

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 13th November 2008 at 2.00 p.m. for consideration of the undernoted agenda.



MIKE CLARK

Chief Executive Officer

Agenda

1. **APOLOGIES FOR ABSENCE**

To receive any apologies for absence.

2. **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.

3. **MINUTES**

To approve the minutes of the following meetings as a correct record:-

Development Control Committee - 23rd October 2008 (Herewith 'A')

Site Visit - 3rd November 2008 (Herewith 'B')

Attached Documents:

[MINUTES \(A\)](#)

[MINUTES \(B\)](#)

4. APPEAL DECISIONS

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

Attached Documents:

[APPEAL DECISIONS \(C\)](#)

5. PLANNING APPLICATIONS

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

Attached Documents:

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

Agenda prepared by Lucy Stephenson, Democratic Services
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Date: 4th November 2008

DEVELOPMENT CONTROL COMMITTEE

Minutes of a meeting of the Development Control Committee meeting held in the Council Chamber, Civic Centre, Consett on Thursday 23rd October 2008 at 2.00 p.m.

Present

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

Councillors A. Atkinson, M. Campbell, H. Christer, B. Cook, G. Coulson, D. Hume, D. Lavin, O. Milburn, T. Pattinson, S. Rothwell, E. Turner. A. Watson, T. Westgarth, J. Williams, R. Young.

Apologies

Apologies for absence were submitted on behalf of Councillors R. Alderson, R. Ellis, W. Gray, P. Hughes, A. Shield, M. Wotherspoon.

In Attendance

Councillor W. Stelling.

35. DECLARATIONS OF INTEREST

Councillor Milburn declared a non prejudicial interest in application 08/0547, Councillor Hume declared a personal interest in application 08/0594.

36. MINUTES

RESOLVED: that the minutes of the meeting held on 11th September 2008 be approved as a correct record.

37. PLANNING APPLICATIONS

In accordance with Standing Order 33, Councillor D. Hume left the meeting at this point and took no part in the discussion or voting thereon.

08/0594 MR M TALAI

Change of Use from retail shop and part residential accommodation to restaurant, upgrading of remaining residential accommodation to flat. 12 Front Street, Shotley Bridge.

The Chair welcomed to the meeting Ms Acken who was in attendance to speak against the application and Mr Dodds who was in attendance to speak in support of the application.

The Development Control Manager presented the report which recommended approval of the application. She advised that there were a few updates to make to the report in that an amended plan had now been received to reflect the requirements of building control and fire escape regulations.

In addition a petition had been received from the applicant containing 1309 customers signatures who were in support of the application.

She advised that the extension would not provide for additional covers in the restaurant but for a waiting area and improved toilet facilities at restaurant level.

She went on to make reference to the residential accommodation above the restaurant and advised that the Highways Authority had no objections to the proposals highlighting that the indoor bin storage would alleviate problems on Messenger Bank.

MS VIRGINIA ACKEN: Speaking Against the Application.

Ms Acken advised that she was speaking on behalf of the objector Mrs Suddick who was the proprietor of the nearby Crown and Crossed Swords pub. She made the following points in support of refusal of the application.

- Although Highways have submitted no objections to the proposals, parking in Shotley Bridge remains a big issue, she advised that the private car park in ownership of the Crown and Crossed Swords was being abused because there was a shortage of parking in the vicinity.
- She made reference to yellow lines and restricted parking times and difficulty in emergency vehicles being able to park safely in the event of emergency;
- With regard to the welcome area proposed she questioned whether this would be audited to ensure the space was not being used to provide additional covers in the restaurant.
- Further units within the village are soon to be utilised and this would further increase parking problems;
- Will be incumbent on other businesses in the area.

MR DODDS: Speaking in Support of the Application.

Mr Dodds advised that he was speaking in support of the application on behalf of Mr Talai the applicant. He made the following points in support of the application.

- 4 letters of support received from neighbouring businesses along with a petition containing 1309 signatures;
- Development will not increase car parking problems as no further covers will be provided;

- Area will be used as a waiting area and will create a pleasant and vibrant addition to the restaurant;
- With regard to illegal parking within the Crown and Crossed Swords car park, this would be a matter for the police and not a planning consideration;
- Customers of the restaurant would benefit from restaurant level toilets which do not currently exist, a problem which has often been made known to staff;
- Can ensure that no further covers will be provided for in the restaurant;
- Storage of wheelie bins inside will be of benefit to Messenger Bank and also meets Environmental Services and Health & Safety regulations;
- The restaurant attracts visitors to the village which has a positive impact on surrounding businesses;
- The property currently stands vacant and has been boarded up for approximately 1 year, Mr Talai is willing to put major investment into the property and ensure a high standard of design is delivered.

In response to the comments made by the objector the Development Control Manager stressed that no further covers would be provided in the restaurant, this would be monitored by a condition attached to the application and Enforcement procedures. With regard to illegal parking she advised that this would be a matter for the Police.

Councillor Westgarth suggested that the applicant should pay for a barrier at the Crown and Crossed Swords car park to prevent illegal parking.

In response the Director of Environmental Services added that this was not a practical solution, he reiterated that the property was previously a shop and if approved would not intensify business or traffic.

Councillor Williams added that traffic issues were a problem in the village and agreed that some measure should be put in place to alleviate problems in the private car park.

Councillor Lavin made reference to the proposed elevations of the development; he suggested that a rollover garage door be used on the bin storage as proposed for the flat. In response the Development Control Manager advised that this feature was likely to have been included at the request of the Design and Conservation Officer.

Councillor Cook added that in his opinion the creation of a waiting area within the restaurant would increase custom and in turn increase traffic.

The Development Control Manager added that it would be difficult to argue that the development would increase traffic.

Councillor Watson added that the traffic issues were noted however the Highways Officer was not objecting to the application. He added that the renovation of the property would enhance the area. In conclusion he added that the restaurant was a first class facility and should be recognised for its support to other businesses within the village.

Following a vote being taken it was

RESOLVED: that Planning Application 08/0594 be approved subject to:-

- Time Limit (ST).
- Approved plans (ST01).
- The garage for the flat is to be used for no purpose other than for the parking of motor vehicles unless otherwise agreed in writing with the local planning authority.
- The reception area shown on plan 291/08/01 shall be used only to accommodate customers who are waiting for the restaurant area and no food service is to take place within this area.

08/0539 MR S BEVINGTON

Change of Use and alterations to form one residential unit, Inkerman Farm, Inkerman Road, Tow Law, Bishop Auckland.

The Senior Area Planning Officer presented the report which recommended approval of the application. He advised that the development would be subject to a further application for Scheduled Ancient Monument Consent.

He further advised that as the application bordered with Wear Valley District Council they had been consulted and had objected to the proposals on grounds of policies within the Regional Spatial Strategy.

He continued to run the report highlighting that there were some proposed changes to the conditions within the report and these were circulated to members for their consideration. The changes were as follows:-

- 1) REPLACE CONDITION 1 WITH:
 - The development must be begun not later than the expiration of three years from the date of permission.
 - Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2) INSERT ADDITIONAL CONDITION AFTER CONDITION 1
 - Should this development not have been commenced within twelve months of the date of this permission, then no development, including any demolition or removal of part(s) of the building(s), shall take place until a further bat survey, including bat emergence survey, has been carried out between the months of May to September inclusive and the results of the survey have been given in writing to the Local Planning Authority.

Moreover, should any bats be found to be present in the buildings as a result of the survey then a Mitigation Strategy and Method Statement shall be submitted to and agreed in writing by the said Authority following consultation with Natural England. Thereafter, any development shall proceed wholly in accordance with the said agreed Mitigation Strategy and Method Statement.

- Reason: Because the submitted survey will by then be out of date; in order to protect against possible disturbance to wildlife species especially protected by law, including bats and in accordance with the objectives of policy GDP1 of the Derwentside District Local Plan.

Councillor Campbell as ward member added that he supported the application, however he urged members to disregard the comments made by Wear Valley District Council and questioned their validity. He made reference to a recently approved development for an Eco Village within the same area.

Further discussion took place regarding the Scheduled Ancient Monuments and boundary of the property in question.

Following a vote being taken it was

RESOLVED: that Planning Application 08/0539 be approved subject to:-

- The development must be begun not later than the expiration of three years from the date of permission.
- Should this development not have been commenced within twelve months of the date of this permission, then no development, including any demolition or removal of part(s) of the building(s), shall take place until a further bat survey, including bat emergence survey, has been carried out between the months of May to September inclusive and the results of the survey have been given in writing to the Local Planning Authority. Moreover, should any bats be found to be present in the buildings as a result of the survey then a Mitigation Strategy and Method Statement shall be submitted to and agreed in writing by the said Authority following consultation with Natural England. Thereafter, any development shall proceed wholly in accordance with the said agreed Mitigation Strategy and Method Statement.
- Development to be in accordance with submitted plans (ST01).
- This permission related to the application as amended by the Block Plan received by email on 24th September 2008 at 12.09 hours.
- Removal of Permitted Development Rights (PD01) in order to protect any possible underlying archaeologically important remains and prevent any possible disturbance of the Scheduled Ancient Monuments DU137 and 30929 and in accordance with the objectives of policies GDP1 and EN19 of the Derwentside District Local Plan.
- No development shall take place within the area outside of the buildings until details of arrangements have been submitted, agreed in writing and submitted to the Local Planning Authority for the presence of an

- archaeological advisor to be present during and excavation works including those required for any drainage works, fencing erection, and patio construction. Moreover, in the event of being requested to do so by the said advisor, any such works shall cease immediately and an opportunity shall be afforded to record and remove any finds or to redesign the works so as to avoid damage to underlying archaeological finds.
- No development, including any demolition or removal of part(s) of the building(s), shall take place unless it is in accordance with the mitigation detailed within the 'BAT AND BARN OWL SURVEYS FOR THE OLD STABLE BLOCK AT INKERMAN FARM TOW LAW,' protected species report, including, but not restricted to adherence to precautionary working methods. Moreover, a copy of the said report shall 1) be given to any contractor(s) working on the conversion, and 2) be retained on the site at all times for reference during the conversion.
 - The details of the design of the fencing shall be submitted to and agreed in writing by the Local Planning Authority before the development hereby approved is commenced and thereafter the fence shall be constructed entirely in accordance with the agreed details.
 - Notwithstanding the details of the submitted application, all windows shall be timber, be recessed a minimum of 100mm within their openings and shall be painted white.
 - Notwithstanding the details of the submitted application, all roofing slates used on the conversion shall be natural slates a sample of which shall first be submitted to and agreed in writing by the Local Planning Authority.
 - Notwithstanding the details of the submitted application, the garage door(s) shall be of a type that do not at any time while opening or closing protrude over the highway and shall be fully retractable when in the open position.
 - No development within the front highway footpath, including any kind of resurfacing, shall take place except in accordance with details which have first been submitted to and agreed in writing by the Local Planning Authority.
 - Notwithstanding the details of the submitted application, the details of the proposed site drainage, including positioning, shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter, the development shall proceed wholly in accordance with the agreed details unless alternative details have first submitted to and agreed in writing by the said Authority.
 - The grassed and patio areas shown on the submitted amended Block Plan received by email on 24th September 2008 at 12.09 hours shall be retained solely as grassed and patio areas respectively at all times and the said patio area shall only be constructed in accordance with details which shall first be submitted to and agreed in writing by the Local Planning Authority.

In accordance with Standing Order 33, Councillor O.Milburn declared an interest in the following application.

08/0547 MRS A CHAPMAN

Erection of stables, hay store and tack room, and siting of two mobile field shelters, creation of access road (resubmission) Land to the south of Hawthorne Terrace, Tanfield, Stanley.

The Senior Area Planning Officer presented the report which recommended approval of the application, he advised that the application was a resubmission on a previously withdrawn larger application. It was further noted that there was a typographical error within the report in paragraph 18 in that all measurements should read 2.4 m.

He advised that the application was for the private use of 4 horses and would not have any commercial use. He continued to advise of the objections received however pointed out that the application submitted was on a much smaller scale than that previously submitted.

He also pointed out that the two mobile shelters would not normally be classed as development and technically would not require planning permission.

Councillor Milburn pointed out that there were no photographs showing the access road and felt this was very important, she advised that a traffic monitoring exercise had taken place in the village over a 4 week period and this had highlighted that cars were speeding through this area. She also pointed out that visibility was poor at the intended access and exit. She asked members that a site visit be considered.

Councillor Rothwell and Councillor Christer added that they supported Councillor Millburn's comments.

Lengthy discussion took place regarding the access and exit and it was the general consensus of members that this should be considered carefully and looked into further.

The Chair asked that photographs be provided of the access and exit for those members who would be unable to attend a site visit if members were minded to defer the application.

Following a vote being taken it was

RESOLVED: that Planning Application 08/0547 be deferred to allow a site visit to be undertaken on Monday 3rd November 2008 at 10.30 a.m.

Conclusion of Meeting

The meeting closed at 3.10 p.m.

Chair

DEVELOPMENT CONTROL COMMITTEE

Minutes of a meeting of a Site Inspection carried out by the Development Control Committee on Monday 3rd November at 10.30 a.m.

Present

Councillor T. Clark (Vice-Chair in Chair)

Councillor B. Alderson, M. Campbell, T. Clark, O. Milburn, T. Pattinson, S. Rothwell, E. Turner, A. Watson, J. Williams, M. Wotherspoon, R. Young.

Apologies

Councillor I. Agnew, R. Ellis and T. Westgarth.

39. PLANNING APPLICATION 080/0547 – ERECTION OF STABLES, HAY STORE AND TACK ROOM, AND SITING OF TWO MOBILE FIELD SHELTERS, CREATION OF ACCESS ROAD (RESUBMISSION) LAND TO THE SOUTH OF HAWTHORNE TERRACE, TANFIELD, STANLEY.

The Vice Chair opened the meeting and the Senior Area Planning Officer referred to the minutes of the Development Control meeting held on 23rd October 2008 when consideration of Planning Application 08/0547 had been deferred for a site visit.

The Senior Area Planning Officer advised members of the proposed location for the stables and tack room and their position in relation to Tanfield Manor. He advised that the stables and tack room would be tucked away from view below the brow of the hill which sloped away across the site.

Councillor Milburn acknowledged that objections over the siting of the stables had been withdrawn on this smaller scale application, however concerns remained regarding the access. The Senior Area Planning Officer advised that the field could be used without planning permission for the grazing of horses, including the use of portable field shelters, and therefore vehicles would still be entering and exiting the site. He continued that the applicants owned the access but that the residents of Hawthorne Terrace would have established rights of access across it through the passage of time. He mentioned that the Highways Officer was satisfied that it was an established right of access and that he had no objections to the reduced use providing it was private. The access track within the field would be improved as part of the scheme and a gate fitted.

He advised that the application was for a smaller number of horses to be kept on the site with storage facilities; this latter would reduce the number of times vehicles would have to access the site for delivery of hay, etc. He further advised

that the site would be for private use only and this would be covered by a recommended condition.

Councillor Pattinson added that he had concerns regarding the manoeuvring of horse boxes, etc, as there was a restricted line of sight when leaving the site.

The Planning Officer added that it would be possible to add a condition to the application for the provision of a sign on the highway to warn oncoming cars of manoeuvring vehicles.

The Chair thanked members for their attendance and advised that the application would be fully debated at the next meeting of the committee scheduled to be held on Thursday 13th November 2008.

Conclusion of meeting

The meeting closed at 10.45 a.m.

Chair

DERWENTSIDE DISTRICT COUNCIL

DEVELOPMENT CONTROL COMMITTEE

13th November 2008

REPORT OF DIRECTOR OF ENVIRONMENTAL SERVICES

APPEAL DECISION

**Appeal against the refusal of permission for the erection of six apartments
on land to the east of 5 George Street, Blackhill.**

1. This appeal relates to an application for the erection of six apartments on land to the east of 5 George Street, Blackhill which was refused permission by the Development Control Committee on the 27th March 2008. The application was refused on the grounds that there would be insufficient parking space to adequately serve the anticipated high levels of occupation which would lead to an increase in on street parking in the vicinity to the detriment of local amenity and highway safety, that the proximity of the development to neighbouring property would mean the building would have an overbearing effect on neighbouring properties in terms of light, outlook and privacy and that the scheme failed to incorporate sufficient amenity space for future occupiers of the property. The Planning Inspector dismissed the appeal.
2. The Inspector was of the view that despite the wide variety of styles in the area the proposals would harm the character and appearance of the surrounding area, contrary to local and national policy. In particular he made reference to PPS1 which promotes a high quality built environment for all and requires that new development should take the opportunity to improve the character and quality of the area. The Inspector recognised the design of the proposal sought to echo some aspects of the traditional Victorian terraces alongside it, but was of the opinion that it would fail to embrace two key characteristics; a lively street presence balanced with enclosed private yards. It was considered that the lack of entrance doors on the front with accesses taken from the rear would make the building turn its back on the street, contrary to the predominant urban grain in the area and the false windows onto the street, designed to look like blocked up doorways, would fail to produce the vital presence that arises from comings and goings at front doors in active use.
3. The Inspector considered that as the building would be deeper than the neighbouring building with a shallower-pitched wide span roof, would result in the ridge of the existing and proposed buildings being out of line. The Inspector was of the view that in such close proximity to the

- neighbouring building this would produce a disjointed effect that would draw attention to the different roof pitch and the increased depth of the proposed building, causing a clumsy relationship with the existing block that would highlight the differences between new and old.
4. It was considered that the old / new contrast would be further exacerbated by the proposed unenclosed rear parking area which would be at odds with the traditional high walled rear yards, with vehicle access doors at properties alongside and across the back lane. The Inspector was of the view that the open block of tightly packed parking would be an intrusive feature in the streetscape which would be contrary to PPS3 which encourages parking space that is well integrated within the public realm.
 5. The Inspector recognised that the separation distances between the proposed property and those properties to the front and rear would be sufficient to diminish any significant loss of privacy or daylight. However the Inspector was of the opinion that given the close proximity of the adjacent property (5 George Street) that there would be an oppressive outlook from both these windows and significant loss of sunlight from one of these windows which would significantly alter the living conditions of the neighbouring residents. The Inspector recognised that this would not be an overriding reason for refusal in itself, but concluded that this would add a little weight to the view that the proposal would be harmful to the character of the area.
 6. Turning to the living conditions of future residents of the proposal, the Inspector was of the opinion that as the apartments would face onto rear car parking with no amenity space, and as two accesses would be on the gable end of the building, that this would not result in a high quality environment for residents which is encouraged by Planning Policy Statement 1.
 7. In terms of parking provision and highway safety the Inspector was of the opinion that the eight on-site parking spaces proposed would comfortably accord with the County Highways Authority Guidelines of a maximum of 1.5 spaces per dwelling. Furthermore the Inspector considered that given the location was within easy reach of public transport and existing local services, that it would be feasible for future occupants to function without a private car and therefore there should be little additional pressure for on-street parking space. The Inspector also recognised that the traffic arising from the site would be less than that from the existing car park on site. The Inspector therefore concluded that the proposal would not cause any significant harm to highway safety and that it would comply with national and local policy in this respect.

