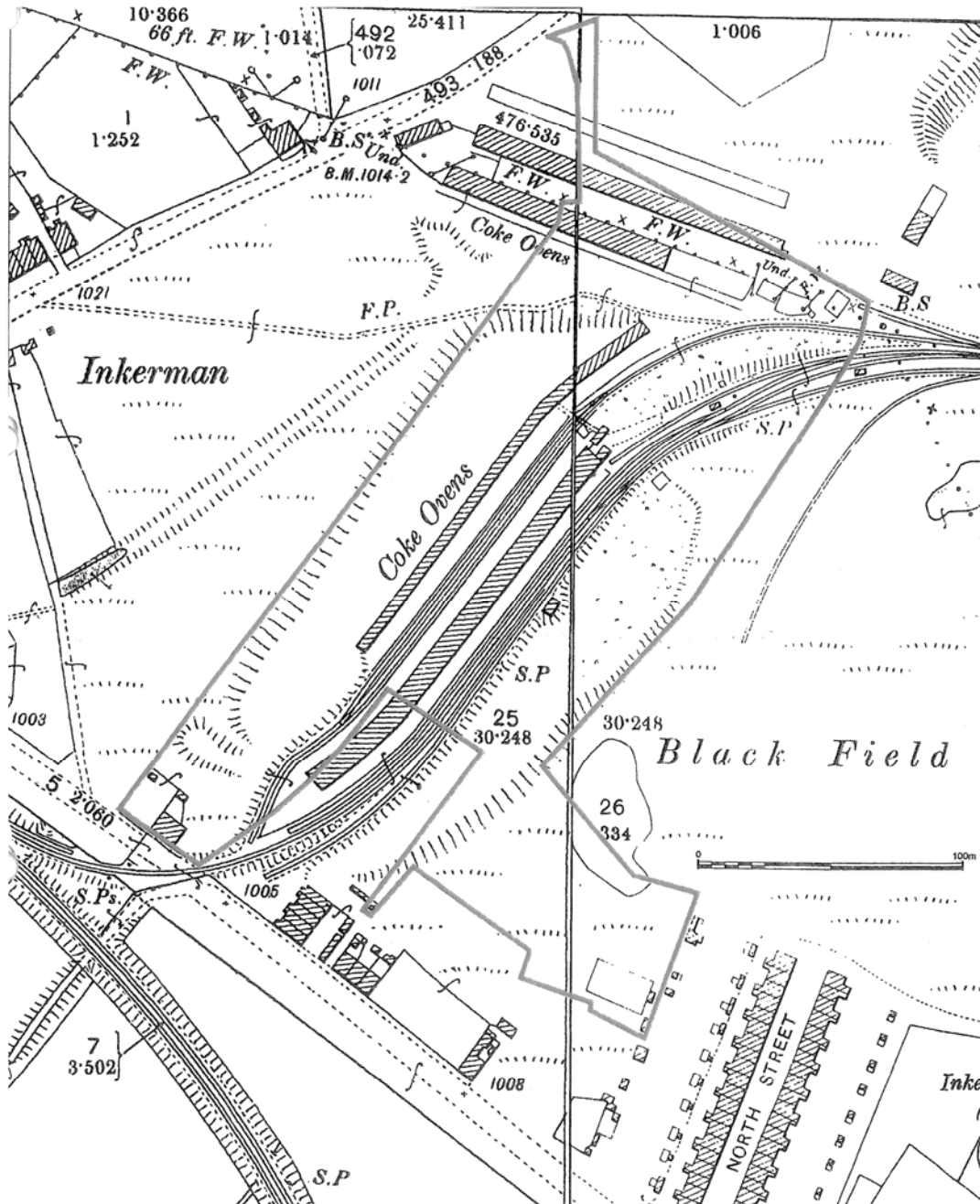
Archaeological Trench location



Eco Homes Visualisation



Indicative Site Layout Plan



1897 Ordnance Survey map showing Coke Ovens

## RECOMMENDATION FOR APPROVAL

08/0483

07/07/2008

Rivers Edge Developments

Land to the south west of  
Hazeldene, Low Westwood,  
Newcastle Upon Tyne

Erection of four dwellings  
(resubmission)

Ebchester and Medomsley Ward

### The Application

1. Planning Permission is sought for the erection of four dwellings on the site of the former Oakfield House Surgery car park to the south west of a property called Hazeldene in Low Westwood. The site measures 770 square metres in area.
2. The site is within a roadside residential area with pre-war, two storey stone terraces and detached properties to the north west and two, three storey detached properties to the north east. Across the road and to the north of the site lies the former Oakfields Surgery which is being converted to residential use. To the south and east of the site lies a large area of woodland known as Westwood Plantation. Although this site does not lie within the Low Westwood Conservation Area it does lie directly opposite the Conservation Area Boundary. The existing car park area is surrounded by steep wooded banksides on the south, west and east.
3. The application proposes the erection of two blocks of semi-detached, two and three storey properties with pitched roofs. The two storey properties would be three bedroom properties and the three storey property would be a four bedroom property with living space within the roofspace. The dwellings would be set on a raised plateau with an elevated front walkway. Both blocks would face onto the A694 and the properties opposite. The western block would be set back 7.5m from the A694 and the Eastern block would be set back 6m from the A694. Gardens and landscaping are proposed to the front and rear of the properties. Bin storage would be accommodated at the rear.
4. Materials proposed for construction would be stone for the walls with slate roofs. The properties would incorporate sash windows in all elevations with the three storey property also incorporating six rooflights and a bay window feature on the frontage. Access into the houses themselves would be obtained from the front of the properties which would incorporate timber doors. Traditional design features such as stone cills and lintels and quoins have been incorporated into the design.
5. A total of six parking spaces and one garage are proposed for the development. Vehicular access would be taken from a new access junction

from the A694. A newly constructed footpath would extend the site towards the existing footpath to the front of the neighbouring property.

### History

6. A planning application for the erection of three dwelling houses and two apartments with associated car parking and landscaping was withdrawn in 2008 (reference 1/2008/0317).
7. In 2006 Outline approval was granted for residential development of the site (reference 1/2006/0517).
8. In 1990 Planning Permission was granted for the construction of a surgery car park for Oakfield House (reference 1/1990/0920).

### Policy

9. The following policies of the adopted local plan are relevant in determining this application:

GDP1	General Development Principles
HO05	Development on small sites
EN6	Development within areas of high landscape value
EN11	Trees and development
EN23	Wildlife corridors
TR02	Development and highway safety

### Consultations

10. County Highways Development Control Officer: advised that whilst the sight visibility from the junction is substandard the principle of the proposed development must be reluctantly accepted in highway terms given the historic use of the site. However, he advises that there is an obvious need to both maximise available sight visibility and improve footpath links.
11. He points out that it is not good practice to have Block 'A' immediately abutting the access road, but recognises that any problems arising from this would be a private matter.
12. He was originally concerned that footpaths did not link to neighbouring plans; that a parking space was of inadequate length, and that one of the two garages originally proposed should be replaced with a parking space. However, the applicant has now revised the plans and the Highways Officer has confirmed he would have no objection to the proposal, subject to the following conditions being attached to any approval:
  - No dwelling hereby approved shall be occupied prior to the approved parking spaces being available for use, and parking bays clearly delineated.  
Reason: In the interests of highway safety.
  - No dwelling hereby approved shall be occupied prior to the footway

works fronting the site, and linking both east and west, being complete and available for use.

Reason: In the interests of pedestrian safety.

- No landscaping greater than 0.9m in height shall be permitted to the front of Block 'B' where it is closer than 2.4m to the A694 carriageway edge.

Reason: In the interests of highway safety.

13. The Officer also advises that it will be necessary for the developer to enter into an Agreement under Section 278 of the Highways Act 1980 in order to allow the required works within the existing highway to be carried out.
14. Design and Conservation Officer: points out that the site is adjacent to and opposite the Low Westwood Conservation Area.
15. She states that as the site is self-contained and excavated into the bank it would have a strong sense of enclosure and the rear woodland would provide a good backdrop to the development. The Officer has no objections to the layout or design of the houses and considers that they would sit well in context. The Officer considers the surface treatment to be appropriate and that there is a good balance of cut and fill.
16. The Officer has some concerns about the appearance of the retaining wall and the impact upon the trees and therefore requests the application be approved with the following conditions:
  - Samples of all materials to be agreed which should include natural stone and slate.
  - The retaining walls to be clad in stone above ground.
  - Retained trees to be identified and protected from damage during construction.
17. Durham County Council (Landscape Officer): considers that the pre-development arboricultural survey illustrates the extent and value to a degree of tree loss that the proposed development implies.
18. The Officer considered that the original plans would mean that there would be considerable conflict between the south west unit and Sycamore T1, the largest and most prominent tree on or around the site, and recommended that the unit should be either removed or relocated eastwards, or, the tree should be removed. The Officer was of the opinion that the tree is worthy of retention and that the Root Protection Area should be recognised and respected, albeit as an area rather than as a defined circumference in accordance with the recommendations in BS5837: 2005. It was their opinion that the site is unsuitable for the density of the development proposed.
19. The applicant was informed of the concerns and has subsequently submitted revised plans relocating the properties further from Sycamore T1 to reduce the impact upon the tree. Further comments from the County Landscape Officer are awaited and will be reported verbally at your meeting.

20. The Environment Agency: have no comment to make on this application.
21. Northumbrian Water: have been consulted and their views are awaited.
22. Neighbours have been consulted and a site notice posted. Four letters of objection have been received from neighbouring residents whose concerns are summarised as follows:
  - Loss of trees and bushes in nature conservation area.
  - Noise and vibrations from HGV's that use this road would worsen as they would rebound off this narrow corridor of buildings.
  - There is not the demand for new houses in this area at present.
  - Loss of view for properties opposite.
  - The proposal would be damaging to the visual amenity of the area.
  - Loss of privacy and light for properties opposite.
  - There will be noise, dust and visual disturbance during construction.
  - The proposed buildings would not be in-keeping with the area.
  - Lack of parking on-site.
  - The proposal would lead to on-street parking which would create a hazard and decrease visibility.
  - The set back from housing opposite is not sufficient nor in keeping with the surrounding area.
  - Construction traffic will park on the roadway and other streets causing problems.
  - There will be traffic problems from the five access points all converging onto the A694.
  - Loss of visibility for Sanquhar Cottage access.
  - Impact upon local wildlife.
  - Inconsistencies with the application in that seven parking spaces are mentioned but the plans show 5.
  - The site is too small to accommodate 2 blocks of buildings, parking, access, gardens and turning area.
  - Lack of detail regarding timescales for completion of development.
  - Lack of details regarding works for site preparation.
  - Lack of details regarding site security.
  - Lack of detail as to how trees are to be retained.
  - Negative affect on value of local property.
  - Distance between houses of 17m in contrary to recognised rule of thumb distance of 21m between facing properties.
  - The higher location of the housing will mean there will be views down into bedrooms opposite.
  - The bay window design of one of the properties is not in keeping with local dwellings.
  - The proposal would be detrimental to the character of the village as a whole.

#### Officer Assessment

23. The main issues to consider in relation to this application are; whether there would be a detrimental impact upon residential amenity; whether the layout,



scale and design are satisfactory; the effect the development would have upon trees and wildlife and whether the proposed parking and access arrangements are acceptable. Members should be aware that the principle of the residential development on this site is not to be considered as it has already been considered acceptable under a previous Outline approval in 2006.

### Residential Amenity

24. On small sites such as this, Local Plan Policies HO5 and GDP1 only allow development where adequate space would remain between the existing and proposed buildings so as not to cause loss of amenity to neighbouring properties or poor amenity for proposed properties due to inadequate privacy, daylight or outlook.
25. The main properties that would be affected by the development are the residents of Hazeldene adjacent the site and Woodlands, Earsdon House, Fernlea and Roseberry House opposite the site. The applicant originally proposed that the new dwellings (block A) would be a distance of approximately 17.5m to the facing properties and block B would be a distance of approximately 18.5m from the facing properties. However, in response to Officer concerns in relation to privacy and effect on trees, and the concerns raised by objectors, the applicant has now amended their plans. Block A would now be 20m from the nearest facing property and Block B would be 22m from the nearest facing property. Whilst the Council has historically recommended a 21m distance between the rear of two storey properties, it has not applied a 'front to front' distance. This is because privacy is generally recognised as being less significant between facing front elevations, as front elevations are not considered to be private elevations and residents would generally expect to have less privacy to the front of the house. The distances proposed between facing properties are considered adequate to protect light and outlook for both existing properties on the west of the A694 and future occupiers of the proposed properties.
26. As Hazeldene has no windows in the gable end, and the easternmost proposed property only has a non-principal bathroom window at first floor level, there would not be overlooking between Hazeldene and the proposed 3 storey property. The revised setback for the properties would ensure that there would not be significant impacts in terms of light and outlook upon the front windows of Hazeldene.
27. It is noted that local residents have objected on the grounds of loss of view and the negative effect on property value, however Members should be aware that these are not material planning considerations that can be taken into account.
28. Local residents have also objected as they are concerned about disturbance and site traffic during the construction of the proposed houses. It is considered that any nuisance from machinery during construction can be adequately controlled under Environmental Protection Legislation.

Nonetheless, if Members are still concerned about this matter, a condition could be attached restricting operational hours during construction to suitable times. Any parking which obstructs the highway is a matter to be dealt with by the Police. Given the limited size of the site and its location adjacent to the Conservation Area it is considered appropriate in this instance to attach a condition requiring details of storage areas for plant, machinery, site compounds and materials are to be submitted to protect residential visual amenity. Whilst some objectors are also concerned about security of the site Members are advised that this is a matter under the control of the Health and Safety Executive.

### Design Issues

29. Local Plan Policy HO5 and EN6 seek to ensure that housing development on small sites and in Areas of High Landscape Value should only be permitted where the development is appropriate to the existing pattern and form of the development in the settlement. In considering this it is necessary to look at density, layout, scale and design.
30. In terms of design any housing development should respect the character of the existing residential buildings of the area, as well as the scale and height of the existing dwellings so as not to appear out of keeping. Whilst a terraced design would have been preferable, in this instance this was not feasible due to the need for a central access for highway safety reasons. Whilst the height of the two and three storey properties would be greater than the terraced properties opposite, it is not considered that this would be out of keeping given that they would be similar in height to Hazeldene, the three storey property adjacent to the site, and other properties further to the north of the site. The revised layout, with a larger set back from the road, is considered appropriate as the properties on the eastern side of the A694 tend to have similar set backs to that proposed. Many other properties along this side of the road are also raised above the road level as is proposed in this case. It is considered that the design is sympathetic to other properties in the area with the use of traditional features such as cills, lintels and quoins and construction materials such as stone and slate. Officers agree with the Design and Conservation Officer that the layout and design would blend in well with the area.
31. Adequate landscaping should normally be incorporated in the design and layout of new housing sites. This is a compact site with limited space, however each property would have its own garden and bin storage area and there would be some landscaping to the front of the site. This amount of landscaping is considered acceptable for a site of this size.