8. The Inspector concluded that despite the acceptable levels of parking on-site and traffic from the site that this would not outweigh the concerns in terms of design.

Recommendation

7. This report be noted.

Report prepared by Louisa Ollivere, Area Planning Officer.



Appeal Decision

Site visit made on 30 September 2008

by **Wenda Fabian** BA Dip Arch RIBA IHBC

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

The Planning Inspectorate
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Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

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Decision date:
9 October 2008

Appeal Ref: APP/V1315/A/08/2075970

Former Surgery Car Park, George Street, Blackhill, Consett, County Durham DH8 0AE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by M & L Associates Design & Build Ltd against the decision of Derwentside District Council.
- The application Ref LO/1/2008/0077/DMFP, dated 6 February 2008, was refused by notice dated 23 April 2008.
- The development proposed is the provision of six apartments.

Decision

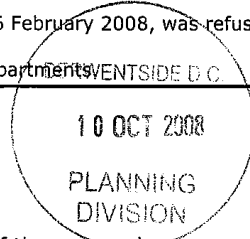
1. I dismiss the appeal.

Main issues

2. The main issues in this appeal are the effect of the proposal on:
 - i) the character and appearance of the surrounding area;
 - ii) the living conditions of adjacent residential occupants in terms of daylight, privacy and outlook and of future occupants in terms of the provision of private external space; and
 - iii) highway safety in relation to parking provision.

Reasons

3. The appeal site is an enclosed carpark at the end of a residential terrace. It formerly served the adjacent doctors' surgery, which is now vacant. The surrounding area is predominantly residential, with mainly traditional two storey stone terraces alongside and behind the appeal site, built directly onto the footway and with enclosed rear yards off a back lane. Directly opposite are modest terraced 1980s houses, set back slightly with grassed front areas and close-by is a mix of earlier 20th century terraced and semi-detached housing.
4. Policy GDP1 of the *Derwentside District Local Plan, 1997*, (LP) seeks to ensure that new development is of a high standard of design, in keeping with the area and, amongst other things requires that proposals should provide adequate landscaping and protect the amenities of neighbouring occupants.



Character and Appearance

5. The government's PPS1¹ promotes a high quality built environment for all and requires that new development should take the opportunity to improve the character and quality of an area. Whilst the design of the proposed terrace seeks to echo some aspects of the traditional Victorian terraces alongside, it would fail to embrace two key characteristics; a lively street presence balanced with enclosed private rear yards. This lack would diminish the quality of the built environment around the appeal site.
6. Like the adjacent terrace, the proposed block of six apartments would also be built directly onto the footway but without entrance doors onto it; all access would be via entrances off the footway at one side gable, off a narrow path between adjacent gables or at the rear, opening off a hard paved parking area. The main public activities of visitors, postal and other deliveries would all arrive at the rear or sides. In effect, the proposed building would turn its back on the street, contrary to the predominant urban grain in this area. Whilst some windows onto the street have been designed to look like blocked up doorways, this artificial device would fail to produce the vital presence that arises from comings and goings at front doors in active use.
7. The proposed building would be built close to the gable of the adjacent terrace, but a little deeper than it and with a shallower-pitched, wider-span roof. Little context information has been shown on the submitted drawings. The adjacent existing terrace is indicated only by a nominal line on the proposal elevation, which appears to show that the eaves and ridge heights proposed would be similar to the existing ones. However, the visual effect of this massing in the context of the street is not demonstrated on the proposal drawings. In three dimensions this would result in the ridge of the existing and proposed buildings being out of line. In such close proximity (only 1.2m between the two gables), this would produce a disjointed effect that would draw attention to the different roof pitch and the increased depth of the proposed building, causing a clumsy relationship with the existing block that would highlight the differences between new and old.
8. This contrast would be exacerbated by the proposed unenclosed rear parking area, which would be entirely at odds with the traditional high walled rear yards, with vehicle access doors, at properties alongside and across the back lane. PPS3 urges a design-led approach to the provision of parking space that is well integrated with a high quality public realm. The open block of tightly packed parking would be an intrusive feature in the streetscape, which would fail to accord with this aim.
9. Taken all in all and despite the wide variety of styles in the area, I conclude that the proposals would harm the character and appearance of the surrounding area, contrary to local and national policy.

Living Conditions

10. The relationship of the proposed building to those opposite and behind it would be almost identical to that between adjacent terraces. Whilst, unlike many of

¹ Planning Policy Statement 1: Delivering Sustainable Development

these, there would be living rooms at first floor opposite bedroom windows, separations distances would be sufficient to diminish any significant mutual loss of privacy or daylight. However, the proposed building would be close to two first floor bedroom windows in the gable of the adjacent dwelling. I have seen that these are secondary windows; the main windows in each of these rooms face to the front and rear. Nevertheless, such extreme proximity would produce an oppressive outlook through these windows and the effect would be particularly marked in one room, where the primary window is north facing and sunlight through this secondary, east facing window, would be almost completely lost.

11. The appellant disputes that the windows on this party boundary are original to the terrace and suggests that a building in the former builder's yard on the appeal site previously abutted the gable. Apart from a plan showing the footprint of a building in this position, little has been submitted to convince me that it was not below the window level. In any event, whether or not the windows are original, they have clearly been in existence for a substantial length of time and I have assessed the appeal on the current circumstances. I conclude that the proposal would significantly alter the living conditions of the neighbouring occupants and although not an overriding reason for refusal in itself, this adds a little weight to my conclusion on the first main issue.
12. Turning to the living conditions of future occupants of the proposal, there would be no private outdoor space available to any of the six proposed apartments. PPS3² promotes the provision of a wider mix of dwellings to suit all sectors of the community. Dwellings without outdoor space are not an uncommon feature of modern urban living and I note the easy access to the nearby Derwent Walk footpath and cycleway. Nevertheless, PPS3 also seeks to ensure good well laid out housing design. The south-facing living spaces in the proposal would face onto a rear hard paved space almost entirely devoted to car-parking. Furthermore, the main access to two of the apartments would be via a narrow 1.2m wide path between high gables, which would not only create an oppressive route home, but would possibly result in difficulty with moving in larger items of furniture and equipment for future residents of these apartments. I have seen little to convince me that this would provide the kind of high quality environment envisaged by either local or national policy. This aspect adds further weight to my conclusions above.

Parking Provision and Highways Safety

13. LP policy TR2 requires new development to provide parking in accordance with standards set out in Appendix D. These standards have not been supplied with the submissions. However, the Highway Authority's Accessibility and parking Guidelines, 2003, set out a maximum (not a minimum) requirement of 1.5 spaces per dwelling. The provision of eight on-site parking spaces as proposed – one per apartment and two visitor spaces – would comfortably accord with this guideline. National policy is aimed at reducing car use. PPG13³ establishes that reducing the amount of parking in new development is essential, as part of a package of planning and transport measures, to promote sustainable travel choices. The appeal site is within easy reach of public transport and existing

² Planning Policy Statement 3: Housing

³ Planning Policy Guidance Note 13 – Transport

local services; it would be feasible for future occupants to function without a private car. In this context, the proposed number of parking spaces would be adequate to ensure little additional pressure for on-street parking space.

14. The traffic arising from the proposal would be less than that from the existing car-park on the appeal site. I have seen little to demonstrate that the proposal would cause any significant harm to highway safety; consequently it would comply with national and local policy in this respect. This positive finding does not lessen my findings in relation to the other main issues. The suggested omission of the rear dormer would not address my main design concerns set out above.
15. I conclude overall that the appeal should be dismissed.

Wenda Fabian

Inspector

DERWENTSIDE DISTRICT COUNCIL**DEVELOPMENT CONTROL COMMITTEE****13th NOVEMBER 2008****REPORT OF THE DIRECTOR OF ENVIRONMENTAL SERVICES****PLANNING APPLICATIONS AND ASSOCIATED MATTERS****CONTENTS**Site Visits

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SITE VISITS

08/0547

01/08/2008

Mrs A Chapman

Land to the south of
Hawthorne Terrace, Tanfield,
Stanley

Erection of stables, hay store
and tack room, and siting of
two mobile field shelters,
creation of access road
(resubmission)

Tanfield Ward

The Application

1. At the last meeting of the Development Control Committee on the 24th October 2008 the Committee decided to defer consideration of a report regarding the erection of stables, hay store and tack room, and siting of two mobile field shelters, creation of access road (resubmission) on land to the south of Hawthorne Terrace, Tanfield to allow a site visit to be undertaken.
2. The site visit has now taken place and the Committee should be in a position to determine whether or not planning permission should be granted. The officer's recommendation remains as previously for Conditional Permission.

Recommendation

3. Conditional Permission
 - Standard Time Limit (ST).
 - Approved Plans (ST01).
 - Screening (C14).
 - The stables hereby approved shall be used solely for private use only and shall not be used for any business or livery use.
 - Reason: To define the consent.
 - Details of the access road and gate from the Hawthorne Terrace access to the site of the stables shall be agreed in writing with the Local Planning Authority prior to the commencement of the development.
 - Reason: In the interests of the amenity of neighbours and Highway Safety in accordance with Policy TR2 of the Local Plan.
 - This permission relates only to the siting of the structures hereby permitted on the application site. No other structures are to be placed on the land without the further written approval of the Local Planning Authority.
 - Reason: In order to prevent further buildings being sited on the land, in the interests of the appearance of the area in accordance with Policy

GDP1 of the Local Plan.

- Details of design and dimensions of the proposed field shelters shall be agreed in writing with the Local Planning Authority prior to the commencement of the development.
- Reason: In the interests of local amenity and to define the approval.
- Details of any services to the stables shall be submitted to and approved in writing by the Local Planning Authority. The services shall be installed in accordance with the approved details. No services are to be provided in the form of overhead wires.
- Reason: In the interests of the appearance of the development in accordance with Policy GDP1 of the Local Plan.

4. Reason for Approval

The proposal is considered to accord with the aims of Policy GDP1 of the Derwentside District Local Plan. There are some concerns relating to highway safety, however the Highways Officer is satisfied the proposal is acceptable as long as it is for private use only. The scheme is considered to be acceptable having regard to all other material considerations, particularly those relating to the scale, design, location and impact of the proposals on the amenity of adjacent occupiers and the visual amenity of the surrounding area. In relation to the objections received concerning impacts upon neighbouring amenity and environmental impacts, these were not considered of sufficient influence to refuse the application as the scale of the proposal was considered acceptable taking into account the distance to neighbouring dwellings.

Report prepared by Stuart Carter, Planning Officer.

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DISTRICT COUNCIL DEVELOPMENTS

08/0560

04/08/2008

Derwentside District Council

Area 13, Number One Industrial Estate, Consett

Construction of first phase of new business park centre including parking area Consett North Ward

The Application

1. This application is brought before you because this is classed as a 'major' development and the Council has submitted the application. The proposal is the first of a four stage development of a Business Centre within the Villa Real, Consett Business Park. The overall site size is 0.98 hectares. This first stage (Phase A) would provide 17 self contained office units ranging in size from 14 – 35sq metres together with a lift, meeting rooms, breakout spaces, a kitchen, toilets and a shower for cyclists, etc. use. Parking would accommodate 32 standard spaces, 2 disabled ones and 2 for motorcycles. The offices would be designed to the latest office standards and incorporating 'state of the art' internet and telephone connectivity.
2. Phases B and C are envisaged as providing another ten office units each, whilst phase D would provide a frontal central reception area and a training room.
3. The building would be curved, reflecting the curve of Werdohl Way which bounds this estate on its north and east sides. It would be two storeys, to be in keeping with development on adjacent plots. The proposed finishes include a lead grey coloured standing seam sloping roof and curtain walling with powdered coated aluminium framing.
4. Access is proposed from the south via the Derwentside Business Park Estate. Landscaping is proposed around the site with existing trees retained and supplemented.
5. The site is relatively flat and forms the last available development area within this estate. The site presently contains an area of water due to the ground's poor permeability.
6. The application includes a Design and Access Statement, a Framework Travel Plan, a Flood Risk and Drainage Impact Assessment, and a Pre-characterization Investigation. This latter had the objectives of investigating the shallow ground conditions beneath the site, of proving the thickness of the topsoil prior to stripping and of sampling the soils for inert, non-hazardous or hazardous waste.

7. The site contains three capped mine shafts. When the application was submitted it was thought that one each lay beneath the site of proposed Phases A and B while the third was beneath part of the proposed car parking. It is now known that none of the shafts lie within the site.

History

8. An Outline application for the layout of an Industrial Estate for B1, B2 and B8 uses and road layout at Villa Real was approved on 9th April 1992 (reference 1/1991/0233/DM).

Policy

9. The following Government guidance, regional and local policies, etc. are relevant in determining this application:

Planning Policy and Design Statements

10. PPS1 – Delivering Sustainable Development
PPG4 – Industrial, Commercial Development and Small Firms
PPG13 – Transport
PPG14 – Unstable Land
PPS23 – Pollution Control
PPS25 – Flood Risk

The NE of England Plan / Regional Spatial Strategy to 2021

11. 2 – Delivering Sustainable Development
6 – Locational Strategy
7 – Connectivity and Accessibility
8 – Protecting and Enhancing the Environment
9 – Tyne and Wear City-Region
15 – Information and Communications Technology Networks
35 – Flood Risk
38 – Sustainable Construction
39 – Renewable Energy Generation
54 – Parking and Travel Plans

Local Plan Policies

12. GDP1 – General Development Principles
EN11 – Trees and Development
EN27 – Development on sites close to landfill and contaminated sites
IN2 – Development within Business Parks
IN6 – Development within Landscaped Areas
TR2 – Development and Highway Safety
TR3 – Cycling

Consultations

13. County Highways Development Control Officer: advises that the principle is acceptable. Most pedestrians would arrive via Werdohl Way and the existing access road. A continuous footpath link from the site entrance should also be provided on the eastern side. This would also aid cyclists once they have parked. He also recommends a footpath link to the east onto Werdohl Way.

14. Cycling shelters are good, but recommends the provision incorporate three 'Sheffield' shelters (accommodating 6 cycles) and that this provision be doubled.

15. Therefore no objection is raised subject to a cycling provision condition and another requiring:

'Within 6 months of the hereby approved building being first occupied a Travel Plan shall be submitted for approval.

Reason: In order to encourage sustainable travel modes to and from the development.'

16. Environment Agency: recommends the following condition be imposed on any permission granted:

'Development shall not commence until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development has been submitted to and approved in writing by the local planning authority. The scheme will provide confirmation of the means of surface water disposal, and demonstrate that the drainage layout is acceptable within the 100 year peak storm event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To prevent the increased risk of flooding.'

17. They also recommend:

'Surface Water (SW) drainage be discharged to a watercourse and that the SW scheme attenuates existing Greenfield SW run-off rates at the site.'

18. However, should SW drainage be discharged to a mains sewer, the SW discharge rate would require to be agreed with Northumbrian Water rather than the Agency.

19. The submitted Flood Risk Assessment (FRA) discusses the use of Sustainable Urban Drainage Systems (SUDs) and, in particular, a pond to attenuate surface water. The Agency strongly encourages other

SUDs methods as listed in Appendix B of the submitted FRA be implemented. Approved Document Part H of the Building Regulations 2000 sets out a hierarchy for SW disposal that encourages a SUDs approach – the first option should be to use SUDs which limit flows through infiltration – soakaways or infiltration trenches, providing these are feasible, can be adopted and, properly maintained, should not lead to other environmental problems. e.g. such drainage would be unsuitable on contaminated land due to groundwater pollution risks. Soakaways should be shown to work through an appropriate assessment carried out under Building Research Establishment Digest 365.