### Impact on Trees and wildlife

32. Where possible Policy EN11 of the Local Plan recommends that existing trees should be retained and incorporated in new development. Consideration must be given to the effect of the proposed development on any trees which contribute significantly to landscape diversity, the setting of nearby or existing

buildings and visual amenity of the area. The applicants have submitted a tree survey which is one of the requirements of Policy EN11 to enable the trees which are on the edge of and adjacent to the site to be graded according to their condition and amenity value. The report suggests that twelve trees are of little value, twenty one trees are of moderate value and five trees are of high quality and value. Attempts will be made to retain all but one of these trees. Whilst it is acknowledged that the Durham County Landscape Officer is concerned with the extent of the trees that are likely to be lost as a result of this development, Members should note that permission has already been granted in Outline for the development of this site for a housing development. As the Landscape Officer was particularly concerned about the impact upon a Sycamore tree on the north western corner of the site which is considered worthy of retention, the applicants were advised to revise their original plans to avoid the root protection area of this tree. The applicants have submitted revised plans setting back block B to avoid the root protection area of this tree of high amenity value.

33. Whilst it is regrettable that some trees of value would be likely to be lost or affected as a result of this development it is considered that the impact upon landscape character would not be significant given that attempts would be made to retain the high quality trees and as the site has a backdrop of a large area of woodland. Whilst the loss of trees would impinge on a wildlife corridor it is not considered appropriate in this instance to insist on compensatory measure such as replacement planting as advised in Local Plan Policy EN23 given the limited size of the site. However, as this is a wildlife corridor where trees are likely to be lost it is considered appropriate in this instance to attach an informative to ensure that close inspection of trees should be undertaken for bats, birds and their roosts, and nests prior to the commencement of any works to trees, this should ensure safeguards for protected species in accordance with Local Plan Policy GDP1.
34. Local Plan Policy TR2 seeks to ensure that all development incorporates satisfactory and safe parking and access. The scheme proposes 1.75 parking space per dwelling, and it is agreed with the Highways Officer that this level of parking is sufficient for a housing development of this nature. It is also agreed with the Highways Officer that this is not an ideal access but that the access is acceptable given the previous use of the site as a busy surgery car park, and given the fact that this scheme would allow for a slightly repositioned access which would maximise available sight visibility and improve footpath links.

### Conclusion

35. In summary, this revised application would ensure that there would not be a detrimental impact upon residential amenity in the local area. It is considered that the layout, scale and design are appropriate to this Area of High Landscape Value. Whilst a number of trees would be either lost or affected by the development the impacts upon the landscape and wildlife corridor would not be significant given that the scheme has been revised to protect the most significant tree and given that efforts would be made to retain the majority of trees on site. Satisfactory parking is proposed for the development

and the new access would maximise highway safety at this site. The proposal is therefore considered to be acceptable and in accordance with Local Plan Policies GDP1, HO5, EN6, EN11, EN23 and TR2.

### Recommendation

#### 36. Conditional Permission

- Time Limit (ST).
- Approved plans (ST01).
- This permission relates to the application amended by email received on 25<sup>th</sup> August 2008 and amended plans no's 103F, 104F, 105F, 106F.  
Reason: In order to define the permission.
- Samples of external materials (A03).
- Test panel of materials (A06).
- The retaining walls to be clad in stone above ground.  
Reason: In the interests of the character and appearance of the area in accordance with Local Plan Policies GDP1, HO5 and EN6.
- Stone masonry (A08).
- Sills and lintels (A09).
- Window inset (A12).
- Rainwater goods (A13).
- Sewage works (D03).
- Surface water drainage works (D04).
- No dwelling hereby approved shall be occupied prior to the approved parking spaces being available for use, and parking bays clearly delineated.  
Reason: In the interests of highway safety.
- No dwelling hereby approved shall be occupied prior to the footway works fronting the site, and linking both east and west, being complete and available for use.  
Reason: In the interests of pedestrian safety.
- No landscaping greater than 0.9m in height shall be permitted to the front of Block B where it is closer than 2.4m to the A694 carriageway edge.  
Reason: In the interests of highway safety.
- Permitted Development Rights Removed (PD01).
- Prior to the commencement of the development a revised Tree Constraints Plan and Tree Protection Plan and details of Tree protection measures to be undertaken shall be submitted to and approved in writing by the Local Planning Authority.  
Reason: In the interests of ensuring the protection of trees of amenity value in accordance with Local Plan Policy EN11.
- No building works or deliveries for building works shall take place outside of the hours of 07.30 to 19.00 Monday to Friday and 08.00 to 12.00 Saturday and there shall be no works on Sundays or Bank Holidays.  
Reason: In the interests of neighbouring amenity in accordance with Local Plan Policy GDP1.  
Prior to the commencement of the development a detailed plan

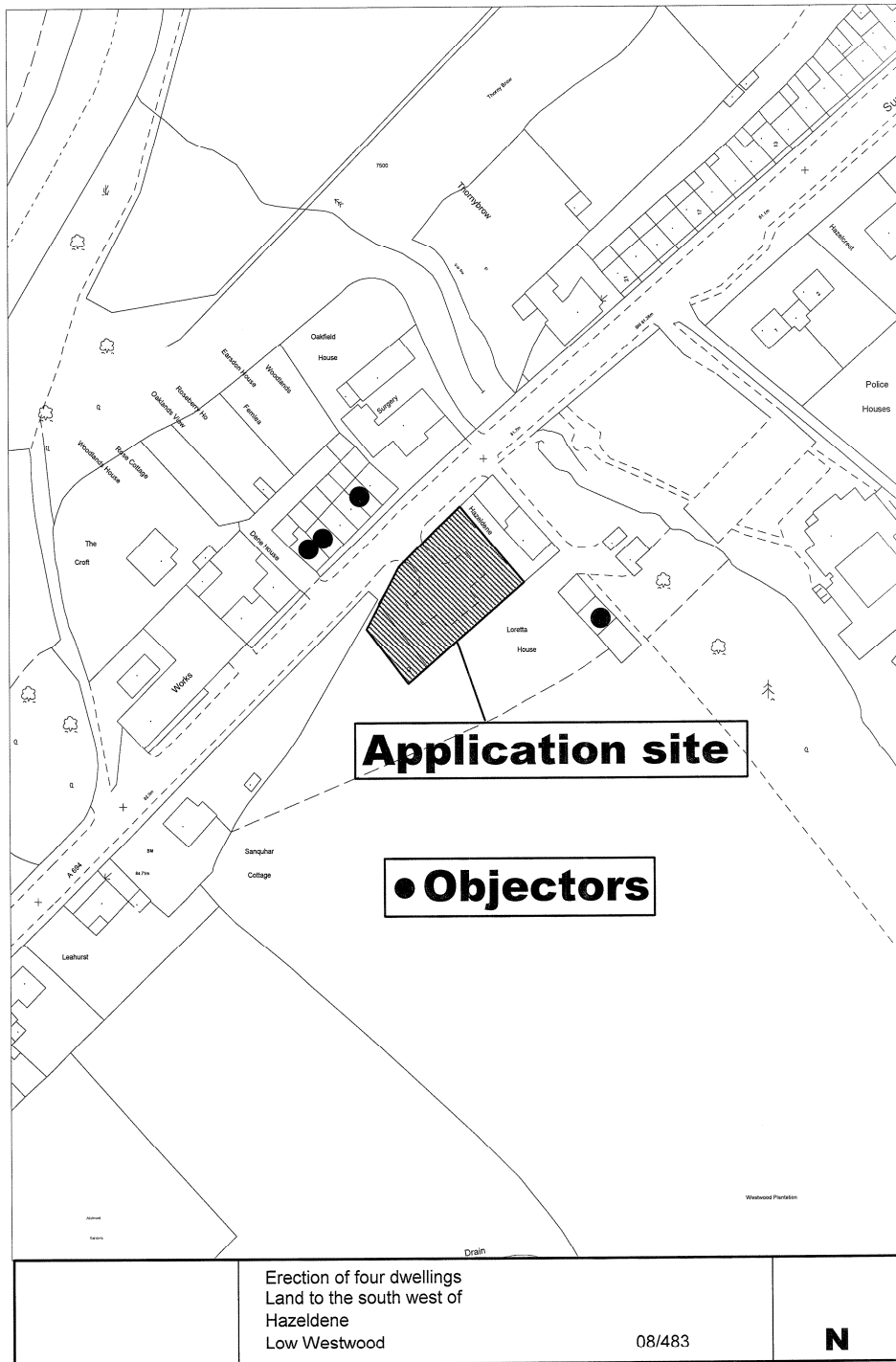
indicating areas where plant, machinery, site compounds and materials are to be stored shall be submitted to the Local Planning Authority for approval and there shall be no storage of materials, plant machinery or compounds on the site except within the areas shown on the plan or other areas as agreed in writing by the Local Planning Authority beforehand.

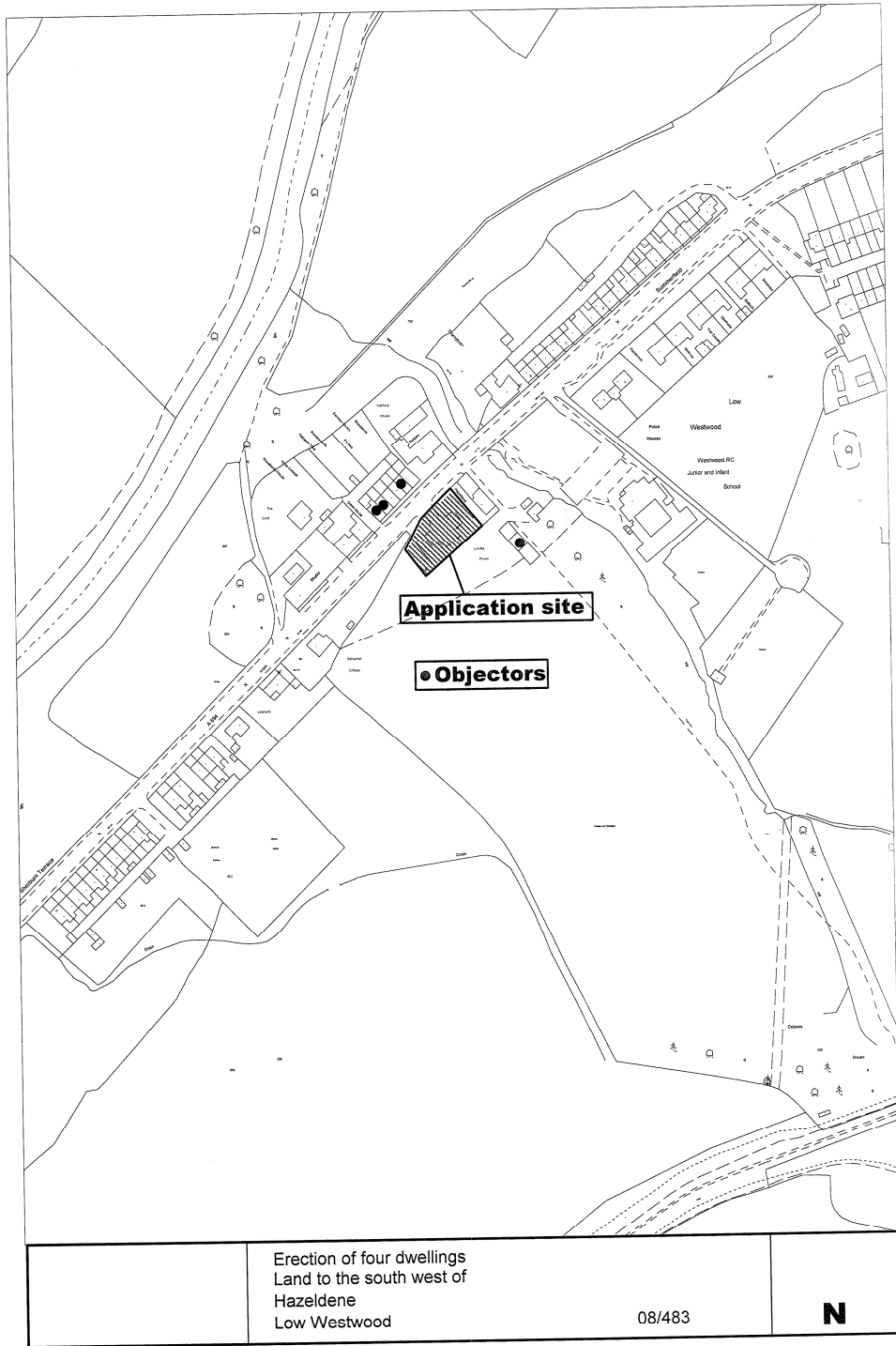
Reason: In the interests of neighbouring amenity in accordance with Local Plan Policy GDP1.

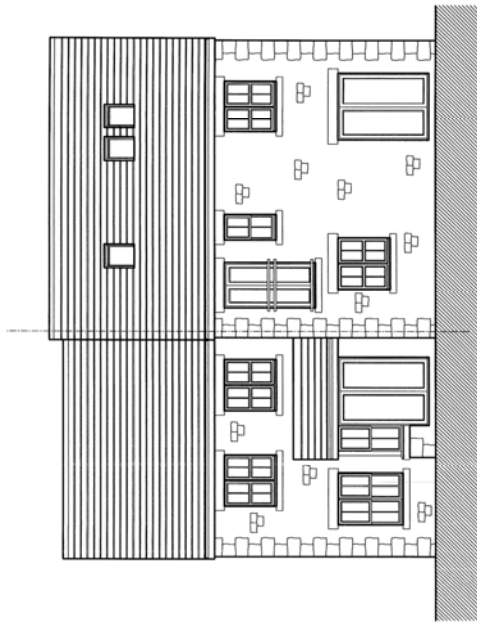
#### Reason for Approval

37. The development is considered acceptable having regard to development plan policies GDP1, HO5, EN6, EN11, EN23 and TR2. In particular the development was considered acceptable having regard to consideration of issues of residential amenity, design, impact upon trees and wildlife and highway safety. The stated grounds of objection concerning residential amenity, design, impact upon trees and highway safety were not considered sufficient to lead to reasons to refuse the application because revised plans were received during the course of the application to reduce such impacts and conditions could address the issues.

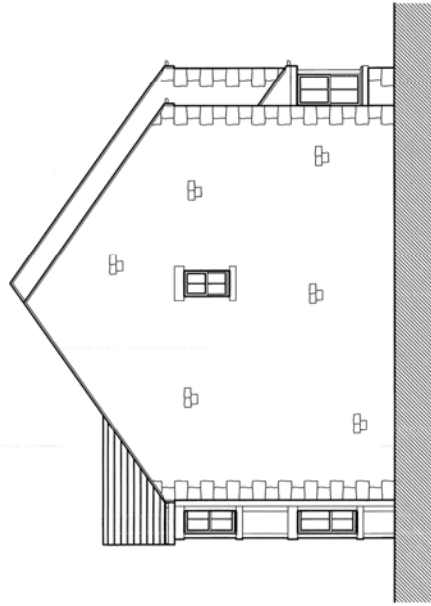
Report prepared by Louisa Ollivere, Area Planning Officer.



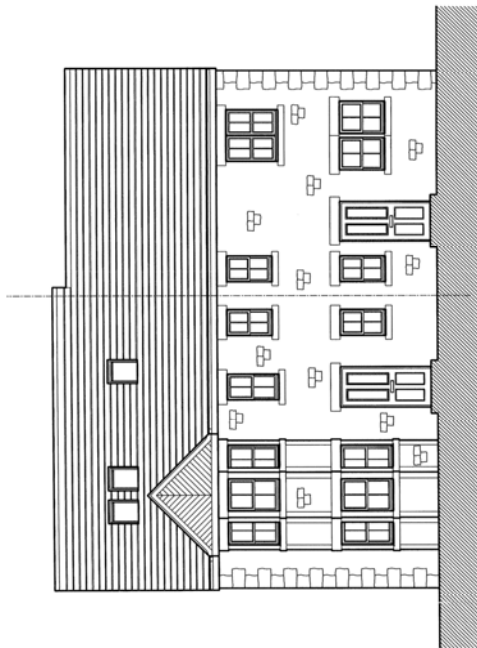




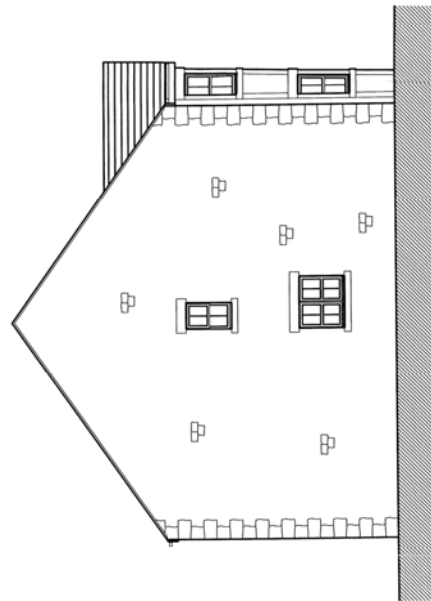
REAR ELEVATION



SIDE ELEVATION



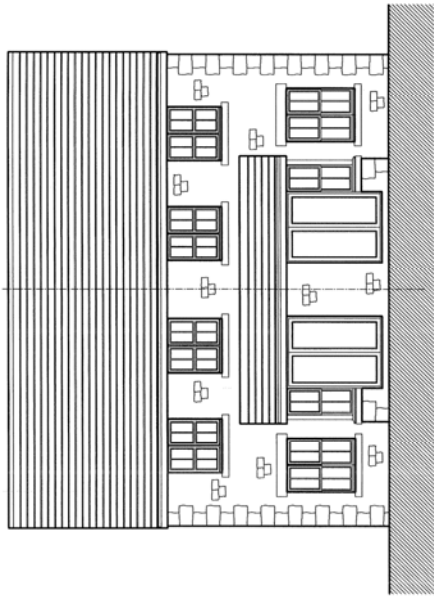
FRONT ELEVATION



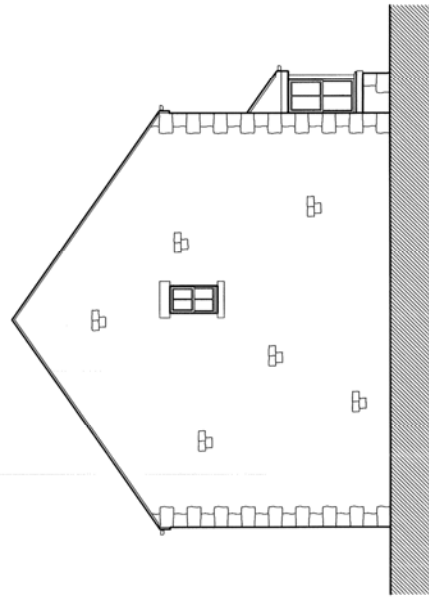
SIDE ELEVATION

Proposed Elevations



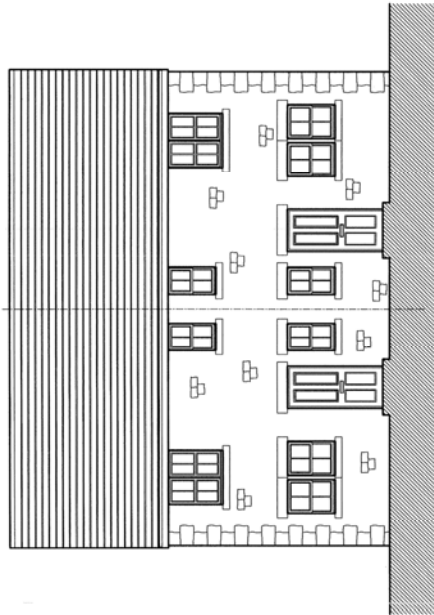


REAR ELEVATION

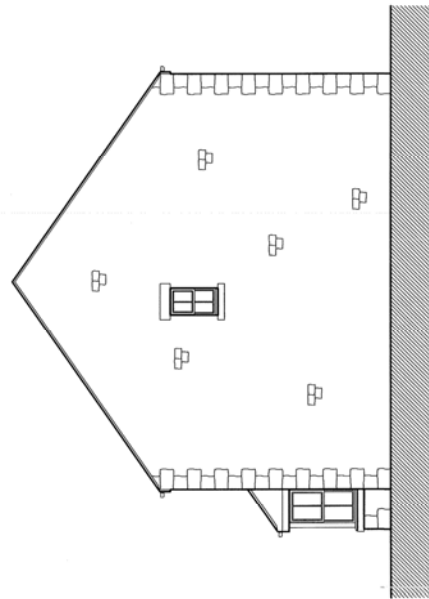


SIDE ELEVATION

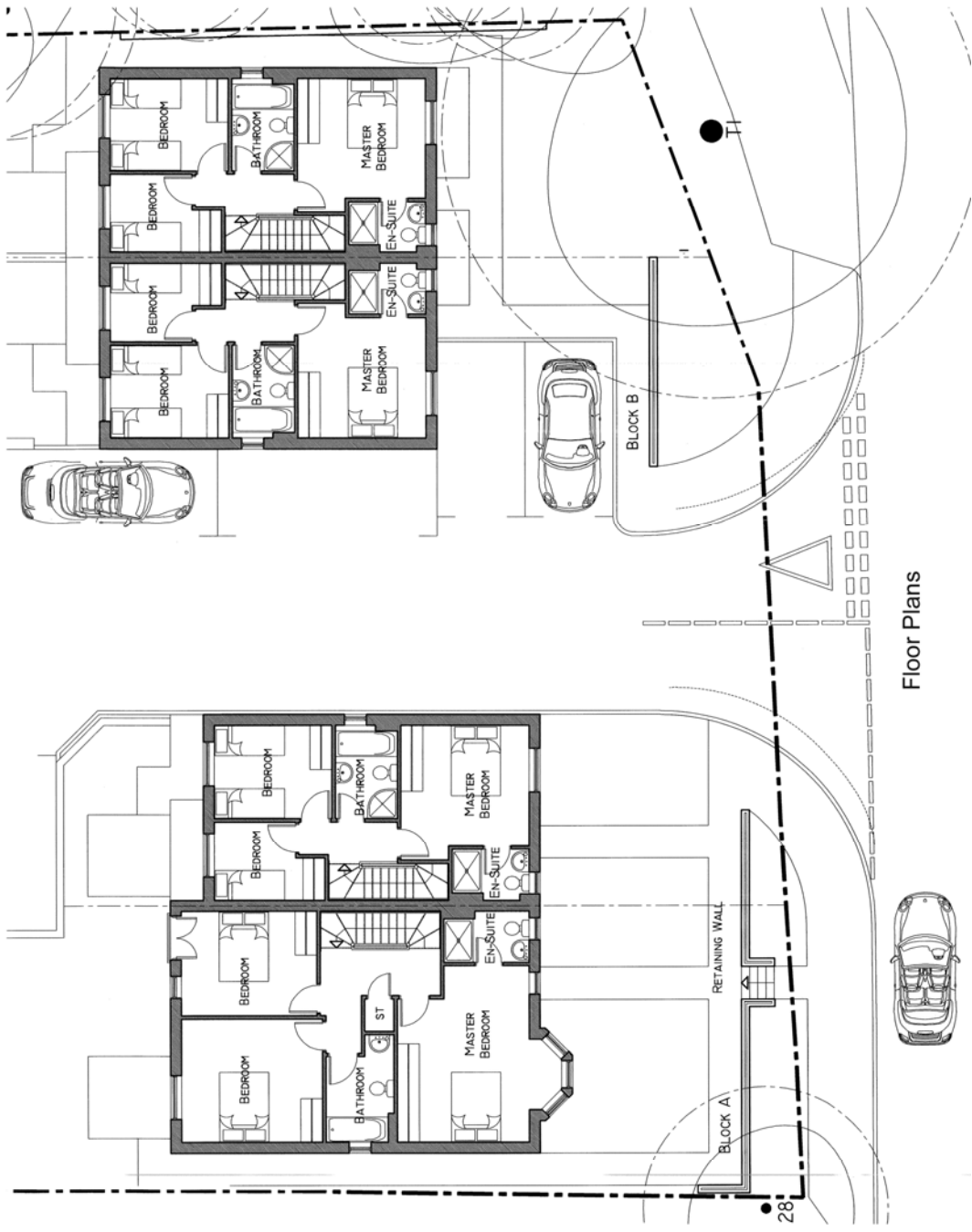
Proposed Elevations



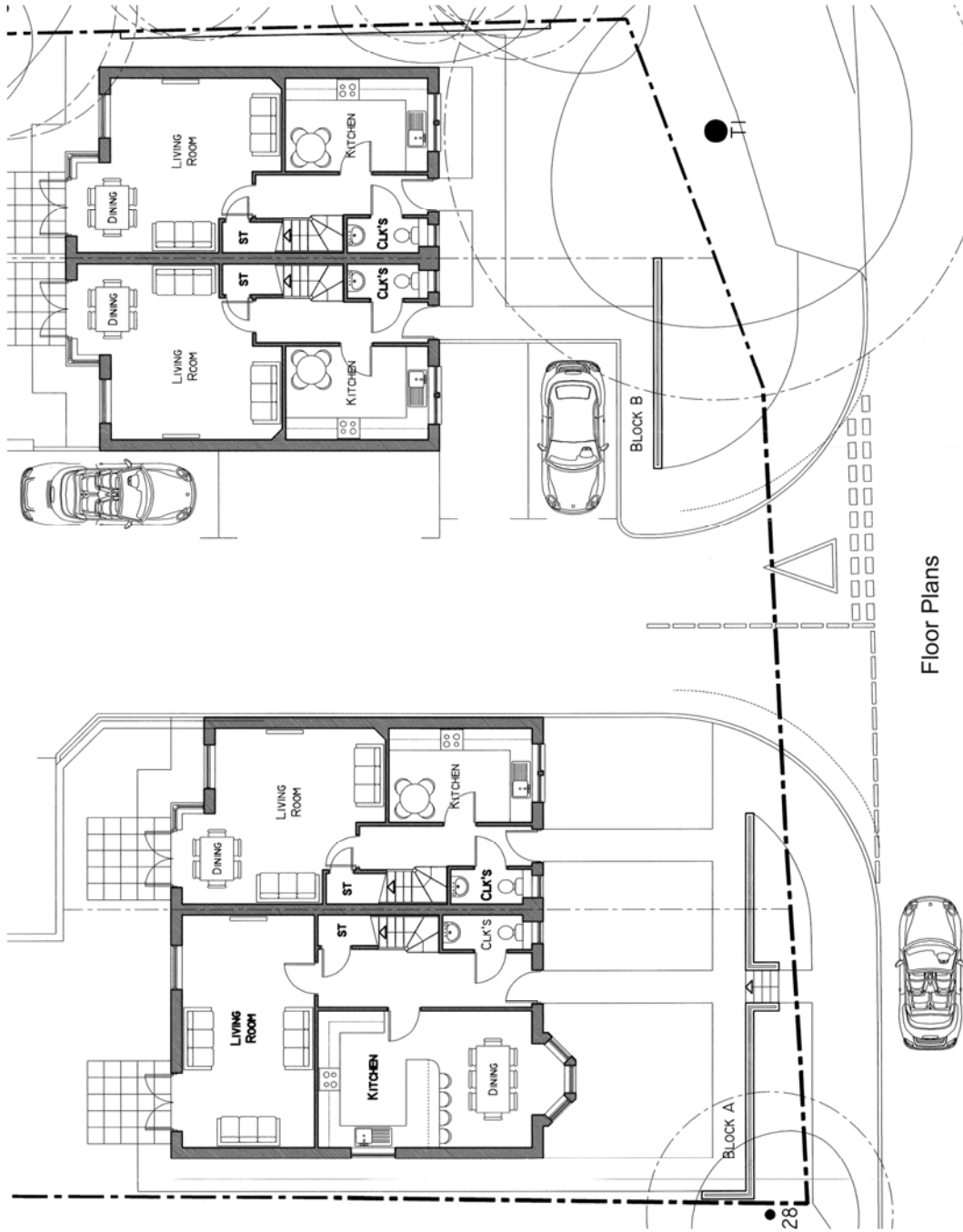
FRONT ELEVATION



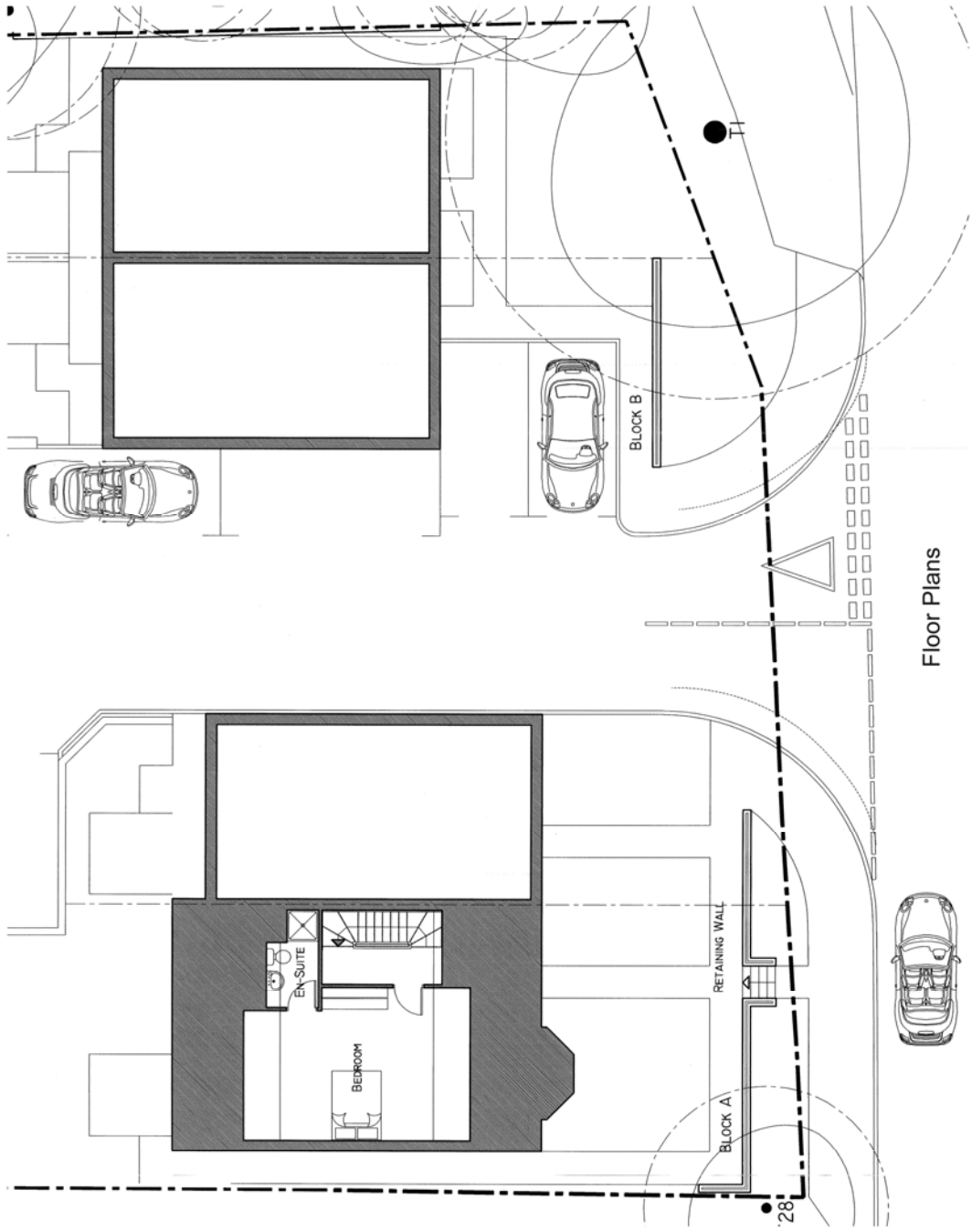
SIDE ELEVATION



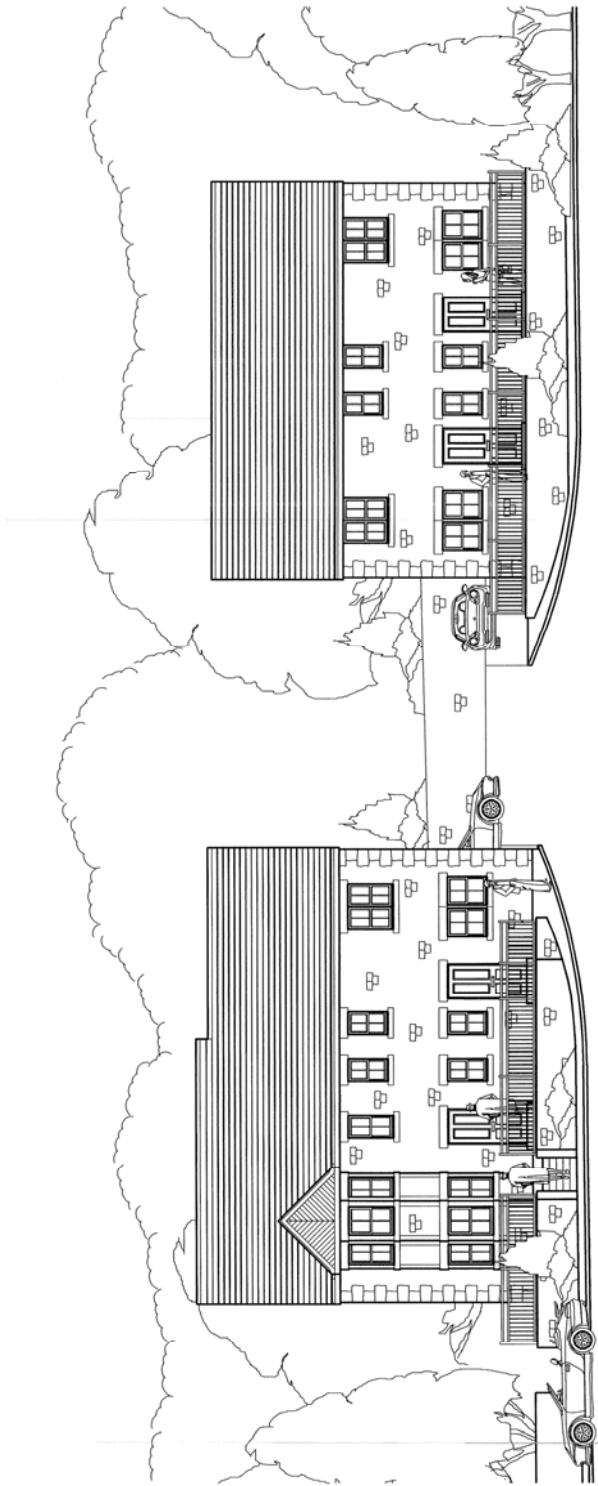
Floor Plans



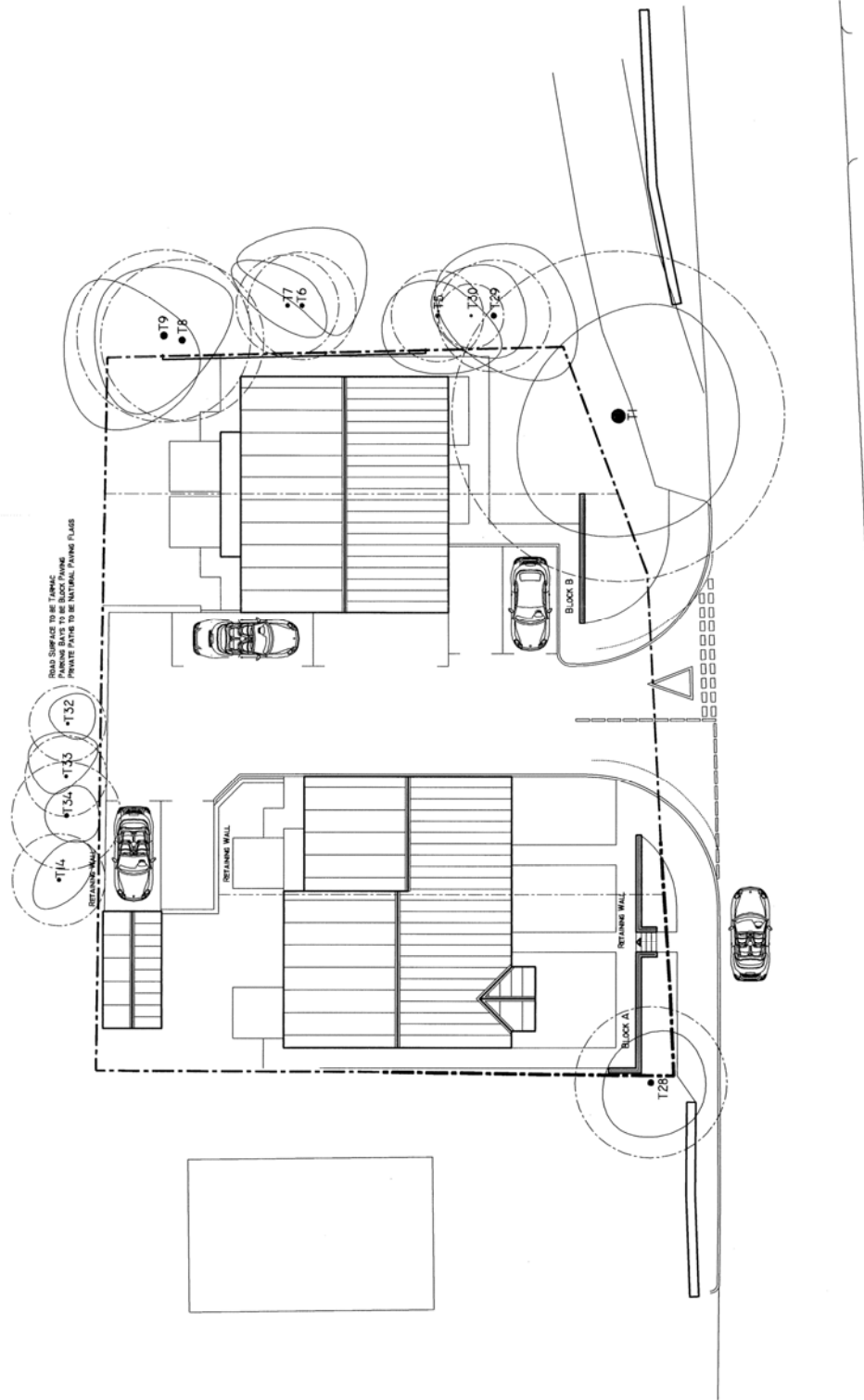
Floor Plans



Floor Plans



Front Streetscape



Site Layout Plan

## RECOMMENDATION FOR APPROVAL

08/0452

23/06/2008

Mr D Logan

2 Prospect Place, Satley,  
Bishop Auckland

Creation of road (retrospective)  
and erection of 1.2 metre high  
fence

Cornsay Ward

### The Application

1. This application seeks Planning Permission for the creation of a field access track within a field to the rear of Prospect House, near Satley. The access track has already been completed therefore this application is partly retrospective. Permission is also sought for a 1.2 metre high fence. The site lies within the North Pennines Area of Outstanding Natural Beauty.
2. The gravel access track is approximately 120m in length and 3m in width and adjoins an existing gravel field access onto the C86 road to the south of the site. The access track is situated along the southern boundary of the field and leads to a stable block and a communal septic tank. It is proposed to erect a 1.2m high post and rail fence with timber cross railings along one side and the length of the access track.
3. The applicant's reasoning for constructing the access track is that a safe and suitable access is required for the applicant's horse box vehicle to access his stables and for vehicular access for the company that empty the septic tank to reach the tank without damaging the surface of the field and the shallow drainage below. The fencing is proposed to separate the vehicular traffic from the field for the safety of the horses in the field.

### History

4. In 1987 Planning Permission was granted for the erection of a stable and tack room (reference 1/1987/0127/DM).

### Policy

5. The following policies of the adopted local plan are relevant in determining this application:

GDP1  
EN01

General Development Principles  
Protecting the Countryside