20. Foul Drainage - within an e-mail from Northumbrian Water to the local planning authority dated 27 August 2008, it is stated that the proposed means of discharging foul drainage from the development is subject to the completion of Northumbrian Waters' Capital Investment Programme, which would allow an increased capacity within the existing sewerage system. Should this not be the case, and in the event of any foul drainage from the development proposed to be discharged to non-mains drainage systems, they would then wish to be re-consulted, and point out that a separate consent may need to be obtained from the Environment Agency.
22. Sustainable Energy Use / Renewable Energy Development – they consider that a planning application of this scale should incorporate sustainable construction and renewable energy generation principles. Nationally, the Government seeks to minimise energy use and pollution, and move towards a higher proportion of energy generated from renewable sources. In line with the adopted Regional Spatial Strategy for the North East, they consider the proposed development should incorporate Policies 38 (Sustainable Construction) and 39 (Renewable Energy Generation).
23. In conforming to these policies the proposed development should be designed to ensure energy consumption is minimised to achieve energy best practice to meet the Building Research Establishment's Environmental Assessment Method (BREAM). In addition, they consider the proposed development should have embedded within it a minimum of 10% energy supply from renewable resources.
24. Northumbrian Water: recommend the imposition of two conditions and advise as follows:

'Development shall not commence until a detailed scheme for the treatment of the foul flows from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water. The development shall not be occupied on site until the scheme for the treatment of foul flows has been completed and commissioned in accordance with the approved details.

Reason: The Sewage Treatment Works (STW) to which the development will discharge is at full capacity and cannot accept the foul flows. There is no spare sewage treatment capacity at Consett STW for any significant developments and we are currently investigating the impact on sewage treatment from all planned development in the town. A scheme to increase the capacity is being designed and is in the Company's capital programme with an anticipated completion in year 2010.'

'Development shall not commence until a detailed scheme for the disposal of surface water from 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.'

Reason: To ensure the discharge of SW from the site does not increase the risk of flooding from sewers in accordance with the requirements of PPS25 "Development and Flood Risk" and complies with the Hierarchy of Preference contained within the Revised Part H of the Building Regulations 2000. Namely:

Soakaway
Watercourse and finally
Sewer

If a sewer connection is the only option the developer should contact the New Development Team at NWL, Leat House, Pattinson Road, Washington, NE38 8LB to arrange for a developer Enquiry to ascertain allowable discharge points and rates.'

25. Durham County Council Travel Plan Advisor: has advised that the targets for bicycle (8%) and walking (10%) are too high, suggesting that 5% and 6% are more achievable initially.
26. Neighbours have been consulted and a site notice posted. No objections have been received.

Officer Assessment

27. The scheme is attractive architecturally, embodies good quality materials, and would provide a high quality environment for the new office tenants. The curved, two-storey building would be placed centrally in relation to the main access road from within the estate and would be seen as the visual 'stop' to this approach. It would provide a fitting and imposing completion to this Business Park in accordance with the objective policy IN2 of the Derwentside District Local Plan. The policy states that development here will only be approved if it includes business uses on the majority of the site, if units are of high specification and attractive, and very high quality landscaping and aesthetic features are incorporated, and there is no external storage. With the exception of the

inclusion of aesthetic features, which can be conditioned, this development meets all the requirements of the policy.

28. The first phase is designed to be able to stand alone in its own right but to be extendable as required and as the availability of funds permits.
29. A high quality landscaped setting is proposed, incorporating existing planting bolstered by new planting. A mound would be incorporated in the northwest corner. The details of this landscaping provision have not been submitted and thus require to be conditioned.
30. There is adequate car parking for the scheme's offices content and the servicing / manoeuvring arrangements are satisfactory. Additional cycle parking could be provided without compromising the layout and this should be conditioned.
31. The question of the sustainability of the development's construction and of its possible renewable energy generation has yet to be fully explored and this too can be conditioned.
32. Drainage is problematic in the immediate short term as Consett Sewage Treatment Works are presently at full capacity and are unable to accept the development's foul flows. This, however, is not an unusual situation. Northumbrian Water Limited have improvements programmed within their capital investment programme for implementation by 2010. The company has recommended two appropriate conditions that take account of this situation.
33. The Environment Agency has recommended a condition relating to the prevention of Flood Risk. It has also suggested that the drainage should incorporate a SUDs that does not rely on a pond for water attenuation. However, the site is clay in nature and has an extremely low porosity. This has resulted in large amounts of standing water being present on the site. Therefore, large scale infiltration techniques are not appropriate here. However, low level infiltration can be accommodated.
34. The solution proposed involves low level run-off into soft verges to footpaths around the building with the larger volumes of run-off from the roof, road and car park being discharged into an attenuation system that stores the water underground (in large pipes) before releasing it at greenfield run-off rates into the adjacent private sewer. The precise details need to be agreed and should therefore be conditioned in the manner similar to that suggested by Northumbrian Water Ltd.
35. Now that the site is known not to contain any former mine shafts, there is no need to consider the possibility of requiring special protective construction arrangements. However, no information has been sought relative to the possible emanation of mines gases (e.g. carbon dioxide and methane) from underneath the site. Even though the site appears to be generally overlain by non-porous clay material, it is considered

prudent to carry out what is now fairly standard practice and investigate for this possibility and to incorporate preventative measures dependant upon survey results. Again, this should be conditioned.

36. Security of the building and its surrounds, including lighting and CCTV coverage has not been addressed in the submission, and thus needs to be conditioned.
37. The ground investigation concluded that there were no particular risks from contaminated material being present on the site down to formation level. However, some lower level granular infill below the clay will need to be disposed of as hazardous waste.
38. The Transport Statement concluded that the site has very good vehicle links to local, regional and national routes and that it is accessible in both a convenient and safe manner on foot and cycle, and is accessible by public transport. The provisions of parking and cycle parking are in accordance with Durham County Council guidelines. A Travel Plan would be operated from the site. The frequency of accidents on the local road network, examined over a period of three years, was found to be extremely low (10 incidents) and there were no common causes of accidents. As the development is not considered to have no significant impact on current accident patterns there is no need to consider mitigation safety measures. Nor is the proposal predicted to have a noticeable impact on highway capacity or safety.
39. The Framework Travel Plan seeks to reduce staff's reliance on the car as a means of transport. The Plan advocates a Travel Plan Coordinator being appointed prior to the occupation of the development and the establishment of a Steering Group within three months of occupation. The plan sets a number of targets to be achieved for different modes of transport. This envisages, for example, 15% of staff arriving by public transport; 15% as passengers in car or van; 8% by bicycle; 10% on foot; 2% by taxi or minicab; and only 50% in their own car or van.
40. The principal aim is to reduce the number of car trips to the site. Businesses would be required to encourage their employees to walk and cycle to work and to use public transport. Car park space permits would be allocated to each office based on their office's ground floor area, and unauthorised car park users found on the site would be penalised (how is not specified). Phase A is intended to be served by 32 regular parking spaces, including those for visitors, and 2 disabled bays.
41. Taking into account the comments of the Travel Plan Advisor, this matter of fine detail can be left to debate and agreement between the two parties. A condition is warranted to require the establishment of the Travel Plan and the Coordinator.
42. No comments have been received in response to the posting of the site notice or to the notifications sent to neighbouring occupiers.

43. The proposal involves the construction of the first stage of an important business creating development. It would complete the development of this business area whilst also improving the environment dramatically.

Recommendation

44. Conditional Permission

- Development to commence within 3 years (ST).
- Development to be carried in accordance with plans and specifications. Add to end of reason – ‘and in accordance with policy GDP1 of the Derwentside District Local Plan (ST01).
- Development shall not commence until a detailed scheme for the treatment of the foul sewage flows from the development hereby approved has been submitted to and agreed in writing by the Local Planning Authority following consultation with Northumbrian Water. Moreover, the development shall not be occupied on site until the scheme for the treatment of foul flows has been completed and commissioned wholly in accordance with the agreed details.
- Reason: Because the Sewage Treatment Works at Consett to which the development will discharge is at full capacity and cannot accept the foul flows and in the interests of good drainage in accordance with the objectives of policy GDP1 of the Derwentside District Local Plan. As there is no spare sewage treatment capacity at Consett Sewage Treatment Works for any significant developments, Northumbrian Water Limited are currently investigating the impact on sewage treatment from all planned development in the town. A scheme to increase the capacity is being designed and is in the Company’s capital programme with an anticipated completion in year 2010.
- Development shall not commence until a detailed scheme for the disposal of surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority following consultation with Northumbrian Water. The scheme shall be based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development and demonstrate that the drainage layout is acceptable within a 100 year peak storm event. Thereafter, the development shall take place wholly in accordance with the approved details.
- Reason: To ensure the discharge of surface water from the site does not increase the risk of flooding from sewers and in accordance with the objectives of i) Planning Policy Statement 25 Development and Flood Risk, and ii) the objectives of policy GDP1 of the Derwentside District Local Plan and that it complies with the Hierarchy of Preference contained within the Revised Part H of the Building Regulations 2000, namely: Soakaway, Watercourse and Sewer.

- Notwithstanding the details of the submitted application, and before the development is commenced, a site investigation shall be carried out in order to ascertain the possibility of the emergence of mines gases from beneath the site. The method of investigation shall first be submitted to and agreed in writing by the Local Planning Authority and shall include borehole sampling at different barometric pressures. The results of the site investigation together with proposed mitigation measures considered necessary in the event of gases being found to be present shall be submitted to and agreed in writing by the Local Planning Authority. Moreover, any agreed mitigation measures shall be incorporated into the construction of the development.
- Reason: In order to protect future occupiers from risk of mines gases and in accordance with the objective of policies GDP1 and EN27 of the Derwentside District Local Plan.
- Notwithstanding the details of the submitted application and before the development is commenced, the details of sustainable construction measures to be incorporated into the development shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter, the agreed measures shall be implemented in the construction.
- Reason: In the interests of sustainable development and in order to meet the objectives of policy 38 Sustainable Construction of the North East of England Plan Regional Spatial Strategy to 2021 and policies GDP1 and IN2 of the Derwentside District Local Plan.
- Notwithstanding the details of the submitted application and before the development is commenced, the details of the provision of renewable energy measures to be incorporated into the development shall be submitted to and approved in writing by the Local Planning Authority.
- Reason: In the interests of sustainable development and in order to meet the objectives of policies 38 Sustainable Construction and 39 Renewable Energy Generation of the North East of England Plan Regional Spatial Strategy to 2021 and policies GDP1 and IN2 of the Derwentside District Local Plan.
- Before the development is brought into occupation, a Travel Plan Coordinator shall be appointed and a revised Framework Travel Plan shall be submitted to and agreed in writing by the Local Planning Authority and the said agreed Plan shall be implemented upon the occupation of the development.
- Reason: In the interests of sustainable development in accordance with the objectives of policies 38 Sustainable Construction and 54 Parking and Travel Plans of the North East of England Plan Regional Spatial Strategy to 2021 and of policies GDP1 and IN2 of the Derwentside District Local Plan.
- Notwithstanding the details of the submitted application and before the development is commenced, the details and numbers of the proposed cycle storage facilities shall be submitted to and agreed in writing by the Local Planning Authority.
- Reason: In the interests of the provision of adequate cycle

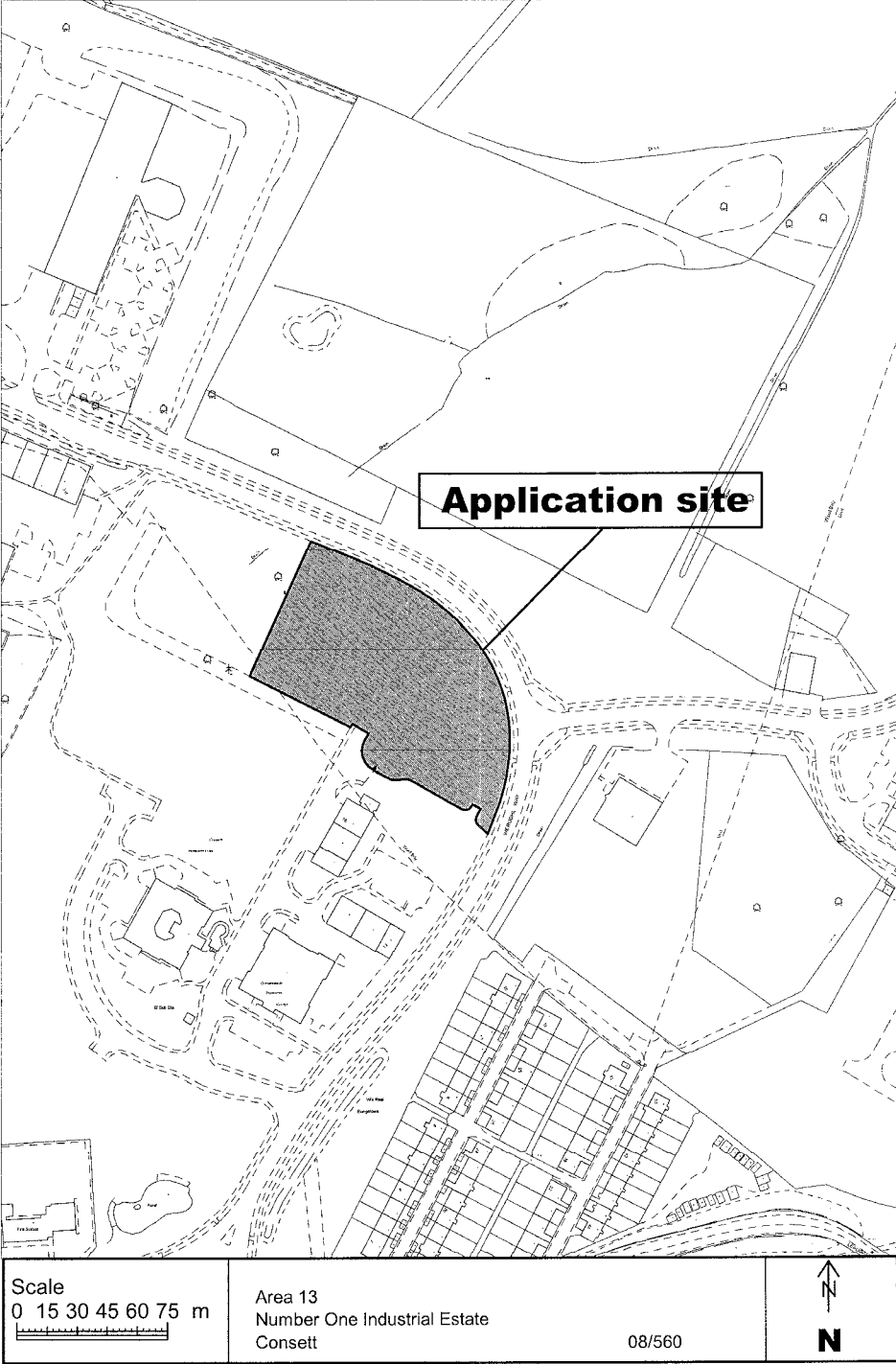
storage facilities and in accordance with the objectives of policy 54 Parking and Travel Plans of the North East of England Plan Regional Spatial Strategy to 2021 and of policies GDP1, IN2 and TR2 of the Derwentside District Local Plan.

- Before development is commenced a scheme for the provision of lighting and the closed circuit television monitoring of the site shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter, the said agreed scheme shall be wholly implemented and be operational prior to the development being brought into operation.
- Reason: In the interests of the safety of users of the site and of crime prevention and in accordance with the objectives of policies GDP1 and IN2 of the Derwentside District Local Plan.
- Before development is commenced a scheme and timetable for the provision of public art / aesthetic features within the development shall be submitted to and agreed in writing by the Local Planning Authority and the agreed scheme shall thereafter be implemented in accordance with the agreed timetable.
- Reason: In the interests of public art and in accordance with the objectives of policy IN2 of the Derwentside District Local Plan.
- Landscaping (LO1).