EN02	Preventing Urban Sprawl
EN05	Development within the North Pennines ANOB
TR02	Development and highway safety

### Consultations

6. County Highways Development Control Officer: was originally concerned that there was not an area adjacent to the septic tank to allow an HGV to turn round to exit and the plan was slightly inconsistent with what was laid out on site in that the first 12m of the access track was slightly wider than indicated on the plan submitted.
7. The applicant subsequently submitted revised plans showing a turning point at the end of the road and relocating the fencing around this turning point; the plans also show the correct width of the original field access. The Highways Officer has confirmed he is satisfied with the revisions.
8. Public Rights of Way Officer: has confirmed that there are no registered Public Rights of Way near to or affected by the proposals and does not object to the proposal but draws attention to the fact that the Definitive Map is only a record of known Public Rights of Way and other rights can be acquired on the basis of usage or documentary evidence or by the actions of the landowner.
9. Neighbours have been consulted and a site notice posted. One letter of objection has been received from the occupier of Prospect House whose concerns are summarised as follows:
  - The proposal is contrary to Local Plan Policy GDP1 for the following reasons:
    - It fails to protect open land which is recognised for its amenity value and the contribution its character makes to the area as an unnecessary enclosure and hardstanding have been created which detract from the open pastured character of the area in general.
    - The residential amenities of the occupier of Prospect House will be undesirably affected by the passage of vehicular traffic (both commercial and domestic) in close proximity to his house and garden as other people than the applicant will use the track to gain access to the rear of his dwelling and for parking purposes causing nuisance in terms of noise, fumes, severe visual intrusion and loss of privacy.
  - There has been no need for such a road to reach the septic tank or the field so why now?
  - The proposal is contrary to Local Plan Policy EN1 as it does not benefit the rural economy or help to maintain or enhance landscape character.
  - The proposal is contrary to Local Plan Policy EN2 as it is an encroachment into the surrounding countryside and involves a material change of use of land from horsekeeping / agricultural use to domestic curtilage thus creating an unfortunate precedent



for others to follow.

- The proposal is contrary to Local Plan Policy EN5 as it does not conserve or enhance the high landscape qualities of the area.
- The applicant may be intending to apply for planning permission to convert an outhouse (byre) adjoining Prospect House which adds another dimension to the formation of the unauthorised road.
- Local Planning Authorities must determine planning applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise. There are no sufficiently material considerations here to justify a departure from the provisions of the Development Plan.
- Enforcement action proceedings should also be commenced to have the land re-instated to the condition it was in before the unauthorised development took place.

### Officer Assessment

10. The main issues to consider for this application are; impacts upon neighbouring residential amenity, the landscape and highway safety.
11. Local Plan Policy GDP1 seeks to ensure that neighbouring occupiers and land users are protected from harmful development. The closest neighbouring property to this site is Prospect House which lies adjacent to the access road, and three properties 1-3 Prospect Place which lie 37m to the west of the access track, one of which is occupied by the applicant. A proposal such as this could have implications for neighbouring amenity in terms of noise nuisance from vehicles and persons coming and going on to this land. However, it is not considered that impacts in terms of noise and disturbance would be significant given that the vehicles movements associated with the care of horses and emptying of the septic tank would not be high or different from the number of vehicles previously accessing the field before the access was laid.
12. The comments of the objector in relation to the track being used to provide access and parking for the applicant's house to the west are noted. However it is thought unlikely that this would occur given the distance to the property and availability of other areas for parking which are in closer proximity. It is acknowledged that the neighbouring occupier is concerned about the future development of another of the applicant's properties to the south of the access track and that this site is being changed to domestic cartilage. However, an applicant's motives for future development cannot be considered material planning issues and were development of this building or land proposed in the future that would be considered on its own merits under a separate planning application.
13. As this is a countryside location within the North Pennines Area of Outstanding Natural Beauty policies EN1, EN2 and EN5 are relevant. These policies aim to ensure development either maintains or enhances

landscape character and does not result in an encroachment into the surrounding countryside. In order to maintain or enhance landscape character proposals should not result in the loss of important landscape features and should be of a high standard of design in keeping with the character and appearance of the area. The creation of the access track has not resulted in any loss of important landscape features and both the access track and fencing would not be highly visible in the landscape being screened from close views from the C86 and neighbouring properties by existing buildings and vegetation. Furthermore, it is not considered that an access track such as this would look out of place in this rural location where farm access tracks are commonplace. The use of gravel for the road surface, and the timber material and design of the fencing are considered appropriate to blend in with the surrounding countryside, characterised by large agricultural fields divided with hedging and fencing. It should also be noted that a one metre high fence erected adjacent to the access track would not require planning permission. It is considered that the proposal maintains the landscape character of the area. It is not considered that the proposal results in an encroachment into the surrounding countryside as the majority of the access track and fencing would be behind the building line of an existing stable block and other buildings which stretch further to the north.

14. To accord with Local Plan Policy TR2 all development should have a clearly defined and safe vehicle access and exit, adequate provision for service vehicles and adequate vehicle manoeuvring, turning and parking space. The new access track adjoins an existing field access which is clearly defined and safe. Originally the access track was not of an acceptable standard as no turning area was proposed. However, the applicant has amended these details to include a turning area. With this revision it is agreed with the Highways Officer that the new access track would be acceptable in terms of highway safety.
15. To conclude, the access track and fencing are not considered to be detrimental to neighbouring amenity and would maintain the landscape character of this Area of Outstanding Natural Beauty and the access track would be acceptable in terms of highway safety and the proposal therefore accords with Local Plan Policies GDP1, EN1, EN2, EN5 and TR2.

#### Recommendation

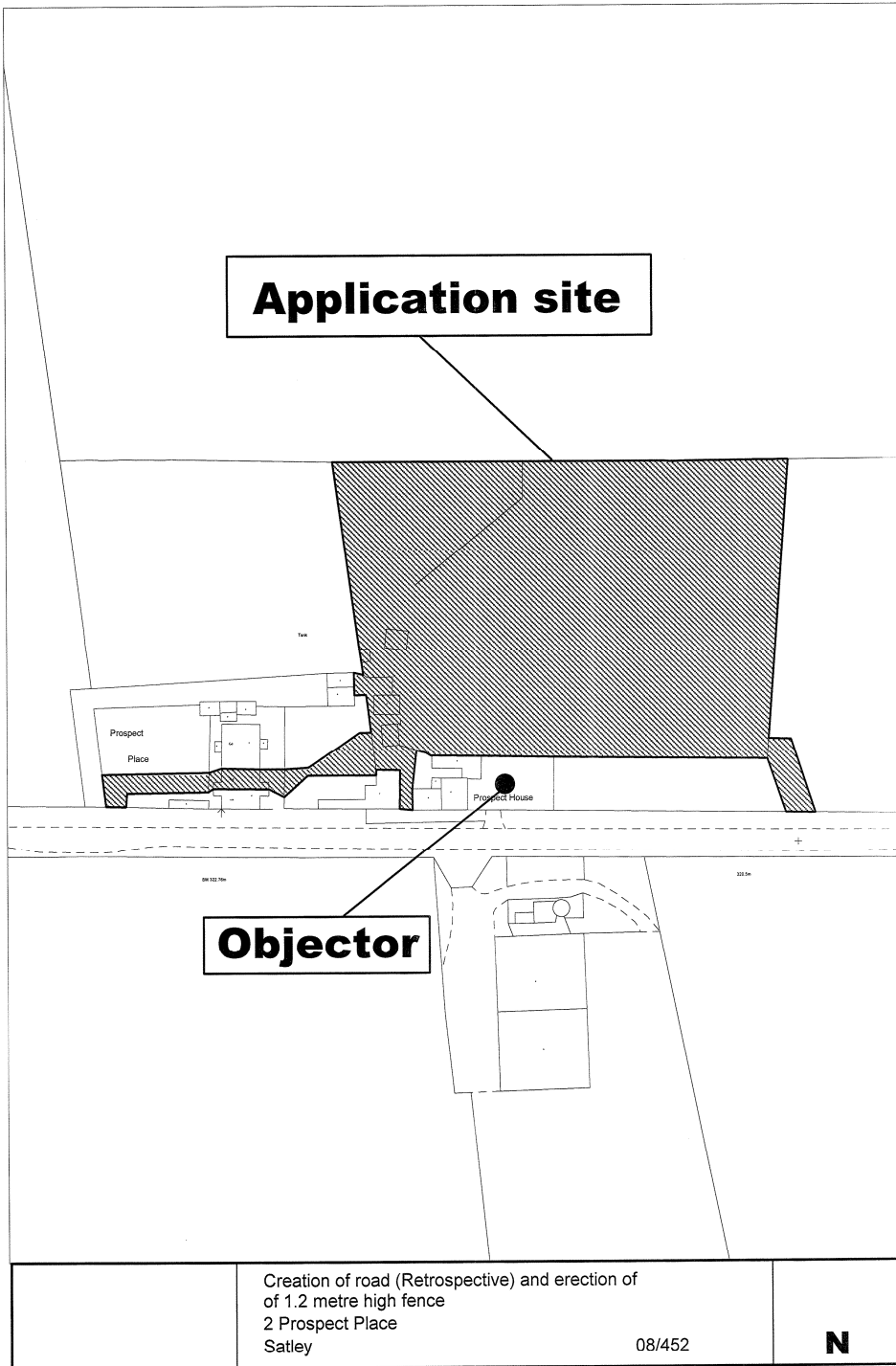
16. Conditional Permission
  - Three year time limit (ST).
  - Approved Plans (ST01).

#### Reasons for Approval

17. The development was considered acceptable having regard to the following development plan policies GDP1, EN1, EN2, EN5 and TR2. In

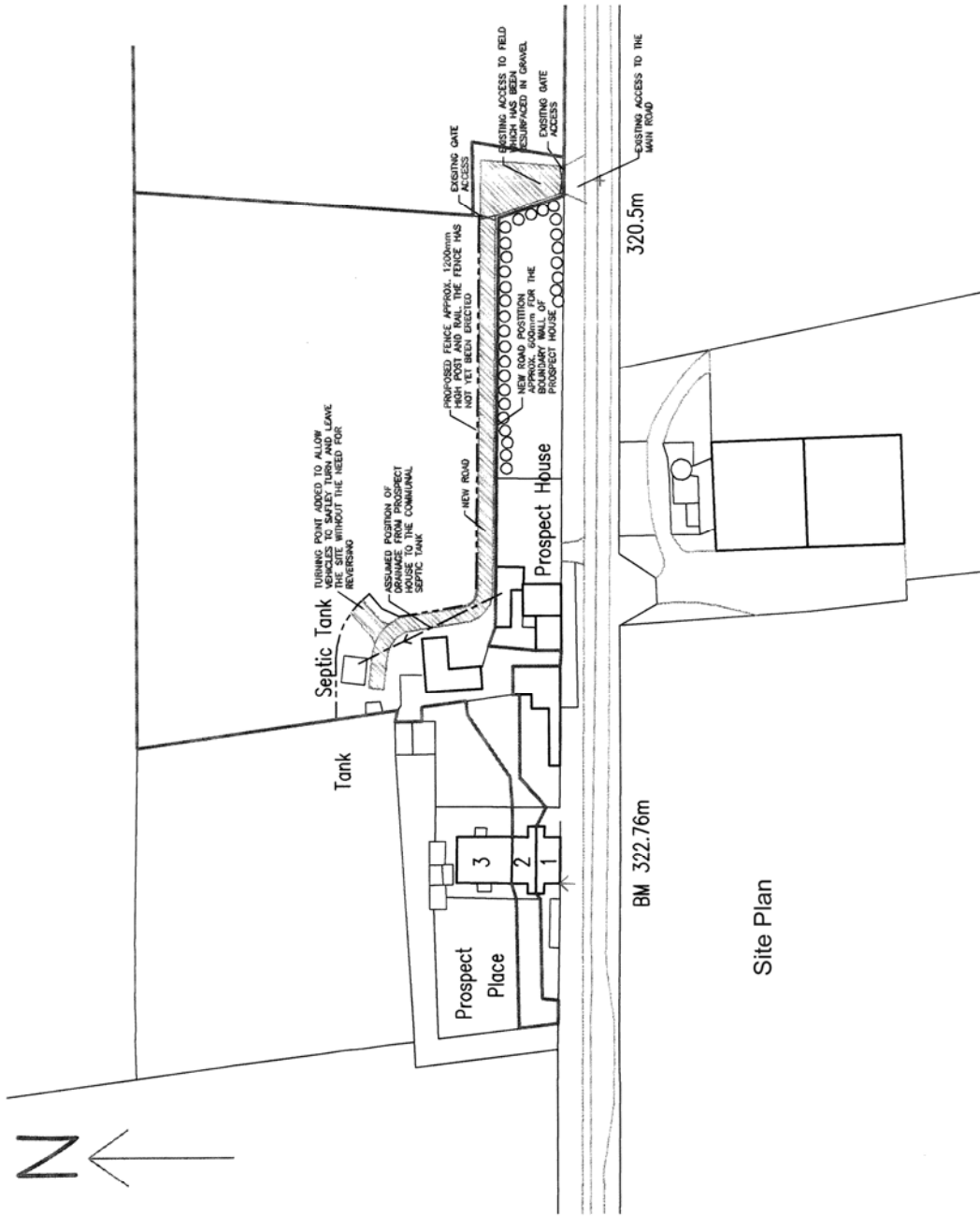
particular the development was considered acceptable having regard to consideration of issues of neighbouring amenity, landscape character and highway safety. The stated grounds of objection concerning conflict with Local Plan Policy, impact upon landscape, impact upon residential amenity, applicants motives and future development were not considered sufficient to lead to reasons to refuse the application.

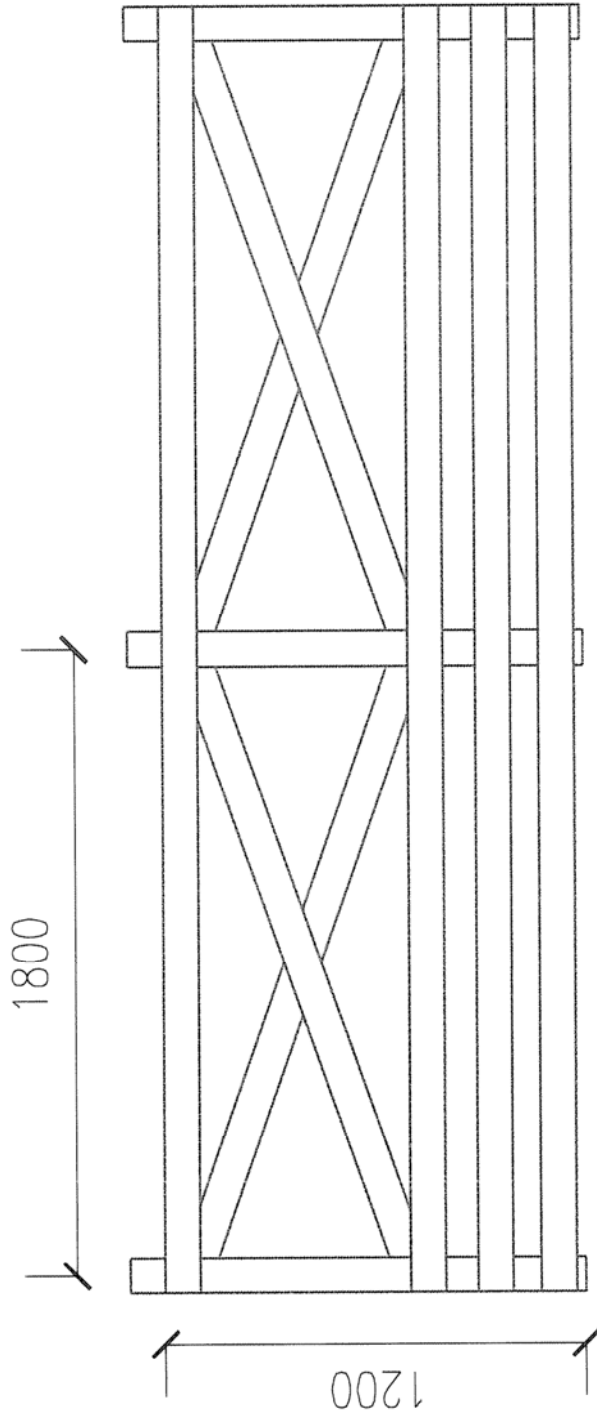
Report prepared by Louisa Ollivere, Area Planning Officer.