Reason for Approval

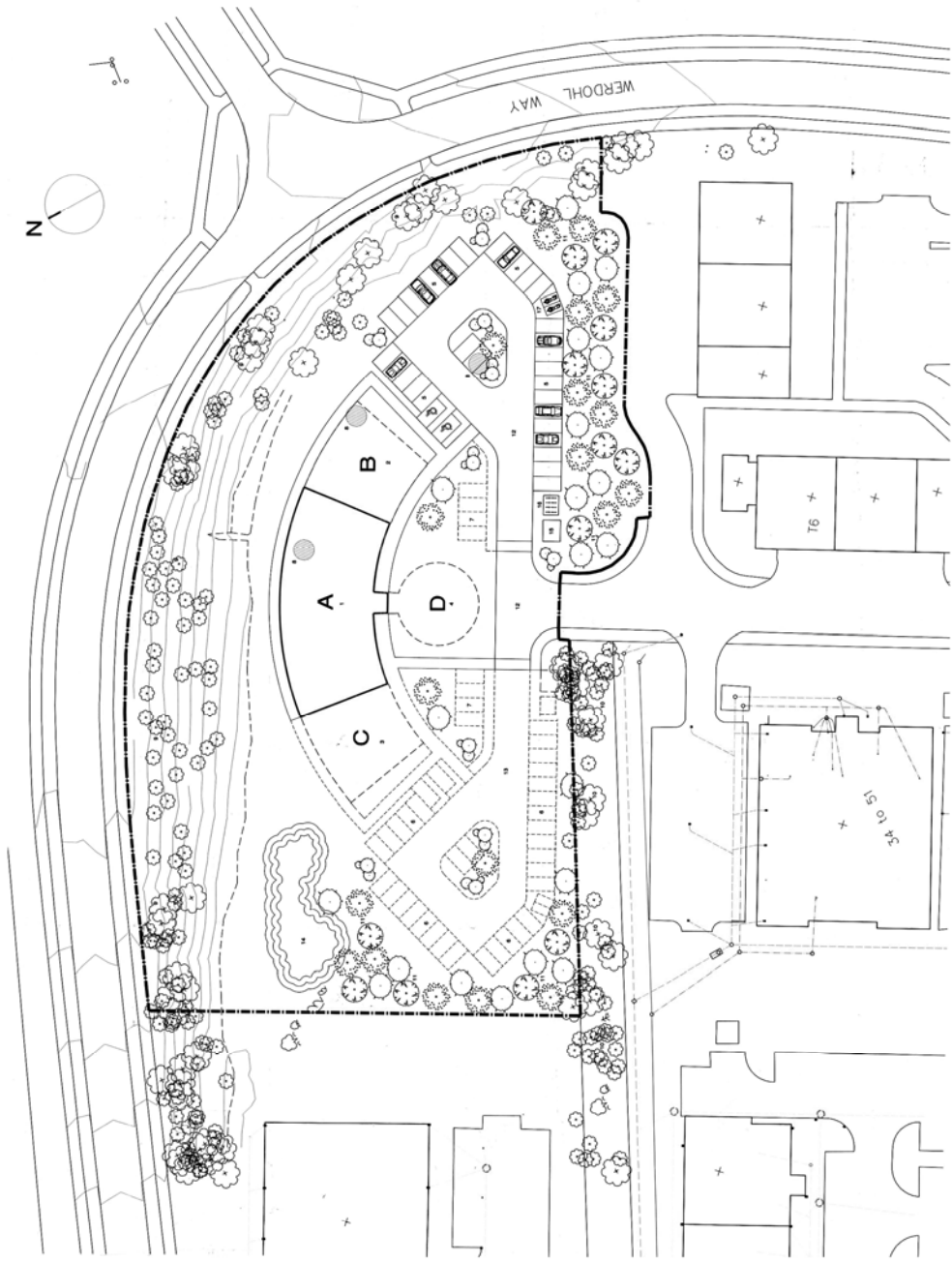
45. The proposal is in accordance with the objectives of the Derwentside District Local Plan, including policies GDP1, EN11, EN27, IN2, IN6 TR2 and TR3. It is also in accordance with all other key material considerations including those relative to business development, visual impact, access, development scale, landscaping, trees protection, brownfield land, employment generation, sustainability, renewable energy, mining safety, contamination issues and drainage. No objections were received 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.





Area 13
Number One Industrial Estate
Consent



Area 13
 Number One Industrial Estate
 Consent

RECOMMENDATION FOR APPROVAL

08/0430

04/06/2008

Mr and Mrs P Savota

The Raven Hotel, Broomhill,
Ebchester, Consett

Change of Use of land and
demolition of hotel to allow
residential development of 17
houses

Ebchester and Medomsley Ward

The Application

1. This application seeks Planning Permission for residential development on approximately 0.55 hectares of land currently occupied by The Raven Hotel and parking areas, and an existing dwelling (Garden House) which is sited on the upper section of Ebchester Bank. All existing buildings on the site would be demolished. Residential development of the site is being proposed as the applicant's claim the Raven Hotel is no longer profitable and has been in decline for a number of years, and the applicants have been unable to find an interested party to buy the site with its current use or for another potential economic or employment generating use.
2. The site lies in an elevated, prominent position above the settlement of Ebchester. The land slopes down steeply from the south to the north with the existing buildings on two different levels. To the north and south of the site are traditional single storey dwellings. To the east of the site is the B6309 roadway between Leadgate and Ebchester and to the west of the site is open countryside.
3. Permission is sought to erect seventeen dwellings. The site would comprise a mixture of house types. Two groups of four terraced, three storey properties; and two and three bed properties are proposed stepped down the bankside. Four semi-detached, three storey, four bed dwellings are proposed on the higher section of the site. Three large two storey detached, five bed units, are proposed at the rear of the site stepped down the hillside. Two detached two storey, two bed properties are proposed on the lower section of the site. The dwellings would have front and rear garden areas. All dwellings would have private driveways either to the front or rear of the properties. The terraced properties would front onto the B6309 road. The properties within the estate would front onto an area of proposed landscaped communal space. The scheme incorporates landscaping within the gardens, around driveways and along the northern and southern boundary of the site.
4. A modern contemporary scheme has been proposed with dwellings proposed to be constructed in orange brick with black timber cladding

with a mixture of steep pitched orange clay pantile roofs and natural black slate roofs. Doors and window frames would also be black. Large contemporary windows and a high level of glazing to the roof apexes of gable walls are proposed to maximise countryside views.

5. A new access would be created from the B6309 road to replace the existing two accesses that exist on the site.

History

6. A planning application for extensions and alterations was refused in 1978 (reference 1/1978/0413/DM).
7. In 1978 permission was granted for an extension to the public house (reference 1/1978/0708/DM).
8. An application for extensions and renovations was withdrawn in 1979 (reference 1/1979/0108/DM).
9. Permission was granted for extensions and improvements in 1979 (reference 1/1979/0263/DM).
10. An application for Advertisement Consent for a sign was withdrawn in 1979 (reference 1/1979/0816/DM).
11. Advertisement Consent was granted for a freestanding sign (reference 1/1979/0885/DM).
12. An application for Advertisement Consent was withdrawn in 1979 (reference 1/1979/1102/DM).
13. In 1981 planning permission was refused for 3 cottages and a garden house (reference 1/1981/0410/DM).
14. In 1982 permission was granted for a change of use of former garden to car park (reference 1/1982/0057/DM).
15. Planning permission was granted for an extension to a car park (reference 1/1982/0058/DM).
16. A planning application for a dwelling was refused in 1982 (reference 1/1982/0059/DM).
17. In 1982 planning permission was granted for a rear porch and garage (reference 1/1982/1356/DM).
18. Planning permission was granted for extensions, 3 family rooms and 12 double rooms (reference 1/1983/1131/DM).
19. In 1986 planning permission was granted for a public house extension

(reference 1/1986/0117/DM).

20. Planning permission was granted for an extension to provide 28 bedrooms and conference facilities (reference 1/1987/1119/DM).
21. In 1989 planning permission was granted for 28 bedrooms, restaurant, kitchen, reception and toilet (reference 1/1989/0224/DM).
22. Planning permission was granted for name boards and amenity boards in 1990 (reference 1/1990/0566/DM).
23. In 1993 planning permission was granted for extensions and alterations (reference 1/1993/0261/DM).
24. In 2000 permission was granted for new signage (reference 1/2000/0132/DM).

Policy

25. The following Planning Policy Statements are relevant in determining this application:

PPS1 Delivering Sustainable Development
PPS3 Housing
PPS7 Sustainable Development in Rural Areas

The following Regional Spatial Strategy Policies are relevant in determining this application:

Policy 2 Sustainable development
Policy 4 The sequential approach to development
Policy 7 Connectivity and accessibility
Policy 8 Protecting and enhancing the environment
Policy 11 Rural areas
Policy 24 Delivering sustainable communities
Policy 30 Improving inclusivity and affordability
Policy 32 Historic Environment
Policy 33 Biodiversity and geodiversity
Policy 38 Sustainable construction
Policy 39 Renewable energy generation

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

GDP1	Development on Small Sites
EN01	Protecting the Countryside
EN02	Preventing Urban Sprawl
EN11	Trees and Development
HO05	Development on small sites

Consultations

26. County Highways Development Control Officer: considers the principle of the proposal to be acceptable and has no objection to the proposal, subject to the following conditions:
- Prior to the occupation of any of the dwellings hereby approved, the existing wooden electricity columns fronting the site shall be removed unless otherwise agreed.
Reason: In order to ensure an adequate sight visibility splay is available.
 - Prior to commencement of the development a plan shall be submitted detailing amendments to the highway layout to the rear of units 5 and 6.
Reason: To ensure an acceptable adoptable highways layout is provided.
 - No reduction in approved parking space areas is permitted to units 1 to 8 without the need for planning permission.
Reason: In the interests of ensuring adequate parking on site to prevent on-street parking in accordance with Local Plan Policy TR2.
27. County Design and Conservation Officer: notes that the properties on site are not listed and that the site does not lie within a Conservation Area.
28. The Officer considers that the layout follows the obvious contours of the land already determined by the Hotel. It is pointed out that the layout is logical and provides dwellings that address the main road creating a good frontage with those behind, taking full advantage of the opportunity to exploit the views and parking at the rear with no direct access onto the main road. It is considered that the small communal open space with a feature tree would create interest and soften the layout, and all these features would add up to a good layout. However it is pointed out that the surface treatment and the tree planting need to be more thoroughly detailed.
29. The Officer supports the design of this proposal as she considers it is a good response to the site and which has a strongly identifiable character. She considers that the house types are a good contemporary response to the site and would sit well in the landscape. It is the Officer's view that the design approach would be far more successful than a more traditional stone and slate proposal.
30. The general scale and form of the buildings is correct and the large areas of glazing would make full use of the potential views. The Officer particularly supports the use of the steep gables which would provide an interesting yet traditional roofscape. The limited palette of materials would create a cohesive appearance and the colours would be strong.

31. The Officer concludes that the scheme has struck a good balance between traditional scale and form and contemporary elevation treatment and that this would be a distinctive development which would fully exploit the main opportunity of the site which is the view. She recommends that the application should be approved, subject to the following conditions:
 - Samples of all materials to be approved.
 - Surface treatment to be approved.
 - Landscape treatment of the communal space to be approved.
32. Development Plans: consider the proposal would be contrary to policy HO5 of the saved District Local Plan, as Broomhill is not regarded as a suitable location for residential development of this scale. Similarly the general thrust of policy EN1 of the saved District Local Plan aims to protect the countryside from encroachment and inappropriate forms of development.
33. The Regional Spatial Strategy advocates a sequential planned approach to residential development with the emphasis being for new sites to be centrally located in urban areas and on previously developed land.
34. The Officer points out that planning policy at the national level is broadly reflective of local and regional guidance and seeks to achieve sustainable residential development on previously developed land located in sustainable locations with access to a range of services and facilities that can be reached by a range of (public and non-car based) transport links.
35. When deciding planning applications Planning Policy Statement 3: Housing states 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.
 - Ensuring the proposed development is in line with planning for housing objectives, reflecting the need and demand for housing in, and the spatial vision for, the area and does not undermine wider policy objectives eg addressing housing market renewal issues.
36. The Officer accepts that the proposed site is located in a rural setting outside of a village settlement but considers that the site is immediately adjacent to Dere Street and within close proximity to a limited range of services at Ebchester, and around 2.5km from the centre of the main town of Consett, which has a broad range of facilities and employment opportunities. There are public transport links passing the site and a

network of cycle pathways within close proximity.

37. The Officer advises that ideally a non-residential use could be found for the building (hotel, care home, etc) and the acceptability of residential development rests acutely on whether it can be proven that non-residential options have been fully explored and demonstrated to be unviable. Should this be so then the decision to allow the site to change to residential use must be considered to avoid the site deteriorating and blighting the area and landscape. Assuming this has been adequately demonstrated, the proposed residential scheme would create an attractive development that would have a distinctive sense of place in the locality and landscape. The site is located within a small cluster of dwellings, which, along with the proposed scale and layout of the scheme, would aid an acceptable substitution for the existing buildings on the site and not encroach out of the existing curtilage of the hotel.
38. In terms of design it is considered that the proposed scheme would create a well-designed and attractive residential development with a distinctive appearance and character. The units are well-proportioned and detailed with a clean aesthetic and material palette. As the frontage would adjoin Dere Street it would create a sense of arrival from this aspect, while the internal layout would ensure lower buildings would be located to the rear edge of the site helping to integrate the scheme into the landscape when viewed from afar, subject to suitable enclosure of the site.
39. Durham County Council's Accessibility and Parking Guidelines recommends one and a half car parking spaces, and one cycle-specific storage facility per dwelling.
40. The increased importance of climate change is reflected in national, regional and local planning guidance, encouraging developments to be more resource-efficient and to have embedded in them energy supply from renewable sources. The submitted proposal would need to be in compliance with Policy 38 of the adopted North East Regional Spatial Strategy, which states 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 1000m² 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.

41. With respect to criteria (d) of Policy 38, the Officer considers that solar panels for water heating would be an efficient way, in operation and cost terms, of achieving commensurate levels of renewable energy.
42. The tree planting that is proposed throughout the scheme and the functional area of open space provision is supported.
43. Natural England: the proposal is unlikely to have an adverse effect in respect of species especially protected by law, subject to the following conditions:
'No development shall take place unless in accordance with the mitigation detailed within the protected species report 'Bat and Barn Owl Survey of buildings at the Raven Hotel, Ebchester, 20th September 2008, Durham Bat Group', including, but not restricted to adherence to precautionary working methods.
Reason: To conserve protected species and their habitat.'
44. They recommend that the applicants be informed that planning permission, if granted, does not absolve them from complying with the terms and conditions of any licences required as described in Part IV B of the Circular.
45. Durham County Landscape Officer: the site is in a sensitive rural location and prominently visible from distance across the Derwent Valley. He considers that there has been no apparent attempt to integrate the development into the surrounding countryside and that the black fences will not help.
46. The Officer is disappointed that a Tree Constraints Plan, in accordance with BS5837:2005, does not accompany the application as this would identify, measure and evaluate trees shown on the site survey for retention and protection or removal.
47. The planting proposals are no more than anecdotal. It is considered unrealistic to assert that any trees will be restricted to 5m height over time.
48. It is advised that a predominantly hawthorn hedge - with minority species to include hazel, blackthorn, dog rose and holly - might surround the development and that the Council should request details of topsoil depths, densities, stock size, rabbit and stock protection, and associated

maintenance regime. However it is advised that the highly visible units 16 and 17 are not allowed sufficient room to accommodate this modest landscape feature.

49. Durham County Council Archaeology Section: the proposed development lies along the route of Dere Street as it approaches Ebchester Roman Fort some 1.17km due north. Their records from 1975 indicate that to the south of the site, during the digging of a service trench, a laid area of sandstone slabs overlying a hard packed area of stones was revealed and there is a sandstone kerbstone on the western extremity and a ditch to the east. They point out that other records from 2004 near Glebe Farm did not find direct evidence of Dere Street apart from some possible gravel agger beneath the current modern road.
50. There is some potential, depending on previous land formation / truncation, that in-situ deposits relating to the Roman Road may survive beneath the car parks along the modern roadway in particular. However, given the nature of the current use, it would not be reasonable to expect the applicants to carry out a trial trenching evaluation to determine if archaeological deposits may exist here or not. They recommend that if the Authority is minded to grant planning permission that the following condition is placed on the development:

'No ground works shall take place until an agreed programme of archaeological works has been submitted to, and approved in writing by, the Local Planning Authority. A copy of any analysis, reporting, publication or archiving required as part of the final mitigation strategy shall be deposited at the County Durham Historic Environment Record within one year of the date of completion of the scheme hereby approved by this permission or such other period as may be agreed in writing by the Local Planning Authority.

Reason: The development site may contain archaeological remains of significance and the specified works are required to record features of interest, inform works and mitigate impact.'

51. Environment Agency: the proposal falls within the scope of the Environment Agency's Flood Risk Standing Advice i.e. the main flood risk issue to consider will usually be managing surface water run-off. Surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS). SUDS are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on or near the site as opposed to traditional drainage approaches which involve piping water off site as quickly as possible. SUDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands. SUDS offer significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge, and

improving water quality and amenity. Where it is intended that disposal is made to public sewer, the Water Company or its agents should confirm that there is adequate spare capacity in the existing system taking future development requirements into account.

52. Environmental Health: no adverse comments to make, subject to the usual conditions on the works of demolition and construction relating to hours of work, generator noise etc.
53. County Durham Tourism Partnership: the County's economic strategy identifies tourism as a key sector for improving the County's economic performance regionally and nationally and point out that tourism comprises 10% of the county's economy but there is potential for growth.
54. The Partnership point out that there are certain types of visitor that contribute more to the economy than others, the most valuable in terms of economic impact, spend, and for spend across tourism and into other sectors are staying visitors who are in serviced accommodation. They advise therefore the loss of a Hotel with a relatively large number of rooms could have a negative effect on the economy of the County and the District. They consider that a Hotel is likely to continue to deliver quantifiable economic benefit to the County and more locally across sectors such as retail and hospitality as well as its supply chain for many years.
55. They advise that once accommodation stock is lost, experience across the Country shows that it is very rarely returned to the tourism sector. Therefore, as a general principle they would not support the loss of visitor accommodation in the County especially if it is serviced accommodation (hotel, guesthouse, B&B).
56. They point out that Derwentside District has relatively little accommodation stock overall and that if the District is to benefit from local and County-wide work on growing the visitor economy then loss of accommodation stock, particularly in the serviced sector, may limit its ability to do so.
57. They point out that they have limited background information on this specific property that may provide more context, but consider that the Raven Hotel has, in past years, been a successful establishment offering a quality service to visitors and with good occupancy rates. More recently it has dropped out of the national quality standards scheme. As a result, it currently does not benefit from local, regional or national support in terms of promotional activity.
58. Durham Police Architectural Liaison Officer: draws attention to the need for an attractive and safe development designed and built to a high quality. Achieving Secured by Design status indicates a commitment by the developer to achieve high quality housing, an objective of PPS3.

He has offered advice on the layout and design of roads and footpaths, landscaping, boundary treatments, street and security lighting, creating natural surveillance, car parking, play areas and dwelling security.

59. Northumbrian Water: have not objected to the application but recommend the use of the following conditions:

‘Development shall not commence until a detailed scheme for the disposal of surface water from 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 develop a Surface Water Drainage solution by working through the Hierarchy of Preference contained within Revised Part H of the Building Regulations 2000. Namely:

- Soakaway
- Watercourse and finally
- Sewer.

If sewer is the only option the developer should contact New Development Team at NWL, Leat House, Pattinson Road, Washington, NE38 8LB to arrange for a Developer Enquiry to ascertain allowable discharge points and rates.

Reason: To ensure the discharge of SW from the site does not increase the risk of flooding from sewers in accordance with the requirements of PPS25 “Development and Flood Risk” and complies with the Hierarchy of Preference contained within Revised Part H of the Building Regulations 2000.’

60. ‘Development shall not commence until a detailed scheme for the treatment of the foul flows from the development hereby approved has been submitted to and approved in writing by the local planning authority in consultation with Northumbrian Water. The development shall not be occupied on site until the scheme for the treatment of the foul flows has been completed and commissioned in accordance with the approved details.

Reason: The Sewage Treatment Works to which the development will discharge is at full capacity and cannot accept the foul flows. There is no spare sewage treatment capacity at the Consett STW for any significant developments and Northumbrian Water are currently investigating the impact on sewage treatment from all planned development in the town.’

61. Ebchester Village Trust: have objected to the application on the following grounds:

- The site has a viable commercial use as a hotel, restaurant and public house and provides a valuable service for recreation, business and tourism use and there is very limited

accommodation in the area for business users or tourists.

- There is no immediate local need for yet more new housing.
- The site is unsustainable for housing being remote from local services.
- Development would be contrary to the Housing Strategy and objectives contained in Chapter 4 of the Derwentside Local Plan.
- Whilst some elements of the buildings reflect traditional forms, the use of a broad palette of 'architectural' styles from ancient to modern, together with a discordant colour scheme would make the proposed development totally out of keeping with the local architecture and the setting of the site.
- The high density of 31 dwellings per hectare has been achieved at the expense of amenity space for residents, particularly children with many of the dwellings lacking any amenity space. Only one of the proposed plots appears to incorporate the accepted minimum rear garden space of 10 metres.
- The cramped nature of the layout together with a preponderance of three storey family houses and minimal provision for parking and access, incorporates areas which will become congested with parked cars and thus be hazardous to pedestrians, particularly children and the disabled. In particular, the cramped layout of plots 1 –8 would encourage dangerous parking on the brow of Ebchester Hill. Access to lots 16 and 17 would be particularly difficult due to the cramped layout and lack of turning facilities.
- We estimate that approximately 100 car trips per day would be generated by the residents of the 17 proposed dwellings. This is almost certainly significantly more than the volume of traffic generated by The Raven. The location of the site access on the brow of a steep hill, where the visibility from and of approaching vehicles is very restricted, creates conditions which are prejudicial to road safety. Young children, disabled people and the elderly would be particularly vulnerable. The layout of the junction does not meet current highway design standards, particularly with regard to visibility splays. Front gardens and houses are shown to be built within the required splays thus compounding the hazardous conditions.
- The 40 mph speed restriction along the B6309 reflects the hazardous nature of the highway, not the extent of the 'settlement' as indicated in the application.
- The site is located within open countryside and is highly visible from many viewpoints within the Derwent Valley. The nature of the development with its random styles and choice of materials would be extremely prominent and it would not improve the current situation.

62. Neighbours have been consulted and a site notice posted. Letters and emails of objection have been received from thirteen objectors whose concerns are summarised as follows:

- The development would lead to an increase in traffic (100 car trips per day).
- The new access and increase in traffic would be detrimental to highway safety on this already dangerous road.
- Vehicles speeds along this route are high.
- The access will be positioned following a blind incline.
- The 40mph speed limit is a mere 10 to 15 yards from the start of the development.
- A formal traffic or transport assessment should be performed.
- The active frontages could lead to visiting persons parking partly on the verge of a busy route with possible accident consequences and could lead to people walking on road.
- In the past 3 years, 13 road traffic accidents reported injuries between the Hat and Feather pub and Ebchester Village.
- A previous application on Ebchester Bank across the road was knocked back because of poor access.
- This is not a suitable site for housing for families and older members of the public.
- The site is detached from Ebchester Village, the postal address has no reference to Ebchester and the village starts at the sign on the B6309 near the Derwent Walk.
- The site is a rural hamlet (Broomhill) which comprises two businesses, eight detached houses and two semi-detached houses.
- The proposed development would create ribbon and satellite development of the area and might then set a precedent for the development of other green areas in the locality.
- The existing footpaths along the Ebchester Bank are already poor.
- Poor design in terms of colours of materials - black and orange.
- Lack of public consultation by the developer.
- The principle of the development is unacceptable.
- Failure of a business is the owner's sole responsibility and if the financial decline is a factor in the condition of the present building how can the applicant propose investment in the new build?
- Maintenance of the property must be held to be the responsibility of the owner. The site has been left to disintegrate since February this year.
- Prior planning applications show investment in the site which has led to success but the present owner claims financial hardship.
- The property needs some capital injection and a better management approach would give it a chance to return to its success providing employment and facilities.
- Other local pubs (The Anchor, The Derwent Walk, and The Chelmsford) are all successful.
- The hotel has been successful in the past.
- The decline has only been under the current management and has been notable in the last two years after a successful prosecution under Environmental Health Legislation.

- The hotel is modern and needed in the area.
- The supporting statement mentions housing, transport, accessibility and landscape issues but the information presented is misinformed.
- The proposal is contrary to PPS1 and the principle of sustainable development.
- The proposal is contrary to PPS7 with regards to proximity to access to services.
- The site is not accessible being situated on a steep hill 0.8 miles from the centre of Ebchester Village and public transport connections.
- There are limited local services and facilities, the nearest public house is the only facility within reasonable walking distance. Ebchester School is 0.85 miles away and the newsagents / post office is deemed unsuccessful by existing residents in 2003 community appraisal.
- There is no local employment within cycling or walking distance.
- The supporting statement is misleading in that it refers to the nursery which is a plant nursery not a childcare nursery.
- There would be a dependence on transport for access to healthcare.
- If financial circumstances of the site owner are considered then so should financial implications for neighbouring properties (i.e. house prices).
- The proposal is contrary to Derwentside Local Plan Policy HO5 (small sites) as the proposal is not in keeping with the existing pattern and form of development in the area as local properties are period stone built properties (with the exception of the Old Station Yard and The Derwent Walk Pub) and the buildings further down the road are bungalows only and are set back further from the road and are not an imposing fascia design. The development is also contrary as the site is more than 0.4 hectares in area.
- The site is not within the Ebchester settlement.
- Infill development proposals have previously been declined.
- Previous requests to build south of the Derwent Walk and next to Garden House and south of the Derwent Walk Pub have been declined as ribbon development.
- Proposal contrary to PPS3 paragraph 2(c).
- The area nearby is known as a Site of Nature Conservation Importance as well as being partly historic parkland and the area uphill to, and including the Derwent Walk, is designated an Area of High Landscape Value.
- The proposal would be a blot on the landscape harmful to views of the landscape from both County Durham and Northumberland.
- The prominent position would mean the proposal would have a negative impact on the present character and identity of the area and neighbouring property character.
- The size of the development is excessive.

- Inappropriate heights of properties.
- Concerns over design in particular the external appearance of the buildings and particularly aspects of privacy related to the contemporary fenestration design.
- The proposed contemporary design would not be appropriate and would create a highly visible and overpowering out of context development.
- The contemporary design with its unique look in black and orange to be inappropriate for this highly visible and prominent site lying next to an Area of High Landscape Value.
- The colour scheme belongs to a more urban setting.
- The design, profiles and elevations will create an enormous local impact that will be visible from across the valley as well as the travellers on the Derwent Walk and Dere Street B6309.
- When the hotel was previously an orange colour it was very noticeable from Whittonstall, but the current beige colour has lessened the impact.
- The black framed fenestration would look out of place within an area typified by white windows.
- The proposed solemn black wooden cladding / black fencing materials are extreme, and furthermore are likely to become shabby over time or altered in colour and style to individual taste by future owners resulting in a disjointed development.
- The existing hotel is modern but it was sympathetically built in traditional materials.
- The existing hotel has a single storey aspect next to the road and no three storey buildings.
- Garden House which is to be demolished should not be demolished without consideration to the quality of its replacement.
- Other local developments at the Hat and Feather and Grange Farm have been very traditional.
- All current properties near to the Raven site are attractive period properties.
- Potential noise and disturbance to neighbours during construction.
- Loss of view for existing neighbouring residents.
- The loss of the landscaping that exists on site will mean the existing heap on site will be more visible.
- Lack of neighbour consultation by Council.
- There is the presence of Dere Street remnants beneath the existing road surface and in existence at Station House on Ebchester Hill, this should be monitored at The Raven.
- No on-site advertising is or has been performed promoting the site.
- There would be an overbearing impact upon neighbouring properties and overlooking of neighbours does not appear to have been considered in the planned proposal. Specifically with regards to landscaping and house settings.

- There is little demand for the type of housing proposed in the application.

Officer Assessment

63. The acceptability or otherwise of this application rests upon its ability to meet the objectives of national, regional and Local Plan Policies and other material considerations in relation to housing sites and sustainability, residential amenity, design, highway safety, open space provision, affordable housing, drainage, archaeology and protected species.

The principle of the development of this site

64. Both current Government Guidance in Planning Policy Statement 3 'Housing' (PPS3) and the Regional Spatial Strategy (RSS) have the primary aim to achieve sustainable residential development. In order to achieve this aim PPS3 advises that for planning applications, in addition to considering Regional Spatial Strategies and Development Plan Documents and other material considerations, that Local Planning Authorities should have regard to achieving high quality housing and a good mix of housing reflecting the accommodation requirement of specific groups. PPS3 also recommends that local Authorities should also assess whether the site is suitable for housing in terms of its environmental sustainability and whether it would be an effective and efficient use of the land, and if the proposed development is in line with planning for housing objectives.
65. It is considered that this proposal would meet some of the criteria set out in PPS3 for assessing whether a proposal is high quality housing, in that it would be well laid out so that all the space is used efficiently and is safe, accessible and user friendly and would provide good access to community and green and open amenity space as well as private outdoor space. Furthermore it is well integrated with, and complements the neighbouring buildings and the local area in terms of scale, density, layout and access, and takes a design-led approach to the provision of car parking space that is well integrated with a high quality public realm and the estate would be pedestrian, cycle and vehicle friendly. It is considered that the site would create a distinctive character that relates well to the surroundings and supports a sense of place and provides for the retention or re-establishment of the biodiversity on site. The site would, however, not perform well in terms of being easily accessible and well-connected to public transport, or being particularly energy efficient.
66. It is not considered that the proposal would achieve a particularly good mix of housing. Whilst there would be a range of dwelling types and sizes for families with children and couples, the estate would not be wholly inclusive as it would not provide in particular for single person households or older people. However it is conceded that it is not a

particularly suitable site for elderly people given the distance to amenities.

67. The site location also performs less well in terms of being able to offer a range of community facilities or having good access to jobs, key services and infrastructure, which is a key aim of PPS3 and Regional Spatial Strategy Policy 7. Whilst the site is not far from one of the District's main centres, being only 1.8 miles from Consett, and is even closer to the settlement of Ebchester, the distance on foot to local bus services is such that there is likely to be heavy reliance on the private car from this site. Nonetheless, it is not considered that carbon emissions associated with private car journeys would alter significantly from this site given its current use as a hotel which relies on customers visiting the business by car. The case that this site is unsustainable is further undermined given that it would be unlikely that the Council would refuse a similar application to simply convert the buildings on site to residential units which would in theory create similar vehicle movements. Access on foot or cycle to Ebchester and Consett is adequately provided for with the lit public footpaths, there would also be access to Shotley Bridge via The Derwent Walk.
68. A key objective of PPS3 and RSS (Policy 4) is that local planning authorities should continue to make effective use of land by re-using land that has been previously developed, in particular vacant and derelict sites. This site is previously developed land being occupied by the hotel buildings and associated parking and a dwelling for several years and whilst it is not vacant or derelict at present the applicants claim the business will have to close in the near future. Therefore the proposal would be in accordance with one of the main key objectives of PPS3 as it would be an effective use, re-using land that has been previously developed.
69. In order to make efficient use of the land, PPS3 advises that local planning authorities should aim for a density of 30 dwellings per hectare. The density of this proposed development adheres to these guidelines, using the space efficiently whilst still allowing for a spacious feel to the estate.
70. Whilst the District has adequate housing provision in line with planning for housing objectives it would be unreasonable to not consider this site given it is a brownfield windfall site.
71. In terms of Local Policy, the District Local Plan aims to direct new development to small sites within existing settlements in the District. Whilst there is not a defined settlement boundary limit for Ebchester the Council has historically taken the view that the settlement limit of Ebchester begins over 300m to the north of this site, further down Ebchester Bank at Beveridges Garden Nursery. Whilst it is recognised that the site is surrounded by dwellings these are considered to be rural properties within the small hamlet of Broomhill therefore it is considered

that the development cannot be assessed under Local Plan Policy HO5 and would therefore be considered to be development within the countryside, to be assessed against Local Plan Policies EN1 and EN2.

72. Local Plan Policy EN2 aims to prevent the merging or coalescence of neighbouring settlements or ribbon development or an encroachment into the surrounding countryside. The footprint of this site is the same as the footprint of the existing site with the new housing being proposed in place of the existing buildings and tarmac areas on site. This being the case when viewed from vantage points the new development would not be seen as an encroachment into the countryside. Local Plan Policy EN1 and RSS Policies 8 and 11 seek to ensure that development in the countryside either benefits the rural economy or helps to maintain or enhance the landscape character.
73. Whilst the loss of a hotel would be regrettable and would normally be harmful to the rural economy the applicants have submitted information to be taken into account. This is with the aim of presenting a case that the hotel is not presently benefiting the rural economy substantially and may soon close and thereby no longer provide any benefit for the economy. The applicant's agents claim the business on site has been in difficulty for a couple of years and despite the owner's attempts to turn things around or sell the site no potential buyers have been forthcoming.
74. The applicant's agent has submitted substantial accountancy evidence and information. This supports the view that the viability of the business has weakened over the last two years. The business and profit has substantially decreased in the past two years. Such accountancy evidence presents a serious cause for concern and if the business continues on this downward trend then it is predicted that failure is likely within the next two years.
75. Whilst it could be argued that the business could be turned around with strong investment it is clear that the current owners are unable to do so given the current economic difficulties and the amount of investment that would be required to enable the business to compete with local competitors (The Derwent Manor, Slaley Hall) and potential future competitors such as the possible future hotel in central Consett which was granted permission in 2005. They also point out that the limited space on site prevents the scope for further development of the site to upgrade the existing facilities to compete.
76. The applicants have also submitted information and evidence detailing their attempts to find a perspective purchaser of the site either for the existing hotel use or a nursing home, or other economic / employment generating use through internet marketing, newspaper and estate agent window adverts, speculative postings to developers and on-site sale boarding carried out by three different agents since September 2005 to the present date. During this time the applicants claim that only one offer for use as a nursing home has been forthcoming but that this was

subsequently withdrawn due to the prospective purchaser discovering that there was not sufficient demand for such a facility in this location.

77. With the information at hand, it is believed that the business is at risk of closure in the near future which would be harmful to the rural economy. If the site were to be developed for housing the loss of tourism revenue from the local economy would be adequately replaced by revenue brought from local residents. Also, Members should be aware that it would not be appropriate to base a reason for refusal of this application on the loss of tourist accommodation, given that the above marketing exercise would most likely enable the applicant to apply for permission to simply convert the existing buildings on site to dwellings under the provisions of Derwentside Local Plan Policy EN4.
78. The design of the estate is aimed at enhancing the landscape character, with a mixture of traditional scale and form and contemporary elevation treatment rather than maintaining the landscape character with a pastiche traditional design. Planning Policy Statement 7, whilst admittedly more concerned with single dwellings in the countryside, does recognise that a special justification for housing in the countryside can very occasionally be the exceptional quality and innovative nature of the design of proposed new housing, and such design should be truly outstanding and ground breaking, for example in its use of materials, contemporary architecture or enhancing the environment so helping to raise standards of design more generally in rural areas. The applicants have proposed a strong, modern contemporary design with a traditional scale and form which would create a distinctive development within this highly prominent rural setting which has been strongly supported by the County Council's Design and Conservation Officer.
79. It would seem there is a strong likelihood that the business is at risk of being closed in the near future. This may result in this highly prominent site becoming abandoned and run down, which could in time detract from the local landscape and the District, or, the existing buildings which are of little architectural merit could simply be converted to housing (subject to planning permission) which would not provide an opportunity for enhancement of the area.
80. In summary, the acceptability of the principle of residential development on this site is finely balanced, this being a high quality housing proposal on a brownfield site but having the disadvantage of being not particularly accessible, in a rural location. Members are advised that the principle of development is justified in this instance, to prevent the site becoming an unattractive and uneconomic disused site, or a rural housing conversion site of little value and to instead enhance the local landscape character with a high quality housing development of innovative design to help raise the District's design standards.