	Creation of road (Retrospective) and erection of of 1.2 metre high fence 2 Prospect Place Satley	08/452 <b>N</b>
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TIMBER FENCE

## RECOMMENDATION FOR APPROVAL

08/0528

22/07/2008

Mr and Mrs Thomas

138 Benfieldside Road, Benfieldside

Erection of two storey rear extension

Benfieldside Ward

### The Application

1. The application seeks Planning Permission for the erection of a two-storey extension to the rear of 138 Benfieldside Road; a terraced property in Benfieldside.

### History

2. In 1981, Planning Permission was granted for a kitchen extension (reference 1/1981/0521/DM)

### Policy

3. 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)

SPG2 (House Extensions)

### Consultations

4. Northumbrian Water: no objections.
5. Neighbours have been consulted: one letter of objection has been received on the following grounds:
  - I have serious concerns regarding the amount of light that this extension will take away from my property. I already have one full height wall adjoining my property from the house at the other side. To have another full height wall will create an enclosed area within my property and restrict light to what I think will be an unacceptable level.
  - The planned extension is less than one metre away from a principal window.
  - I have a boiler vent directly next to the proposed extension. Having a wall built next to it could restrict the escape of fumes from the boiler. In addition, this is next to a window, so potentially if I was to have the window open, it is possible that the fumes could be redirected through the opening, thereby creating a health and safety concern (and also a possibly a life



threatening situation).

- At present, my rear garden is protected from view from number 138 due to the positioning of the windows. If this extension were to go ahead then the upstairs windows would have a direct view into my rear garden, thereby removing any privacy that I have in the garden.
- The proposed extension would be directly attached to my property. I currently have ridge tiles on top of the kitchen extension (which is original) and if this extension were to go ahead this would result in these tiles either being removed or damaged. Also, it could potentially cause a situation where dampness was allowed to penetrate my property.
- One of the principal reasons for me purchasing this property 2 years ago was the rear of the property and the look and feel of the outside space, and lightness to the rear. This extension would have a significant impact on my property, and I suspect would adversely affect the market valuation.
- In addition to the above I was under the impression that this terrace of houses was part of the Shotley Bridge Conservation Area and that this would restrict changes to the outside of the property.

#### Officer Assessment

6. The application seeks Permission for the erection of a two-storey extension to the rear of 138 Benfieldside Road, a terraced property in Benfieldside.
7. The ground floor element of the extension would extend the existing kitchen across the full width of the rear elevation of the house, increasing its width by approximately one metre but not increasing the length.
8. The first floor extension has been reduced in size following negotiations with the Case Officer. The revised plans indicate that it would measure 3.7 metres in length and extend across the entire width of the rear elevation, approximately 5.3 metres. The extension would not project as far from the rear of the property as the existing ground floor kitchen.
9. A tiled lean-to roof would be constructed between the ground and first floor elements of the extension, incorporating two skylight windows. The flat roof of the first floor extension would be mineral felt. The extension would be clad in natural sandstone to match that of the existing dwelling house.
10. For extensions such as this Local Plan Policy seeks to ensure that the main issues that are considered are impacts on neighbouring amenity, and the appropriateness of design in the locality.
11. Local Plan Policy HO19 and SPG2 highlight the importance of the protection of neighbouring amenity when assessing householder planning applications. For rear extensions the main impact could be a loss of privacy, and the privacy of neighbouring properties must be protected by ensuring that the rear extension adheres to the guidelines set in SPG2.
12. The Council must consider whether the proposed two-storey rear extension accords with the guidance of SPG2. The Supplementary Planning Guidance

states that extensions to older terraced properties should not exceed 3.7 metres in length where there are properties to the rear. As the length of the extension has been reduced to 3.7 metres it does accord with the guidance. Therefore, loss of light, privacy, over-shadowing or over-dominance, as mentioned by the objector, are not considered sufficient to justify refusal. It is conceded that there may be some loss of light to the rear garden area of the objector's property as a result of the proposed extension, especially considering that house number 134 Benfieldside Road (to the other side of the objector's property) already has a similar extension. However, the length of the extension is not considered excessive and fully complies with the SPG2 guidelines.

13. In terms of design, Local Plan Policy HO19 and SPG2 seek to ensure that extensions reflect and respect the character, scale, materials and features of the original dwelling and its surroundings. Several similar extensions exist within the street. However, SPG 2 has limited the length of the proposed extension to 3.7 metres, whereas several of the extensions in the street were approved before SPG2 was adopted and are much larger. Therefore, the proposed extension would not have a significant impact on the streetscape, as the dwellings at present are varied in size and appearance.
14. The proposed extension is not considered to be detrimental to neighbouring amenity and is considered to be of an acceptable design, and acceptable in accordance with Local Plan Policy HO19 of the Derwentside District Local Plan and SPG2.

#### Recommendation

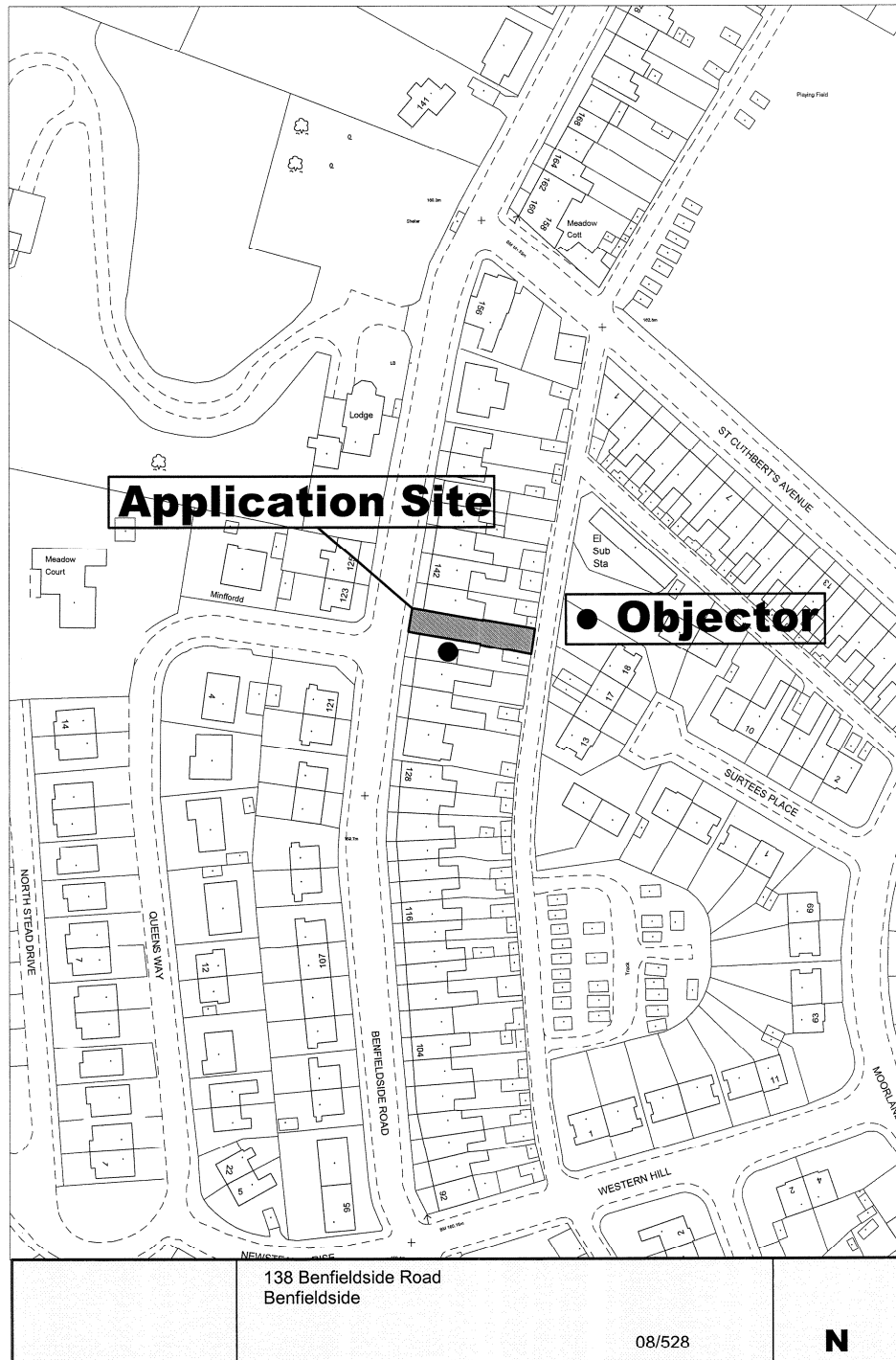
15. Conditional Permission

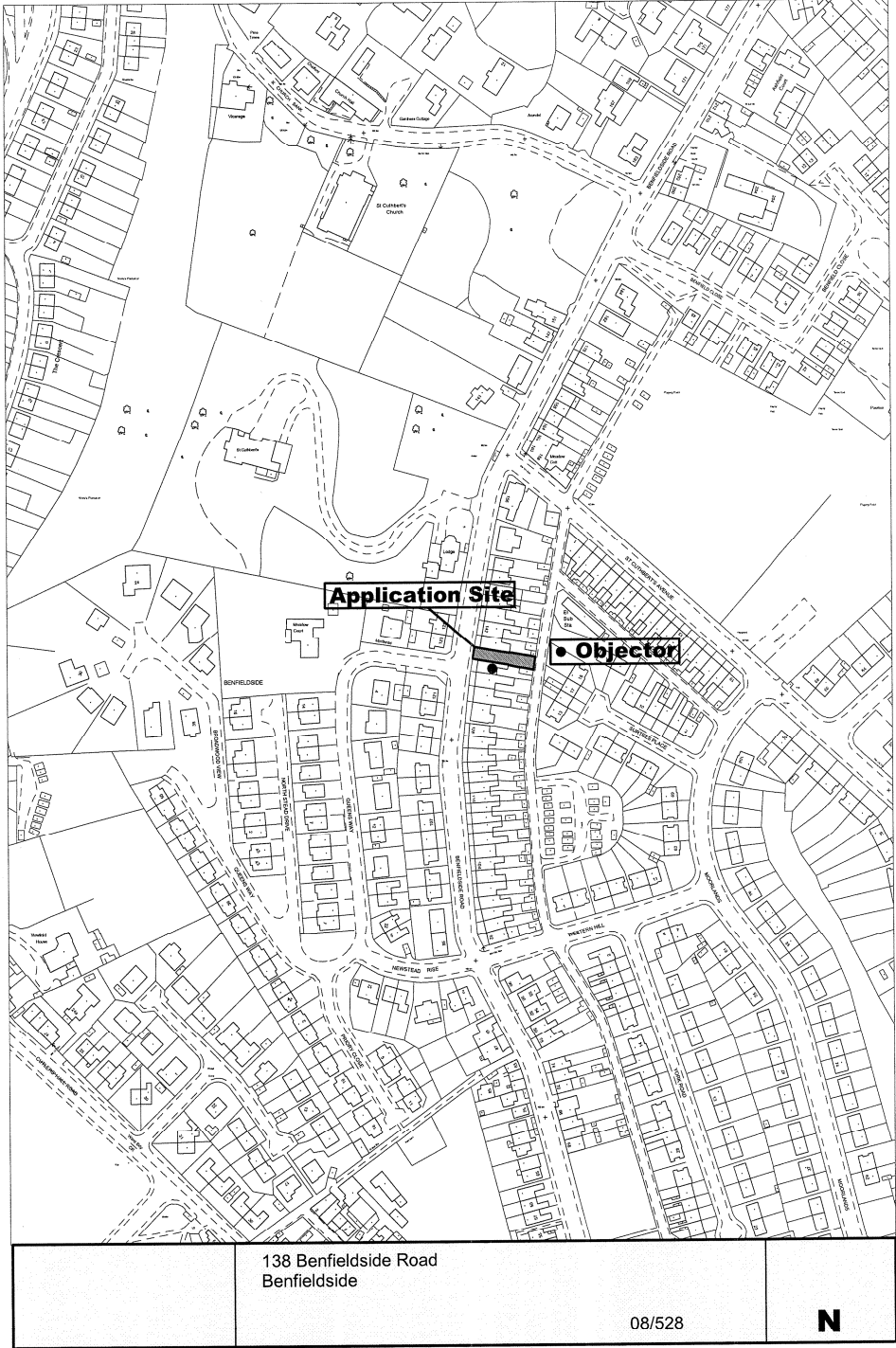
- Three year time limit (ST).
- External materials (DH05).

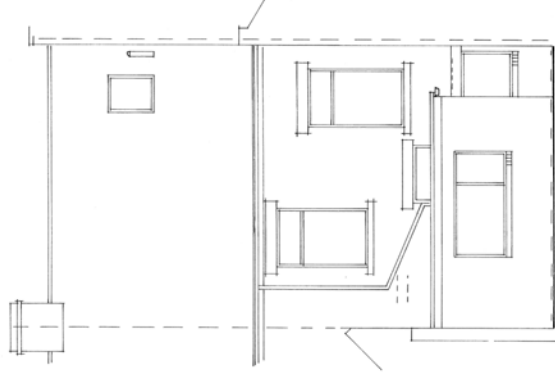
#### Reason for Approval

16. The decision to grant Planning Permission has been taken having regard to policies HO19 of the Derwentside District Local Plan and SPG2, 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 planning permission.

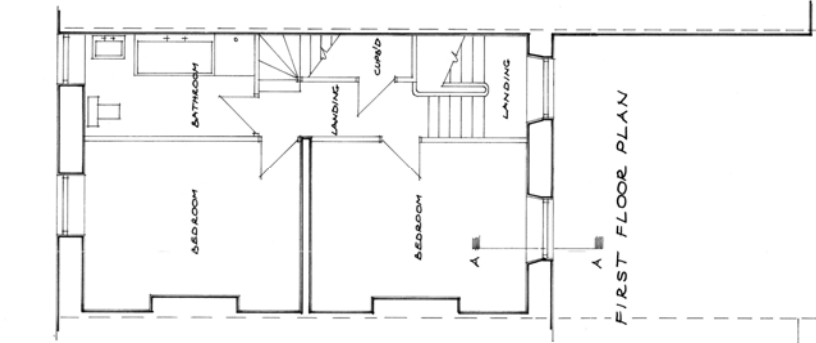
Report prepared by Philip Storey, Student Planning Officer.