Residential amenity

81. Local Plan Policy GDP1 seeks to ensure that developments are not detrimental to the amenity of neighbouring occupiers and land users. The proposed development site is surrounded to the north, south and east by existing properties (Broomhill Cottage, Rose Cottage and Hillcrest Cottage). A number of neighbours have objected on the grounds that there would be detrimental impacts upon privacy and that the proposed houses would be overbearing. Whilst there is no local or national policy guidance on distances between houses, generally used 'rule of thumb' distances between existing and proposed housing have been complied with in relation to Broomhill Cottage and Rose Cottage. Whilst there is only 19m distance between the new properties and Hillcrest Cottage, rather than the recommended 21m distance, it is not considered that this 2m shortfall would create problems in terms of privacy for that property. It is therefore considered that there would remain adequate privacy, light and outlook for all surrounding existing properties. It is noted that a number of objections are on the grounds of the effect on house prices, and loss of view. However, Members will be aware that these are not material planning considerations which can be taken into account.
82. Local residents have also objected as they are concerned about disturbance during the construction of the proposed houses. Any nuisance from machinery during construction can be adequately controlled under Environmental Health Legislation. However, in line with the advice of the Council's Environmental Health Division, a condition can be attached restricting operational hours during construction to suitable times and days.

Design Issues

83. Planning Policy Statements 1, 3 and 7 and RSS Policy 24 all advise that proposals should be of high quality and inclusive design which contribute positively to making places better for people. This advice is also reflected in Local Plan Policy GDP1 which aims to ensure that all developments are of a high standard of design, in-keeping with the character and appearance of the area, and that the form, mass, layout and density and materials are appropriate to the site's location and take into account the site's natural and built features.
84. In terms of assessing design quality it has already been recognised that the proposal would be well laid out so that all the space is used efficiently and is safe, accessible and user friendly and would provide good access to community and green and open amenity space as well as private outdoor space.
85. The car parking space provision on site would be well integrated with a high quality public realm and the estate would be pedestrian, cycle and vehicle friendly.
86. The design would be well integrated with, and complements, the

neighbouring buildings and the local area in terms of scale, density, layout and access.

87. The design of this housing estate with its mixture of groups of terraced, semi-detached and detached two and three storey properties reflect the mix of different house types in the vicinity of the site which are either one or two storey detached or semi-detached dwellings. Although the terraced properties would be a new house type in the vicinity attempts have been made to create individual frontages for each to break up the appearance of the terraces. Whilst the scheme also differs in that three storey properties are proposed, the taller three storey properties are located within the site and the most visible three storey properties on the roadside are more akin to two storey properties with the additional storey being located within the roofspace. Similarly the two storey properties closest to the neighbouring bungalow property are more akin to a one storey property with the extra storey being achieved within the roofspace.
88. In terms of density the locality is dominated by single dwellings on spacious sites with large gardens. This would not be a high density estate and would allow for a similar spacious feel for the new dwellings.
89. The predominant layout of the area is roadside properties which front onto the road with varying set backs. The most visible section of the proposed estate would follow this layout with terraced housing fronting onto and set back at varying distances from the roadside. The housing within the estate would be similar in layout to the existing hotel buildings on site. This would help to integrate the scheme into the surrounding area of Broomhill.
90. With regards to residential amenity of future occupiers, the layout allows for adequate distances between properties to allow for appropriate privacy, outlook, light and amenity space.
91. The layout shows the parking areas to be off-street and to the rear or alongside front garden areas which is appropriate, as it would allow for attractive frontages.
92. With regards to local use of materials there is no predominant material in the area. The properties to the south and south east of the site are traditional stone properties with slate roofs and the properties to the north and east are rendered properties, with some buff brick properties to the north east. Red brick properties begin further to the north of the site (The Derwent Walk Pub) and properties of Ebchester Lane.
93. This proposal is for a strong and warm colour scheme with orange brick interspersed with black timber and a mixture of black slate and orange pantile roofs broken up with large areas of glazing. It is these design features in particular which are concerning local residents. It is recognised that such colours and materials would not be particularly in

keeping with the closest stone or rendered built properties in the locality, although they would not look dissimilar to the red and orange brick properties further down the bank towards Ebchester.

94. Given the concerns raised by local residents regarding the combination of colours and materials, the applicants were asked to revise the scheme to limit the number of different materials proposed and reduce the use of black timber cladding and orange pantile roofs on the more visible properties. The plans have been amended accordingly. It was considered by Officers and the County Design and Conservation Officer that it would not be appropriate to ask the applicants to replicate the traditional appearance and materials and impose architectural styles or particular tastes as it would lead to a mediocre design and pastiche traditional housing estate in a highly visible location which would not enhance the appearance of the site. Instead the combination of traditional and contemporary features have been considered to give a modern and unique identity to the estate with some elements of rural buildings providing a good mix of the best of past and present design.
95. It is agreed with the County Landscape Officer that the black fences proposed will not integrate well with the local landscape and therefore it is considered that alternative fencing be sought by condition, should planning permission be granted.
96. National, Regional and Local Plan Policy GDP1 seek to ensure that housing estates are designed and located to conserve energy and be energy efficient. The submitted proposal does not include any features to improve energy efficiency or to generate power from renewable sources. If Members are minded to approve the application, some renewable generation of energy should be sought by condition.

Highways Issues

97. In accordance with Local Plan Policy TR2, housing schemes should incorporate a clearly defined and safe vehicle access and exit and adequate vehicle maneuvering, turning and parking space. The proposal incorporates a new access junction and internal estate roads and private parking bays for the properties. A number of changes have been made to the original application to meet the requirements of the County Highways Officer. It is acknowledged that objectors have concerns over an increase of traffic and junction safety, however it is agreed with the Highways Officer that the revised scheme is satisfactory in terms of highway safety and it is not considered that a development of this size would create significantly different traffic movements to that of the existing hotel, pub and restaurant if the business were operating successfully.
98. The Objectors' concerns regarding the potential for roadside parking on Ebchester Bank have been considered, however it is not considered that this is likely given the perceived risk of vehicle damage. The County

Highways Officer has confirmed that should permission be granted there would be a future legal agreement between Durham County Council and the developer to adopt the internal roads and footpaths which would also provide for the means to require the funding of an on-highway waiting restriction.

Landscape Issues

99. Local Plan Policy EN11 seeks to ensure that, where possible, existing trees are retained and incorporated in new developments particularly where they are important to landscape diversity, the setting of nearby existing or proposed buildings, wildlife habitat or visual amenity. Several trees within the centre of the site which provided landscaping for the Raven buildings would be lost as a result of the development. However, it is not considered necessary that attempts should be made to retain these trees through the submission of a 'tree constraints plan' as they are of not of significant visual amenity value nor would their retention allow for efficient use of the land.
100. The Landscape Officer's comments that little attempt has been made to integrate the development in to the surrounding countryside are noted. However it is considered that the site in its current form is not particularly well screened and given the hillside location, it would be difficult to achieve a great deal of screening for the development. Nonetheless it is agreed that some screening of the development could be achieved by hawthorn hedge planting. Whilst details of this can be agreed under a condition requesting a landscaping scheme, should permission be granted the applicants have been advised of the need to alter the location of units 16 and 17 slightly in order to accommodate such a feature and amended plans are awaited.

Protected Species

101. As the proposal involves the demolition of buildings, to comply with the requirements of RSS Policy 33 and Local Plan Policy GDP1 it is important to assess whether there would be an impact upon protected species. The applicants have submitted a Bat and Barn Owl Survey in support of the application which has identified that it is unlikely that the existing buildings would ever be used by bats in a significant way and there is only a small possibility of casual use by non-significant numbers of bats. It also concludes that there is no evidence that Barn Owls use the buildings. Nonetheless in order to completely avoid the possibility of damage to any bats and to ensure the long-term security of the local bat population it is considered appropriate to attach a condition to ensure that the development is carried out in accordance with the mitigation measures advised in the bat and barn owl survey. With such a condition it is considered that this development would fully comply with RSS Policy 33 one of the aims of Local Plan Policy GDP1.

Archaeology

102. Local Plan Policy EN19 and RSS Policy 32 seek to ensure that nationally and locally important archaeological remains are protected from damage and are preserved. Generally where a proposed development is likely to affect a site of archaeological interest or its setting, planning applications should be supported by an archaeological assessment. It is possible that in-situ deposits relating to Dere Street Roman Road may survive within part of the site however this application is not supported by such an assessment. Nonetheless it is agreed with the County Archaeologist that given the nature of the current use, it would be unreasonable to expect the applicants to carry out a trial trenching evaluation to determine if archaeological deposits may exist here. A condition requiring an agreed programme of archaeological works can ensure appropriate working methods, mitigation and recording of features of interest.

Sewage and Surface Water Disposal

103. In accordance with GDP1, housing schemes must incorporate satisfactory drainage measures. Northumbrian Water and the Environment Agency have not objected to this application. However, Northumbrian Water have advised that conditions should be attached ensuring that a detailed scheme for the disposal of surface water and foul drainage be submitted. It is therefore considered that with the incorporation of conditions, satisfactory drainage can be achieved for the site.

Affordable housing

104. The supporting statement for the scheme makes no mention of the provision of affordable homes on this estate. Given the highly desirable location with views of the Derwent Valley and high specification design it is unlikely that any of the dwellings would be offered for sale at a low cost. Whilst the Council is attempting to encourage affordable housing in line with National Policy guidance and RSS Policy 30 by preparing an Interim Planning Policy to secure affordable homes at this point the Council does not have an adopted policy. Therefore it would not be appropriate to base a reason for refusal on the lack of provision of affordable homes on this site.

Recreational Public Open Space within Housing Sites

105. Local Plan Policy HO22 states that planning permission for new housing development will be granted only if the detailed proposals include sufficient public open space and play areas, in appropriate locations, to meet the needs of residents within the development or if developers enter into a planning obligation to make a financial payment in lieu of direct provision where sufficient provision cannot be made on site. The proposed scheme incorporates a small central area of open space which

is to be landscaped. However this area is not proposed to become a formal play area with play equipment. Therefore, there is normally the requirement to make a financial payment in lieu of direct provision in accordance with Policy HO22 of the local plan which can be conditioned.

Conclusion

106. In conclusion, the acceptability of this proposed residential development is very finely balanced. It is recognised this is not a particularly sustainable site in terms of accessibility, or a particularly inclusive site, and the development would regrettably lead to the loss of some tourism accommodation stock. It is also acknowledged that there is a great deal of local opposition to the scheme and to the design in particular. However, it is considered that a departure from both national and local policy can be justified in this instance and the principle of the development of the site is acceptable given that this is a high quality housing proposal on a brownfield site which would ensure the future of this highly prominent site which is at risk of becoming either a disused site or being converted to rural accommodation of little architectural merit in the future.
107. Whilst being located outside of any settlement it would not be seen as an encroachment into the countryside. Nor would it lead to the merging or coalescence of settlements given that it would not extend the existing hotel, pub and restaurant footprint. It is not considered that that there would be a detrimental impact upon neighbouring amenity. It is thought that the unique design would enhance the local landscape character.
108. It is not considered that the development would be detrimental to highway safety, protected species or archaeological remains.
109. With suitable conditions, energy efficiency features could add benefit to the design.
110. On the balance of the issues it is considered that the positive benefits the development of this site could bring would outweigh that this is not a particularly accessible or inclusive site, and the loss of tourism accommodation stock, and that the application conflicts with parts of PPS1 and PPS3 and RSS Policies 2, 7, 24, 30 and parts of Local Plan Policy GDP1. Therefore the proposal is considered to be acceptable.
111. As the development would not fully comply with local and national planning policy, if Members are minded to approve the application, it would need to be advertised as a Departure and referred to the Government Office for the North East.

Recommendation

112. 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 the Council is **MINDED TO APPROVE**, subject to the following conditions:

- Standard time limit (ST).
- Approved Plans (ST01).
- The development hereby approved shall be implemented solely in accordance with the amended plans received on 30th September 2008:
R/009
R/010
R/011
R/012
Reason: In order to define the consent in accordance with Local Plan Policy GDP1.
- Materials (A05).
Reason: In the interests of the character and appearance of the development in accordance with Policy GDP1 of the Local Plan.
- Details of all surface treatments shall be agreed in writing with the local planning authority before development commences.
Reason: In the interests of the character and appearance of the development in accordance with Policy GDP1 of the Local Plan.
- The buildings shall not be occupied until a means of vehicular access has been constructed in accordance with the approved plans.
Reason: In the interests of highway safety in accordance with Policy TR2 of the Local Plan.
- Prior to the occupation of any of the dwellings hereby approved, the existing wooden electricity columns fronting the site shall be removed unless otherwise agreed.
Reason: In order to ensure an adequate sight visibility splay is available in accordance with Local Plan Policy TR2.
- Prior to commencement of the development a plan shall be submitted detailing amendments to the highway layout to the rear of units 5 and 6.
Reason: To ensure an acceptable adoptable highways layout is provided.
- The parking spaces shown on the approved plan shall be constructed and made available for use before the dwellings they serve are occupied.
Reason: In the interests of highway safety in accordance with Policy TR2 of the Local Plan.
- There shall be no reduction in approved parking space areas for units 1 - 8 without need for planning permission.
Reason: In the interests of ensuring adequate parking on site to prevent on-street parking in accordance with Local Plan Policy TR2.
- Prior to the commencement of the development details of features to improve energy efficiency or to generate

power from renewable sources for the development shall be submitted to and approved in writing by the local planning authority. Such features will be implemented thereafter.
Reason: In the interests of sustainable development in accordance with Local Plan Policy GDP1.

- No diesel powered plant, generators or equipment or lighting shall be used on site on a Sunday, Saturday afternoon or Bank Holiday nor at other times other than between the hours of 08:00 to 18:00 Monday to Friday and 08:00 to 12:00 Saturday.

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

- No development shall take place unless in accordance with the mitigation detailed within the protected species report 'Bat and Barn Owl Survey of buildings at the Raven Hotel, Ebchester, 20th September 2008, Durham Bat Group', including, but not restricted to adherence to precautionary working methods.

Reason: To conserve protected species and their habitat in accordance with Local Plan Policy GDP1.

- No ground works shall take place until an agreed programme of archaeological works has been submitted to, and approved in writing by the local planning authority. A copy of any analysis, reporting, publication or archiving required as part of the final mitigation strategy shall be deposited at the County Durham Historic Environment Record within one year of the date of completion of the scheme hereby approved by this permission or such other period as may be agreed in writing by the Local Planning Authority.

Reason: The development site may contain archaeological remains of significance and the specified works are required to record features of interest, inform works and mitigate impact in accordance with Local Plan Policy EN19.

- Development shall not commence until a detailed scheme for the disposal of surface water from 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.

Reason: To ensure the discharge of SW from the site does not increase the risk of flooding from sewers in accordance with the requirements of PPS25 "Development and Flood Risk" and Derwentside Local Plan GDP1 and complies with the Hierarchy of Preference contained within Revised Part H of the Building Regulations 2000.

- Development shall not commence until a detailed scheme for the treatment of the foul flows from the development hereby approved has been submitted to and approved in writing by the local planning authority in consultation

with Northumbrian Water. The development shall not be occupied on site until the scheme for the treatment of the foul flows has been completed and commissioned in accordance with the approved details.

Reason: The Sewage Treatment Works to which the development will discharge is at full capacity and cannot accept the foul flows. There is no spare sewage treatment capacity at the Consett STW for any significant developments and Northumbrian Water are currently investigating the impact on sewage treatment from all planned development in the town. To ensure satisfactory drainage for foul flows in accordance with local plan policy GDP1.

- Removal of Permitted Development Rights (PD01).

Reason: In the interests of the character and appearance of the area in accordance with Local Plan Policy GDP1.

- Legal agreement for the off-site play provision contribution (LG01).

Reason: In the interests of providing suitable open space and play provision within the District in accordance with Policy HO22 of the Local Plan.

- No development shall be commenced until details of all means of enclosure and screening have been submitted to and agreed in writing by the local planning authority; no building shall be occupied unless all such enclosures are in place.

Reason: In the interests of securing suitable screening to the development in accordance with Policy GDP1 of the Local Plan.

- Landscaping (L01).

Reason: In the interests of the character and appearance of the development in accordance with Policy GDP1 of the Local Plan.

Reason for Approval

91. The development was considered acceptable having regard to Planning Policy Statements 1, 3 and 7, Regional Spatial Strategy Policies 2, 4, 7, 8, 11, 24, 30, 32, 33, 38, 39 and Local Plan Policies GDP1, EN1, EN2, HO5 and TR2.

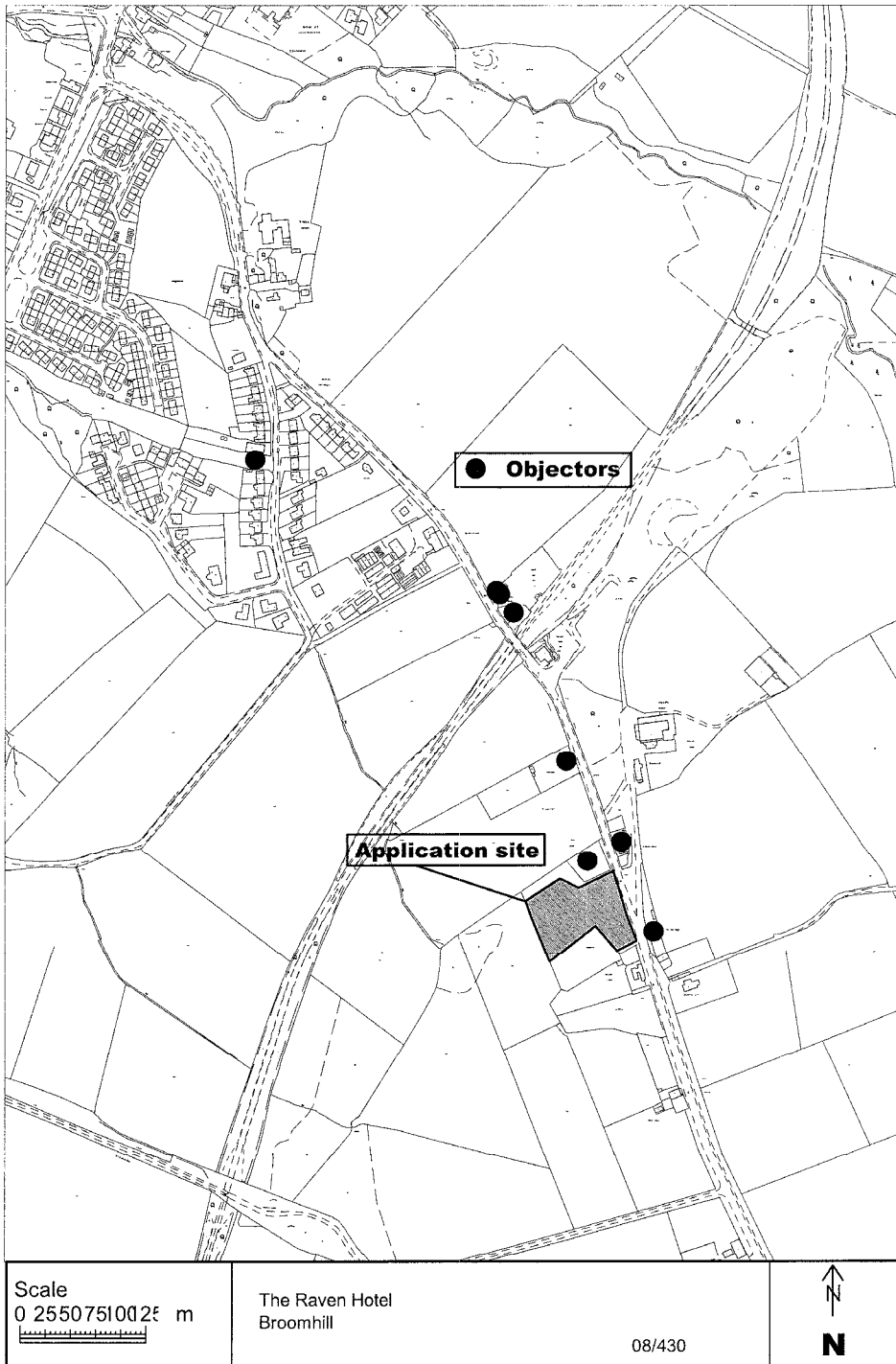
In particular the development was considered acceptable having regard to consideration of issues of sustainability, accessibility, inclusivity, design, effect on rural economy, effect on rural landscape, impacts upon residential amenity, highway safety, effects on protected species or archaeological remains.

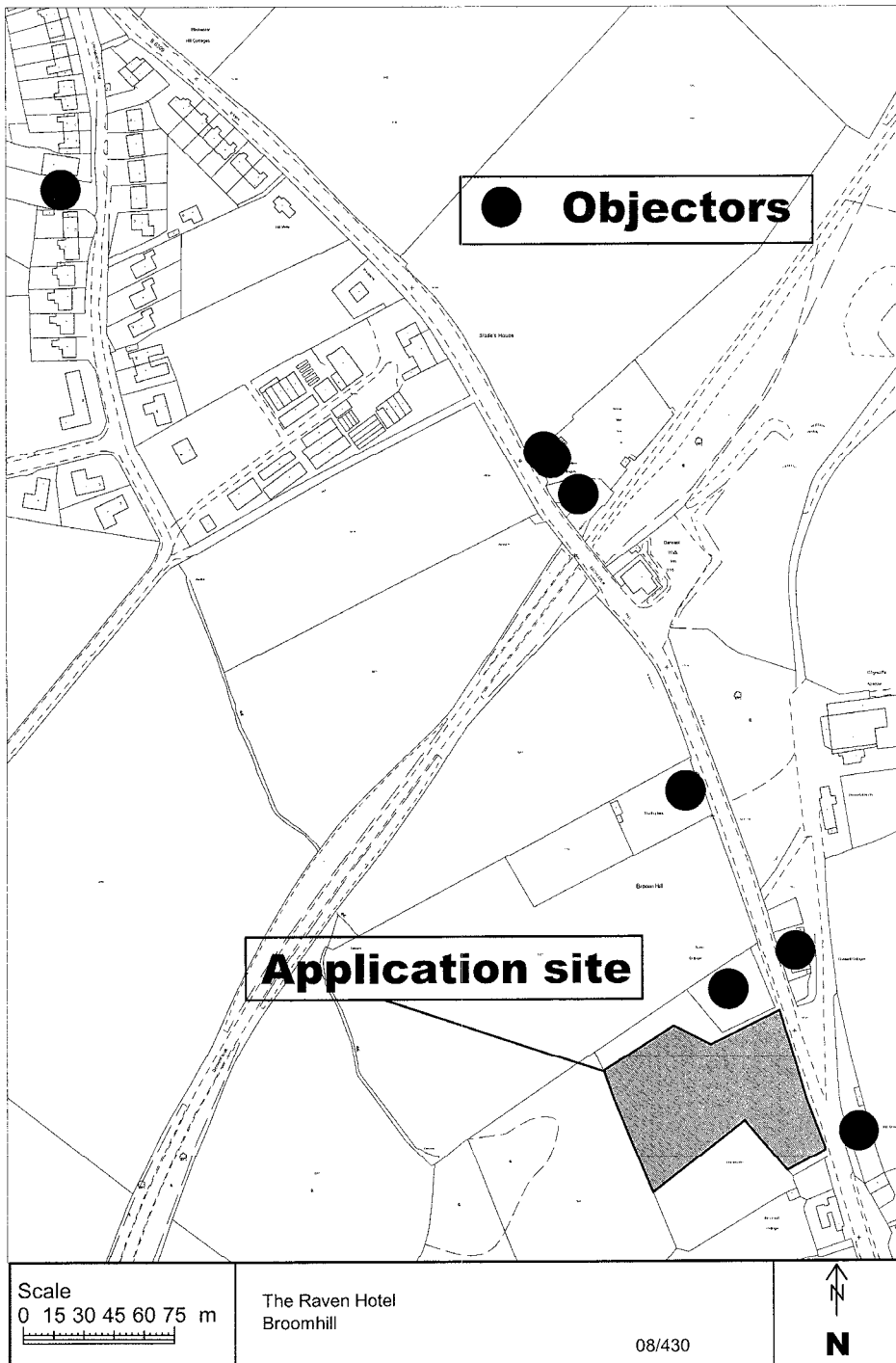
The stated grounds of objection were not considered sufficient to lead to reasons to refuse the application as this would be a high quality housing proposal on a brownfield site which would ensure the future of this highly prominent site which is at risk of becoming either a disused site or being converted to rural accommodation of little architectural merit in the future. Whilst being located outside of any settlement it would not be

seen as an encroachment into the countryside, nor would it lead to the merging or coalescence of settlements given that it would not extend the existing hotel, pub and restaurant footprint. It was not considered that there would be a detrimental impact upon neighbouring amenity. It was considered that the unique design would enhance the local landscape character. It was not considered that the development would be detrimental to highway safety, protected species or archaeological remains. With appropriate conditions, energy efficiency features could add benefit to the design. On balance, it was considered that the positive benefits the development of this site could bring would outweigh the objections and the conflict with parts of PPS1 and PPS3 and RSS Policies 2, 7, 24, 30 and parts of Local Plan Policy GDP1.

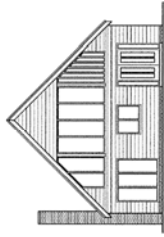
The Committee report relating to the application is obtainable from these offices upon request.

Report prepared by Louisa Ollivere, Area Planning Officer.

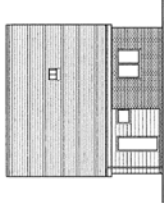




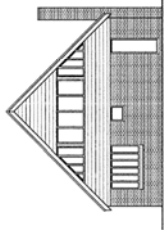
unit 17



north elevation



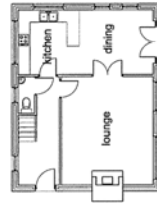
west elevation



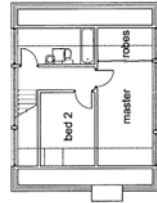
south elevation



east elevation

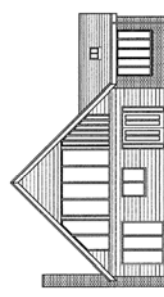


ground floor plan

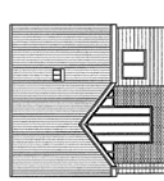


first floor plan

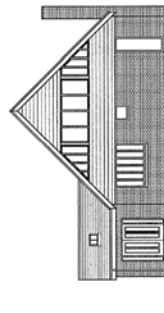
unit 16



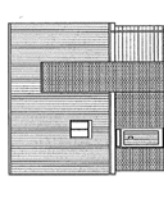
north elevation



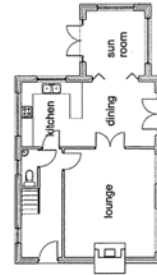
west elevation



south elevation



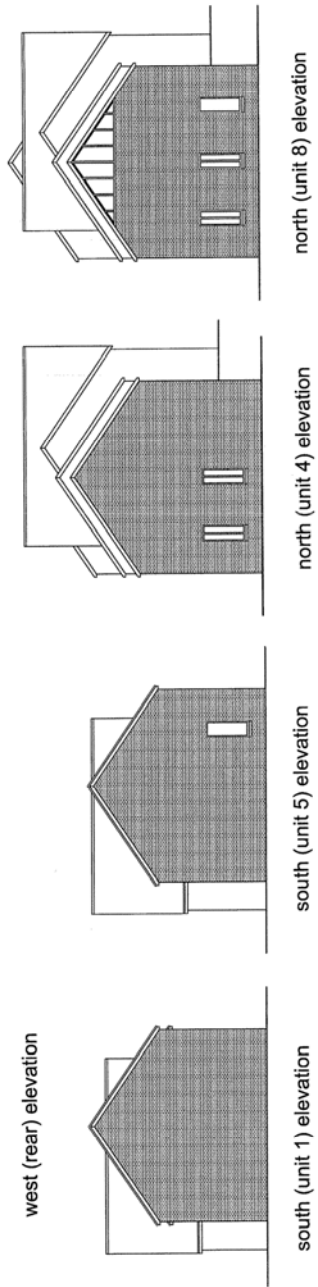
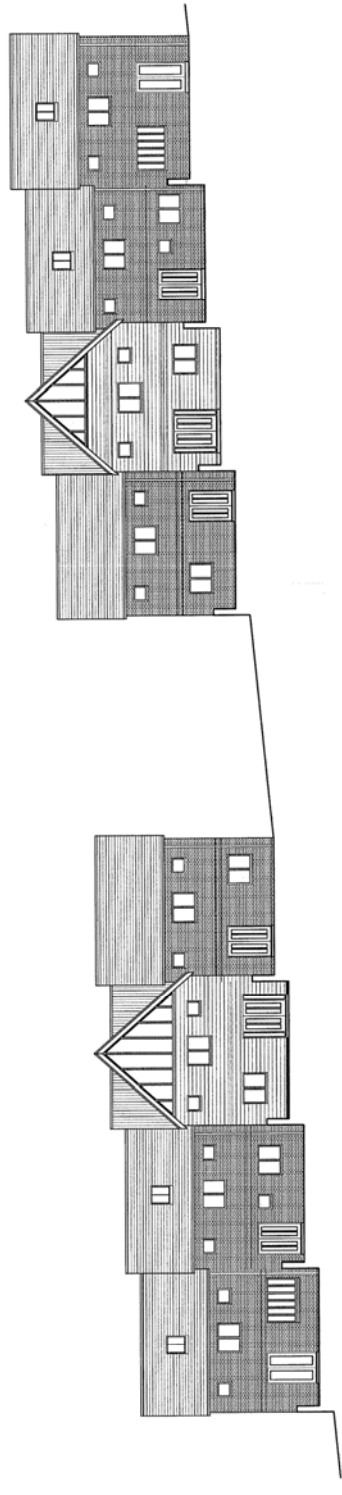
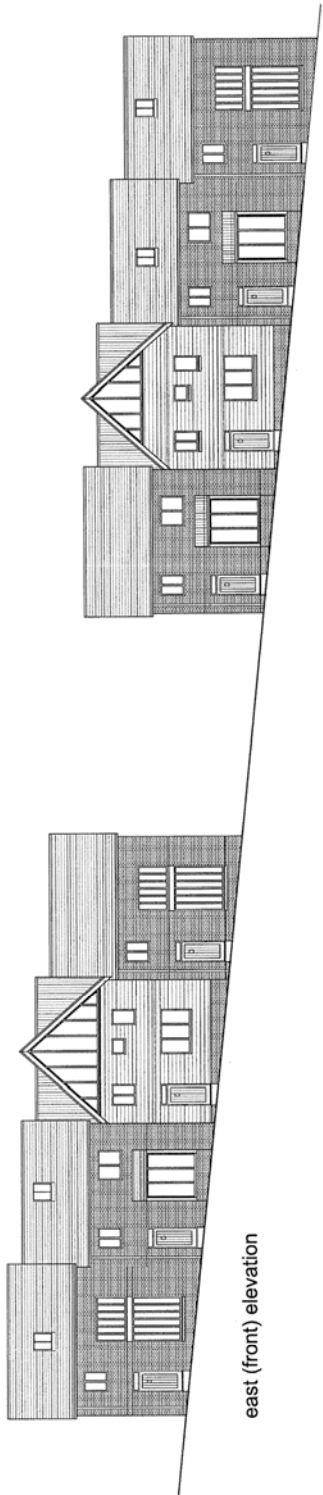
east elevation

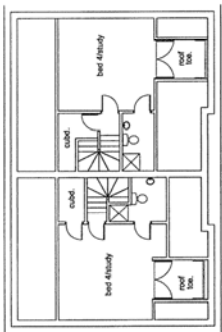


ground floor plan

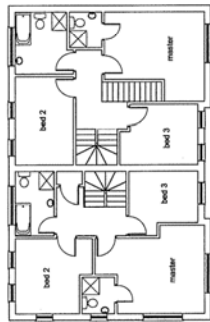


first floor plan

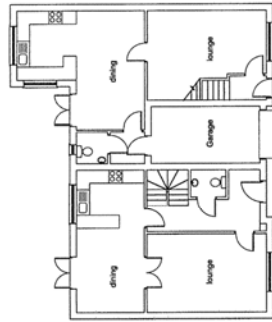




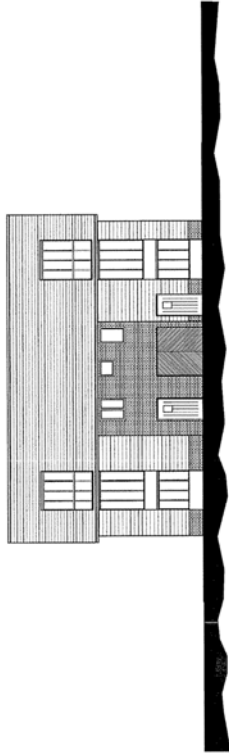
second floor plan



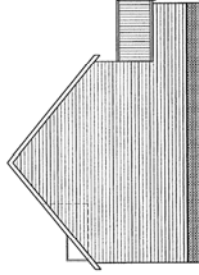
first floor plan



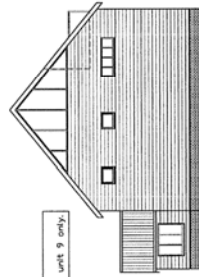
ground floor plan



north (front) elevation

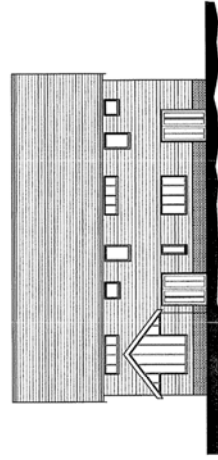


side elevation

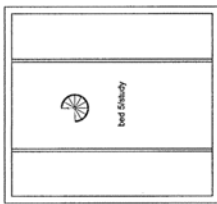


side elevation

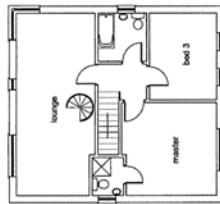
NOTE
Glazing to gable, unit 9 only.