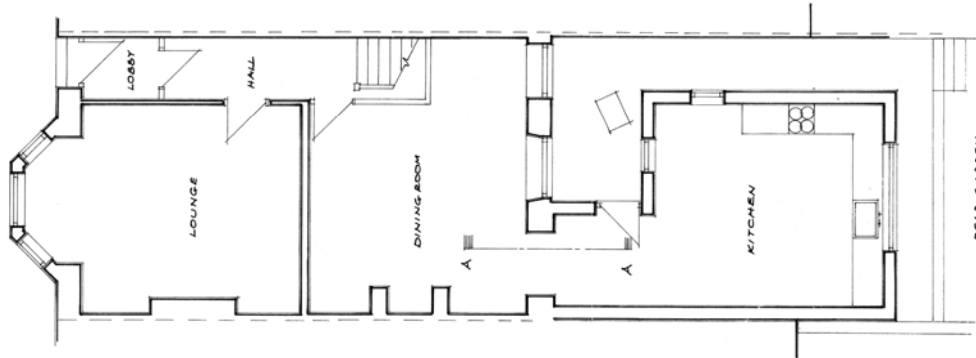


REAR ELEVATION

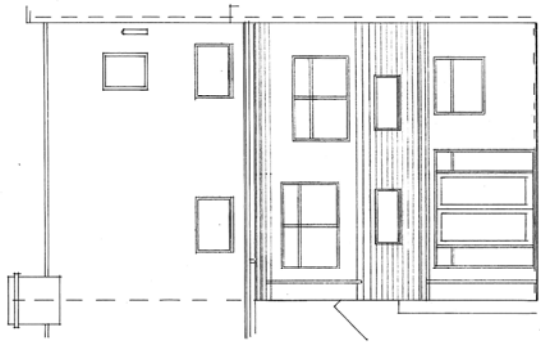


FIRST FLOOR PLAN

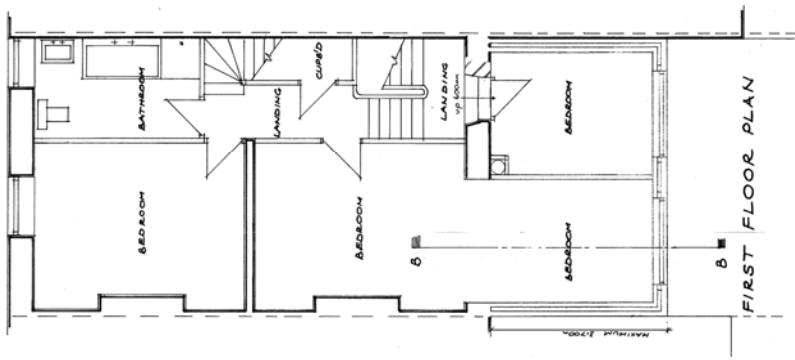
Existing plans



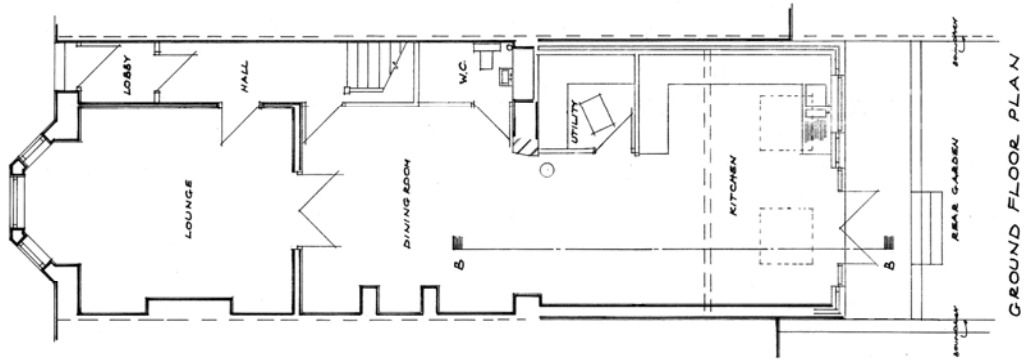
GROUND FLOOR PLAN



REAR ELEVATION



FIRST FLOOR PLAN



GROUND FLOOR PLAN

Proposed plans

## RECOMMENDATION FOR APPROVAL

08/0403

21.05.2008

Mrs A Lavery

29 Highridge, Blackhill, County Durham

Erection of balcony at first floor level Blackhill Ward  
(resubmission)

### The Application

1. At the Development Control Committee meeting on the 31<sup>st</sup> July 2008, Members decided to defer the decision regarding a retrospective planning application for the erection of a balcony at first floor level at 29 Highridge, Blackhill in order to allow further negotiation between Officers and the applicant on whether an acceptable solution for the balcony could be achieved.
2. Discussions have now taken place between Officers and the applicant and revised plans have been submitted for the balcony. The design has now been amended whereby the timber balustrade is now proposed to be painted white and timber posts supporting the balcony are to be surrounded by brick columns to match the existing property. It is considered that these revisions would ensure that the balcony would be of a satisfactory standard of design, in-keeping with the existing property and the locality in accordance with Local Plan Policies GDP1, HO19 and SPG2. The Officer's recommendation is therefore now for conditional approval.

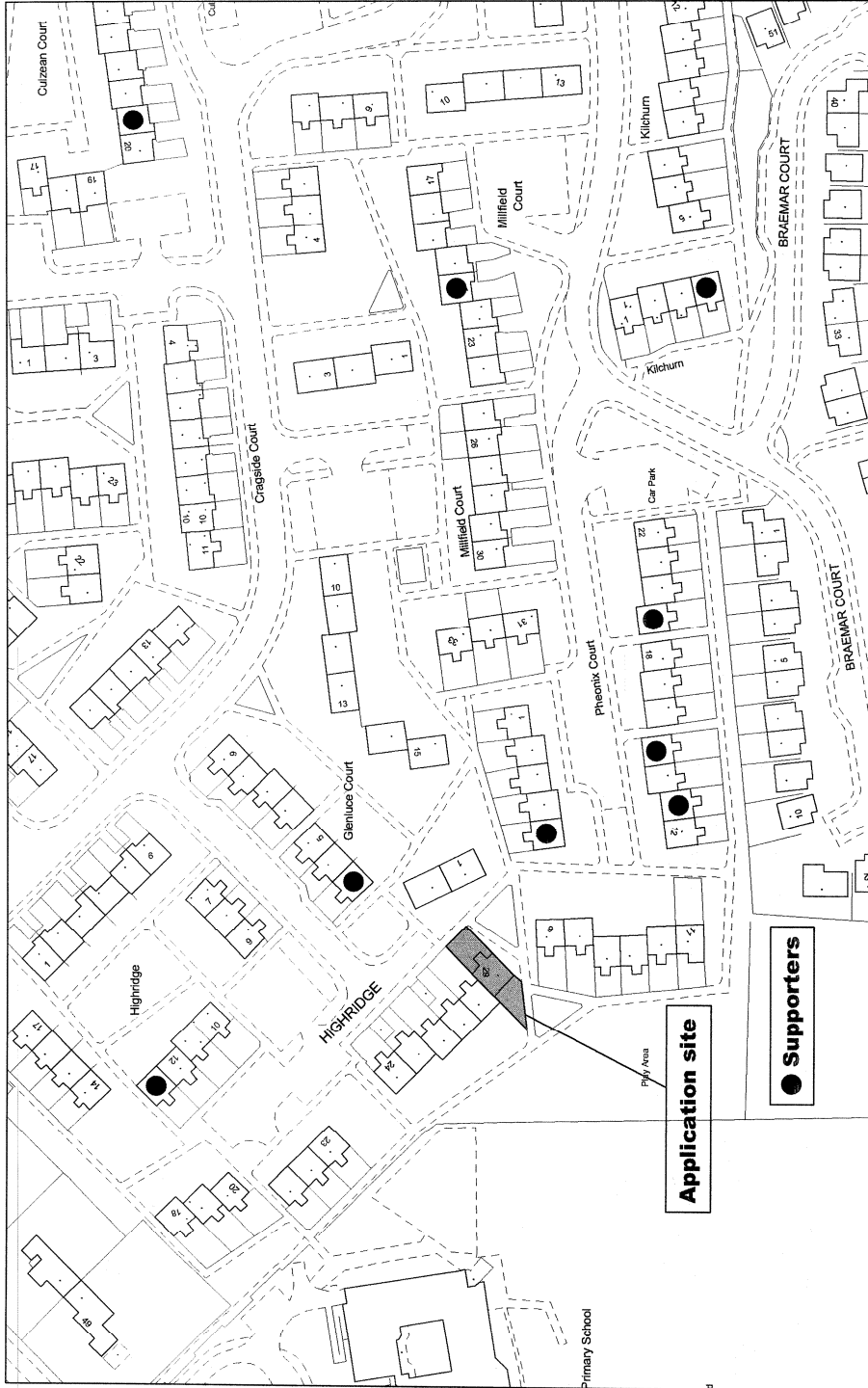
### Recommendation

3. Conditional Permission
  - Approved Plans (ST01).
  - This permission relates to the application as amended by plans no 14/08/01 Revision I dated 25<sup>th</sup> August 2008, received on 26<sup>th</sup> August 2008.  
Reason: In order to define the permission.
  - The brick pillars shall match as closely as possible the brickwork of the original dwellinghouse.  
Reason: In the interests of the character and appearance of the development in accordance with Policy HO19 of the Local Plan.

### Reasons for Approval

4. The development is considered acceptable having regard to development plan policies GDP1, HO19 and SPG2. In particular the development is considered acceptable having regard to consideration of issues of residential amenity and design.

Report prepared by Louisa Ollivere, Area Planning Officer.



<b>N</b>
08/403
29 Highridge Blackhill
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## **DEVELOPMENT CONTROL COMMITTEE**

**11<sup>th</sup> September 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 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 EN5**

When considering proposals within the North Pennines Area of Outstanding Natural Beauty, development will only be permitted where it conserves or enhances the high landscape qualities of the area.

### **Policy EN6**

In the following areas of high landscape value development will be permitted provided that it pays particular attention to the landscape qualities of the area in the siting and design of buildings and the context of any landscaping proposals:

Beamish and Causey  
Browney and Smallhope Burn Valleys  
Hownsgill  
Lower Derwent and Pont Valleys  
Middle Derwent Valley  
Ushaw College  
Beggarside and Knitsley Burn Valleys  
Hedleyhope Fell and Hedleyhope Burn  
Newhouse Burn  
North Langlely  
Pan Burn  
Whiteside Burn

### **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 EN19**

Where nationally important archaeological remains, whether scheduled ancient monuments or not, and their settings would be affected by a proposed development, there will be a presumption in favour of their physical preservation in situ.

Other known archaeological remains of more local importance will be protected from damage to their features of archaeological interest.

Where a proposed development is likely to affect a site of archaeological interest or its setting, the Council may request an archaeological assessment, prior to determining an application.

Where development is to be approved that could affect known archaeological remains, the Council will require the developer to ensure that adequate provision has been made for the excavation and recording of the remains before development commences. This will normally be a condition of planning permission.

### **Policy EN23**

**When considering development proposals, regard will be had to the need to maintain the nature conservation value and integrity of the following wildlife corridors of strategic importance:**

**The Derwent Valley  
The Browney Valley  
Derwent/Browney Link  
Beamish/Greencroft Link**

**Wherever possible, development proposals which would impinge on a wildlife corridor should include compensatory measures to enhance or restore the nature conservation interest of the area.**

### **Policy HO10**

**Where it is necessary to meet rural housing requirements, small scale developments in villages may be permitted on land that would not normally be released for development, provided that:**

- (a) the developer can show a demonstrable need for affordable housing within the locality; and**
- (b) the development meets the need of local people who are unable to afford the cost of property on the open market; and**
- (c) the site is within or immediately adjoining the village; and**
- (d) the development is small in scale and respects the character of the settlement; and**
- (e) the development would not lead to the coalescence of settlements or the narrowing of an important open break between settlements.**

**Any permission granted in accordance with this policy will be dependent on the prior completion of a legal agreement or an alternative mechanism to:**

- (a) ensure that initial and subsequent occupancy of the dwellings is restricted to households who are in need of low cost housing; and**
- (b) establish a mechanism for the management of the scheme by an appropriate housing association, village trust or similar organisation.**

### **Policy IN2**

**Development on the following Business Parks will only be approved if it includes business uses (Class B1) on the majority of the site:**

**Berry Edge, Consett  
Villa Real, Consett**

**Planning permission will only be granted if:**

- (a) units are of high specification and attractive; and**
- (b) very high quality landscaping and aesthetic features are incorporated; and**
- (c) there is no external storage.**

**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.**

**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 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**

**The Following policies within the recently agreed North East of England Plan: Regional Spatial Strategy to 2021 are relevant to application for the Northern Site of Inkerman Colliery, Inkerman Road, Tow Law**

- 2 – Sustainable Development**
- 7 – Connectivity and accessibility**
- 8 – Protecting and Enhancing the Environment**
- 24 – Delivering Sustainable Communities**
- 28 – Gross and Net Dwelling Provision**
- 30 – Improving Inclusivity and Affordability**
- 32 – Historic Environment**
- 38 – Sustainable Construction**
- 54 – Parking and Travel Plans**

## **Policy 2- SUSTAINABLE DEVELOPMENT**

Planning proposals and Local Development Frameworks should support sustainable development and construction through the delivery of the following environmental, social and economic objectives:

### 2.1 Environmental Objectives

- a. to ensure good local air quality for all;
- b. to protect and enhance the quality of the Region's ground, river and sea waters;
- c. to protect and enhance the Region's biodiversity, geodiversity and soil quality;
- d. to reduce the amount of waste produced and increase the amount recycled;
- e. to make better use of our resources, including the built fabric;
- f. to mitigate environmental and social costs of developments, and encourage efficient resource use;
- g. to protect and enhance the quality and diversity of the Region's rural and urban land and landscapes;
- h. to prevent inappropriate development in flood plains;
- i. to reclaim and reuse derelict land to make more productive use of land;
- j. to protect and enhance the Region's cultural heritage and diversity; and
- k. to promote the concept of green infrastructure, a network of linked, multifunctional green space in and around the Region's towns and cities.

### 2.2 Social Objectives

- a. to tackle the social, economic and environmental impacts of multiple deprivation;
- b. to raise educational achievement across the Region and improve the skills of the workforce and of adults who are currently economically inactive, through training and skill development;
- c. to ensure everyone has the opportunity of living in a decent and affordable home;
- d. to improve the quality and choice of housing through market renewal and new development;
- e. to reduce crime and the fear of crime, particularly through good design;
- f. to improve health and well-being while reducing inequalities in health;

- g. to ensure good accessibility for all to jobs, facilities, goods and services in the Region particularly by public transport, walking and cycling;
- h. to reduce the need to travel by private car; and
- i. to increase public involvement in decision-making and civic activity.

### 2.3 Economic Objectives

- a. to ensure high and stable levels of employment so everyone can share and contribute to greater prosperity;
- b. to achieve high and sustainable levels of economic growth by focusing on the Region's strengths and alleviating weakness; and
- c. to reduce adverse impacts of economic growth on global communities by supporting the use of local labour, materials and produce.

## **Policy 7- CONNECTIVITY AND ACCESSIBILITY**

Strategies, plans and programmes, and planning proposals should seek to improve and enhance the sustainable internal and external connectivity and accessibility of the North East by:

- a. Reducing the impact of travel demand particularly by promoting public transport, travel plans, cycling and walking;
- b. reducing the need to travel long distances, particularly by private car, by focusing development in urban areas that have good access to public transport and for cyclists and pedestrians, and by encouraging home-working and improving electronic communications;
- c. minimising the impact of the movement of people and goods on the environment and climate change;
- d. making best use of resources and existing infrastructure;
- e. ensuring safe transport networks and infrastructure;
- f. maximising the potential of the International Gateways of the ports and airports and strategic transport infrastructure in supporting regional economic growth and regeneration; and
- g. improve and enhance the sustainable internal and external connectivity and accessibility of the North East region by improving accessibility and efficiency of movements with emphasis on promoting sustainable modes and reducing travel demand along the four key transport corridors set out in Policy 49.

## **Policy 8- PROTECTING AND ENHANCING THE ENVIRONMENT**

Strategies, plans, programmes, and planning proposals should seek to maintain and enhance the quality, diversity and local distinctiveness of the environment throughout the North East by:

- a. promoting a high quality of design in all development and redevelopment;
- b. promoting development that is sympathetic to its surroundings;
- c. protecting the special qualities of the environment in the nationally designated areas of the Northumberland National Park, and the North Pennines and Northumberland Coast AONBs and upholding their statutory purposes, while recognising their role in a living, working and vibrant



countryside. Major development should not take place in these areas other than in exceptional circumstances when it can be demonstrated that there is an overriding national need and it could not be located elsewhere;

- d. seeking to conserve and enhance historic buildings, areas and landscapes;
- e. identifying and giving an appropriate degree of protection to historic parks and gardens, battlefields, ancient field systems, green lanes trackways, industrial monuments and other unscheduled archaeological sites, which reflects their national or regional importance;
- f. identifying and giving appropriate protection to the Region's internationally and nationally important sites for biodiversity and geodiversity, including full assessment of the potential impacts of development on Internationally Designated Nature Conservation Sites;
- g. identifying and protecting existing woodland of amenity and nature conservation value, particularly ancient woodlands;
- h. encouraging and facilitating the implementation of the Regional Forest Strategy, Great North Forest and Tees Forest community forestry strategies, related biodiversity initiatives and other woodland planting;
- i. paying due regard to the needs of the aquatic and marine environment including taking into account the potential risk of coastal squeeze, and considering measures to address this; and
- j. encouraging and supporting the establishment of green infrastructure including strategic wildlife corridors.

## **Policy 24- DELIVERING SUSTAINABLE COMMUNITIES**

Strategies, plans and programmes and planning proposals, should assess the suitability of land for development and the contribution that can be made by design in relation to the following criteria:

- a. the nature of the development and its locational requirements;
- b. concentrating the majority of the Region's development within the defined urban areas;
- c. the need to utilise previously developed land wherever possible;
- d. locating development to reduce the need to travel, journey length and fuel consumption;
- e. the ability for movement needs and accessibility of development sites to homes, jobs, services and facilities to be well served by all modes of transport, particularly walking, cycling and public transport;
- f. linking development to appropriate provision of infrastructure including green infrastructure, water supply and wastewater treatment, energy supplies;
- g. linking development to provision of educational, health and other social facilities and services;
- h. the impact that the development of sites and its design will have on the Region's natural resources, biodiversity, landscapes, environmental and cultural assets, and people's health; and its potential to contribute to enhancement of these;
- i. physical constraints on the development of land including the level of contamination, flood risk and land stability, incorporating flood protection and alleviation mechanisms such as Sustainable Drainage Systems;

- j. the potential contribution of development to reducing health and social inequalities including fuel poverty, and to meeting the needs of an ageing population and the disabled, through design and the provision of accessible health, sports, community, recreational, and other facilities including suitable provision of play space and greenspaces with accessible woodland, with new development;
- k. the promotion of mixed use developments, well served by public transport, to reduce journey lengths and ensure that the best use is made of land, transport infrastructure and services;
- l. the potential contribution of development to the strengthening of local communities and their social cohesion;
- m. the potential contribution of development to secure crime prevention and community safety by design;
- n. ensuring that development has low consumption of natural resources both in construction and in operation, and incorporates embedded renewable energy generation where appropriate;
- o. the potential contribution of development to the enhancement and creation of habitats and species populations and to the promotion of biodiversity and geodiversity; and,
- p. the use of local labour markets and materials.

## **Policy 28- GROSS AND NET DWELLING PROVISION**

### 28.1. Total dwelling construction (Gross completions)

Local Development Frameworks should make provision for the following average annual level of total dwelling construction in the period 2004-2021.

Gross Dwelling Provision				
Figures Rounded (Oct 2005)	2004-11	2011-16	2016-21	2004-21
Tees Valley	2,860	2,695	2,280	2,640
Durham	1,890	1,620	1,225	1,615
Northumberland	945	930	900	925
Tyne & Wear	3,580	4,200	4,670	4,080
<b>NORTH EAST</b>	<b>9,270</b>	<b>9,450</b>	<b>9,070</b>	<b>9,265</b>

(Regional totals rounded to the nearest 5)

### 28.2. Improving the housing stock

Strategies, plans and programmes and planning proposals should develop an integrated package of measures to address low demand and abandonment that:

- a. maximises the improvement of existing properties where sufficient demand exists for their continued residential use and reduces or maintains vacancy rates at or below 3%;
- b. increases the average annual level of demolitions, particularly in the housing market restructuring areas, to the indicative estimated level identified below:

Demolitions					
Figures Rounded		2004-11	2011-16	2016-21	2004-21
Tees Valley	Replacement	580	575	460	545
	Demolition	920	635	440	695
Co Durham	Replacement	220	285	190	230
	Demolition	355	360	145	295
Northumberland	Replacement	45	35	50	45
	Demolition	70	35	55	55
Tyne & Wear	Replacement	1,005	820	715	865
	Demolition	1,595	780	750	1,110
NORTH EAST	Replacement	1,845	1,720	1,410	1,680
	Demolition	2,940	1,815	1,395	2,155

(Regional totals rounded to the nearest 5)

c. considers, in areas of older high-density housing, replacement at lower densities where this would improve the living environment and quality of life, and achieve a better mix of dwelling type, size and tenure.

### 28.3. Net dwelling provision

Local Development Frameworks and planning proposals shall:

a. provide for average annual net additions to the dwelling stock, by district, for the financial years 2004-2021, as identified below:

Net Dwelling Provision				
(Figures Rounded)	2004-11	2011-16	2016-21	2004-21
Chester-le-street	100	130	130	120
Derwentside	320	270	200	270
Durham	250	220	190	225
Easington	370	215	70	235
Sedgefield	280	260	225	260
Teesdale	70	80	75	75
Wear Valley	280	160	145	205
County Durham	1,670	1,330	1,035	1,385
NORTH EAST	7,425	7,725	7,660	7,580

Figures for the other sub-regions are included below:

Hartlepool	390	400	400	395
Redcar & Cleveland	325	365	330	340
Middlesbrough	440	485	300	410
Stockton-on-Tees	600	530	525	555
Darlington	525	340	265	395
Tees Valley	2,280	2,120	1,820	2,100
Alnwick	105	95	85	95
Berwick-upon-Tweed	85	85	75	80
Blyth Valley	250	290	290	275
Castle Morpeth	140	130	120	130
Tynedale	140	115	100	120
Wansbeck	180	180	180	180
Northumberland	900	895	850	885
Gateshead	435	585	775	580
Newcastle upon Tyne	700	940	1,070	880
North Tyneside	400	500	500	460
South Tyneside	340	415	540	420
Sunderland	700	940	1,070	880
Tyne and Wear	2,575	3,380	3,955	3,220
NORTH EAST	7,425	7,725	7,660	7,580

(Sub-Regional and Regional totals rounded to the nearest 5)

The District Allocations set out above should not provide the justification for the refusal of windfall housing proposals that fall within the guidance set out for Strategic Housing Land Availability Assessments.

#### 28.4. Provision post 2021

a. To plan for the continuous delivery of housing for at least 15 years from the date of adoption, the first round of Local Development Documents should make the assumption that the annual average rate of provision during the early years after 2021 will be the same as the average for 2004 to 2021.

#### 28.5. Housing markets and assessments

- a. Local Development Frameworks should identify and develop specific strategies and programmes in liaison with stakeholders and local communities, for each Housing Market Restructuring area;
- b. In preparing strategies, plans and programmes, and in determining planning proposals, local planning authorities should ensure that they have regard to the wider housing market area, including that beyond their local authority boundary and the potential impact that their proposals may have on that wider area;
- c. In preparation for future reviews of housing within RSS, the RPB and Local Planning Authorities should develop Strategic Housing Market Assessments. These should take into account of market information and have regard to housing market areas.

## **Policy 30- IMPROVING INCLUSIVITY AND AFFORDABILITY**

30.1. In preparation for future reviews of housing within RSS, Strategic Housing Market Assessments will inform a review of the regional approach to addressing affordable housing needs, including an affordable housing target for the Region and each housing market area.

30.2. Strategies, plans and programmes and planning proposals should:

- a. make provision for a range of dwelling type, size and tenure to meet the assessed needs of all sectors of the community, including the needs of families with children, single person households, the disabled and older people. In doing so they should consider those elements of the housing stock which are currently under-represented and the contribution that could be made by replacement dwellings in the housing market restructuring areas;
- b. set local authority affordable housing provision targets informed by up to-date local housing assessments;
- c. address the problems of local affordability in both urban and rural areas, including ensuring a high provision of affordable housing is sought within the districts of Alnwick, Berwick-upon-Tweed, Castle Morpeth and Tynedale;
- d. have regard to the level of need for affordable housing, including the use of planning obligations in the development of all housing sites, including when considering the renewal of lapsed planning consents;
- e. ensure housing is served by public transport and is accessible to jobs, services and facilities by modes other than the car; and
- f. ensure the integrated and phased provision of new or improved schools, health, community and other services and facilities with new housing development.

30.3. Provision of sites for gypsies and travellers

- a. Local authorities should carry out an assessment of the housing needs of Gypsies and Travellers and Showpeople. Collaboration between authorities on these studies is encouraged to more fully understand the patterns of need and the adequacy of current provision; and
- b. Local development frameworks / documents should provide the criteria following the plan, monitor and manage and sequential approaches for the provision and release of pitches for the Gypsy and Travelling and Showpeople communities and, where appropriate, identify locations for these pitches.

## **Policy 32- HISTORIC ENVIRONMENT**

32.1. Strategies, plans and programmes and planning proposals should seek to conserve and

- a. enhance the historic environment of the Region by: clearly identifying and assessing the significance of any heritage assets and their vulnerability to change;
- b. using the process of characterisation to understand their contribution to the local environment and to identify options for their sensitive management;
- c. encouraging the refurbishment and re-use of appropriate disused or under-used buildings and incorporating them into regeneration schemes;

- d. seeking to preserve, in situ, archaeological sites of national importance and, where appropriate, other archaeological remains of regional and local importance;
- e. recognising the opportunities for heritage led regeneration to be used in a constructive way to help bring about social and economic regeneration, and to encourage its potential for business, education and tourism; and
- f. encouraging and supporting the preparation and review of the management plans for Hadrian's Wall Military Zone World Heritage Site, Durham Cathedral and Castle World Heritage Site, and the candidate World Heritage Site at Jarrow and Monkwearmouth and incorporating their principles and objectives.

32.2. Local authorities should:

- a. prepare, and regularly maintain registers of Grade II listed buildings 'at risk'; for their areas, and pursue policies and measures which seek to repair and remove all grades of building from 'at risk' registers through repair;
- b. consider preparing, and regularly maintaining, lists of locally important buildings for their areas, and set out policies in LDFs, which seek, as far as possible, their protection against inappropriate change;
- c. consider preparing Conservation Area Appraisals for existing and proposed conservation areas, and proceed to the preparation of Management Plans for the delivery of improvements to those areas;
- d. consider preparing lists of locally important registered landscapes, Historic Landscape Assessments and Conservation Management Plans for historic designated landscapes; and
- e. consider preparing urban surveys of historic towns and other substantial settlements, to improve knowledge of their entire historic fabric as a guide to ensure future development maximises the potential for preservation, protection and enhancement.

## **Policy 38- SUSTAINABLE CONSTRUCTION**

Strategies, plans and programmes, and planning proposals should:

- a. ensure that the layout and design of new buildings and developments minimise energy consumption;
- b. encourage and promote opportunities for new developments or the redevelopment or refurbishment of existing buildings to achieve high energy efficiency and minimise consumption in terms of energy efficiency best practice, BREEAM rating and the Code for Sustainable Homes;
- c. encourage and facilitate homeowners and businesses in improving their energy efficiency and reducing consumption; and
- d. promote and secure greater use of local renewable energy in new development, including through Development Plan Documents, setting local level size thresholds for major new development and require all relevant developments, particularly major retail, commercial and residential developments, to secure an ambitious but viable percentage of their energy supply from decentralised and renewable or low carbon sources. In advance of local targets being set in DPDs, major new developments of more than 10 dwellings or 1000m<sup>2</sup> of non-residential floorspace should secure at least 10% of their energy supply from decentralised and renewable or low-carbon

sources, unless, having regard to the type of development involved and its design, this is not feasible or viable.