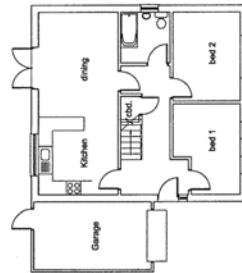
south (rear) elevation



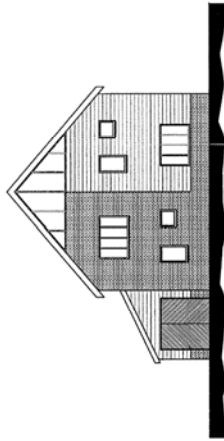
second floor plan



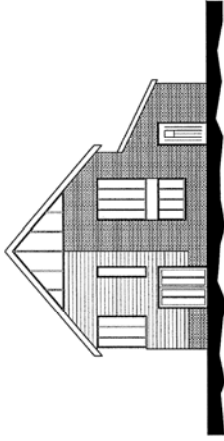
first floor plan



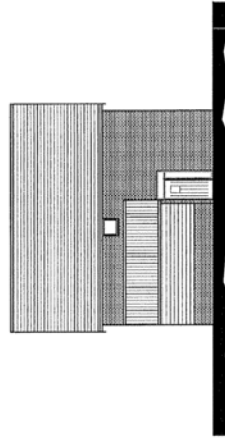
ground floor plan



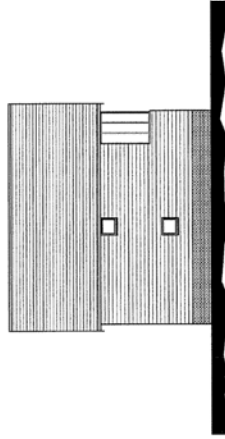
east (front) elevation



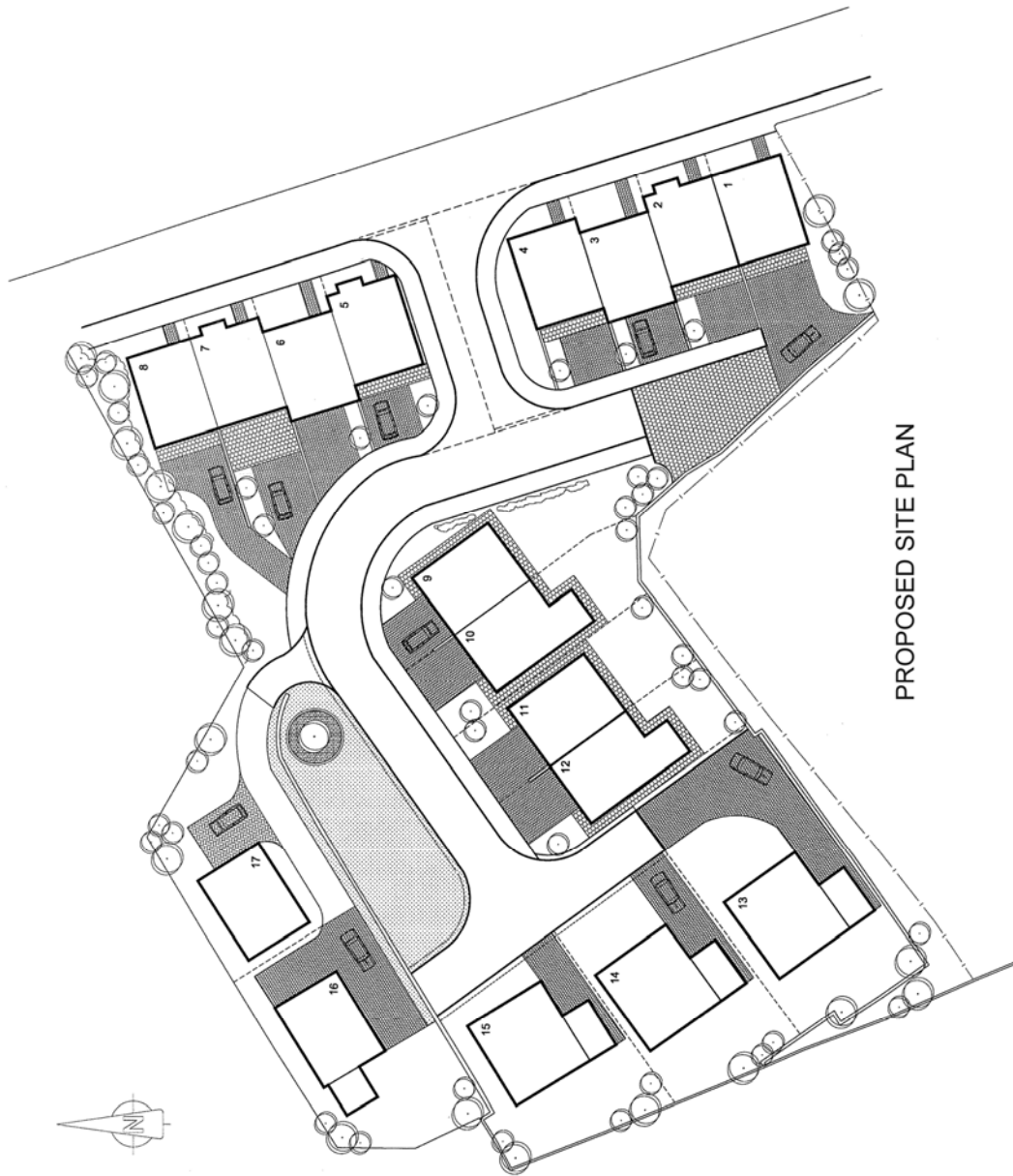
west (rear) elevation



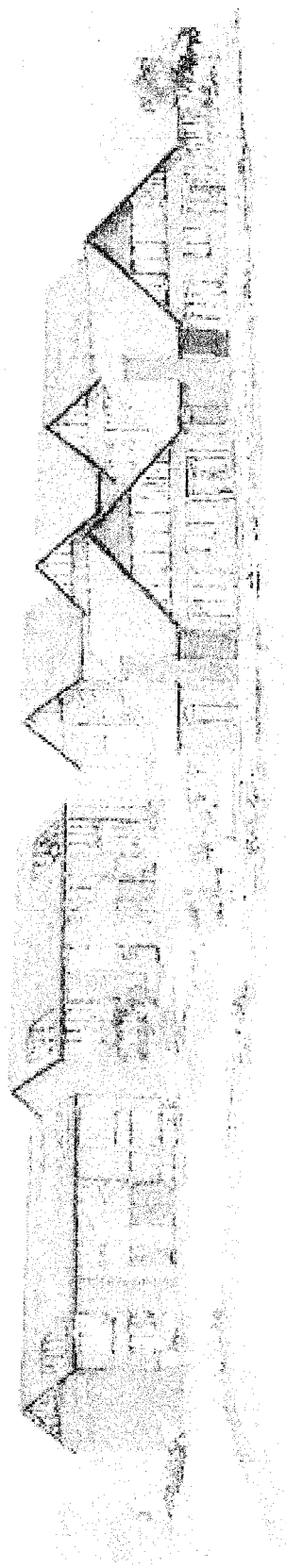
side elevation



side elevation



PROPOSED SITE PLAN



RECOMMENDATION FOR APPROVAL

08/0563

31/07/2008

Mr P Lamb

11 New Durham Road, Annfield Plain

Conservatory to rear and dormer window to front

Annfield Plain Ward

The Application

1. This application seeks planning permission for a dormer window and roof light to the front, and conservatory and two roof lights to the rear, of 11 New Durham Road, a 19th century terraced property in the Annfield Plain Conservation Area. The design and siting of the dormer to the front elevation matches three other conservation-type dormer windows to the same terrace and measures 2.1 metres wide and 1.25 metres high featuring a dual-pitched roof. It would be located one metre from 12 New Durham Road and 2.5 metres from 10 New Durham Road, one metre from the eaves and 0.5 metres from the ridge of the roof. The dormer would be constructed from natural slate to the pitch and lead cladding to the sides.
2. The roof light would be located one metre from the dormer window to the front elevation and there are a number of properties which feature roof light windows to their roof space fronting the main road. The roof light would measure 0.78 metres by 0.55 metres. To the rear, the proposed conservatory would infill the yard space between the existing two storey rear extension at the boundary with 10 New Durham Road and the boundary with 12 New Durham Road. It would be constructed from a dwarf brick wall to a height of 1.1 metres then white UPVC lean-to style conservatory, featuring double patio doors into the yard and frosted glass to the boundary with 12 New Durham Road. Two roof lights would feature to the roof space of the rear elevation, one to match the front elevation and a larger 1.6 metres by 0.94 metres.

History

3. No Planning History.

Policy

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

GDP1

GDP1 - General Development Principles

Consultations

5. Design and Conservation Officer, Durham County Council: Durham Road Terrace is prominent at the entrance to Annfield Plain. The terrace relies on its strong architectural detailing which is repeated along its length for its strong character. She notes that fortunately there have been very few changes to upset this conformity of appearance, and she would therefore be concerned about adding a dormer to the front elevation.
6. The Design and Conservation Officer recognises that there are already three dormers on the front elevation but does not see this as setting a precedent for more. They were installed before the Conservation Area was designated and three dormers out of fifteen properties is a small proportion.
7. She would strongly object to this application for a dormer on the front elevation in principle and points out that if allowed, it would set a precedent for the future, and the variety of dormers that could follow would have an extremely harmful impact of the appearance of the terrace.
8. The Design and Conservation Officer states that she would also object to the proposed dormer for its design which does not reflect the size, scale and position on the roof of existing dormers. The application demonstrates how a variety of dormers could ensue if this one was to be approved.
9. She would have no objections if the dormer was relocated to the rear. With regard to the conservatory she points out that this would be to the rear which would be enclosed within the yard and have no impact on the appearance of the Conservation Area.
10. The Design and Conservation Officer advises that Durham Road is a good example of a high quality terrace and it makes a significant contribution to the appearance and character of the Conservation Area. She feels that this is not the place to upset the regularity of the terrace form by allowing a dormer window and strongly recommends refusal on the following grounds:

'The Durham Road terrace makes a significant contribution to the architectural character of Annfield Plain. The proposed dormer window, by virtue of its location on the front elevation and unsympathetic design, would harm the regularity of form and design which are fundamental to the appearance of the terrace. The proposed dormer would harm the character and appearance of the Conservation Area, contrary to policy EN13 in the Local Plan and guidance in PPG15 (Planning and the Historic Environment).'

11. Finally, she advises that she would have no objections if the dormer was relocated to the rear and has no objections to the conservatory.
12. Neighbours have been consulted and a site notice posted. No objections have been received.

Officer Assessment

13. The main issue to consider is whether the proposed dormer window to the front elevation of the property would detract from the character and appearance of the street scene within the Annfield Plain Conservation Area.
14. Local Plan Policies GDP1 and HO19 seek to ensure that all household extensions maintain the current character and appearance of the locality in which they are to be constructed so as to not detract in any way from the original structure, frontage or overall street scene. In Conservation Areas extra care must be taken with extensions to ensure that they preserve or enhance the character or appearance of the Conservation Area.
15. The proposed dormer window follows the design of other dormer windows that exist within the same terrace of houses by featuring double windows, dual pitched roofline and matching materials. The terrace contains a strong set of architectural detailing throughout its length. However, given the presence of dormer windows both within the terrace and overall street scene, some of which pre-date the designation of the Conservation Area, to seek to reject these proposals (as recommended by the Design and Conservation Officer) would appear difficult to justify. By designating the Conservation Area, complete with dormer windows, it could be argued that it would be unreasonable to refuse additional dormer windows that follow closely the design of existing dormer windows in the locality.
16. Allowing this application would not set a precedent to allow different designs, constructions or locations of dormer windows within the Conservation Area. The sensitive nature of Conservation Areas would result in any further applications for dormer windows in this locality being carefully considered and it is likely that in future dormers would need to be of the same design, construction and siting as those present.
17. The Design and Conservation Officer has stated that the proposed dormer window would harm the character and appearance of the Conservation Area, contrary to Policy EN13 of the District Local Plan. The suggested reason for refusal could not be used as it refers to a policy which was not included in the list of saved policies in September 2007 and as such is not a material planning consideration.
18. The Design and Conservation Officer did not comment upon the roof

light proposed within the front elevation, but it is noted that several properties, similar in quantity to the number of properties with dormer windows, have roof lights present. Generally these would have been allowable under the General Permitted Development Order (1995), and its later amendments, as Permitted Development. The design and location within the roof space is sympathetic to the outlined proposals and also the other roof lights located within the terrace.

19. The conservatory to the rear would have no detrimental impact upon the character and appearance of the Conservation Area. Nor would it have a negative impact upon the amenity of the neighbouring property in line with Policy HO19.
20. Despite the fact that the dormer window would be a new addition within the Conservation Area, it would on balance not have a harmful impact upon the appearance and character of the terrace or the Conservation Area. Rooflights to the front and rear of the property would be considered acceptable and the conservatory to the rear of the property would not have a detrimental impact upon the amenity of the neighbouring property.

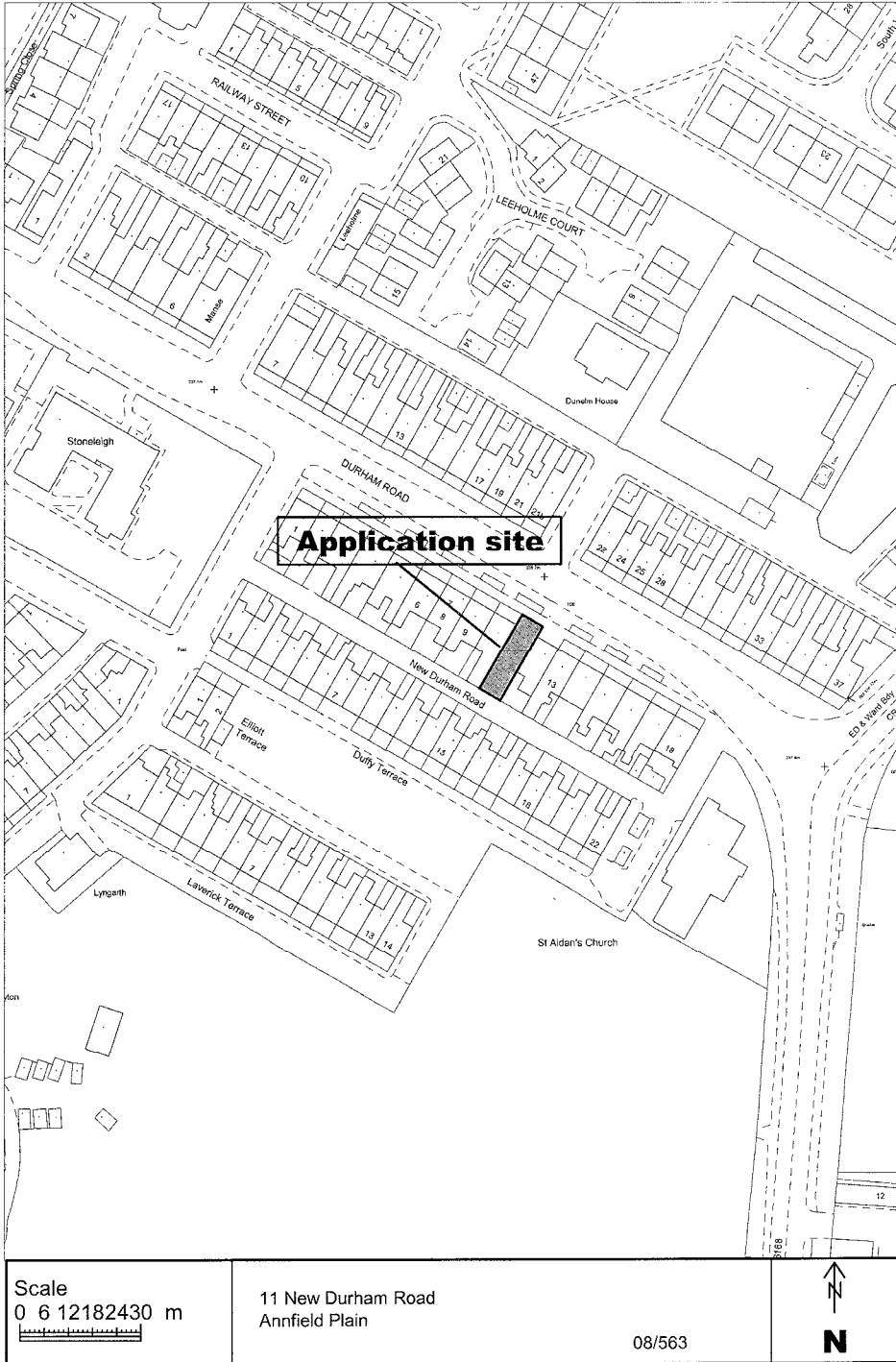
Recommendation

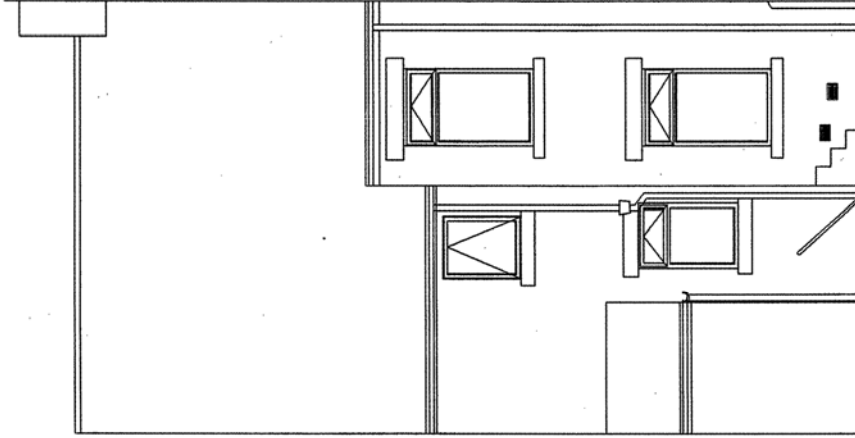
21. Conditional Permission
 - Standard Time Limit (ST).
 - Approved Plans (ST01).
 - Materials (DH05).
 - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) the glass to be used in the boundary elevation of the conservatory adjacent to 12 New Durham Road shall be frosted/opaque and shall remain so unless the further written permission of the Local Planning Authority has been received.
 - Reason: In the interests of protecting the residential amenity of the adjacent property in accordance with Policies GDP1 and HO19 of the Local Plan.

Reason for Approval

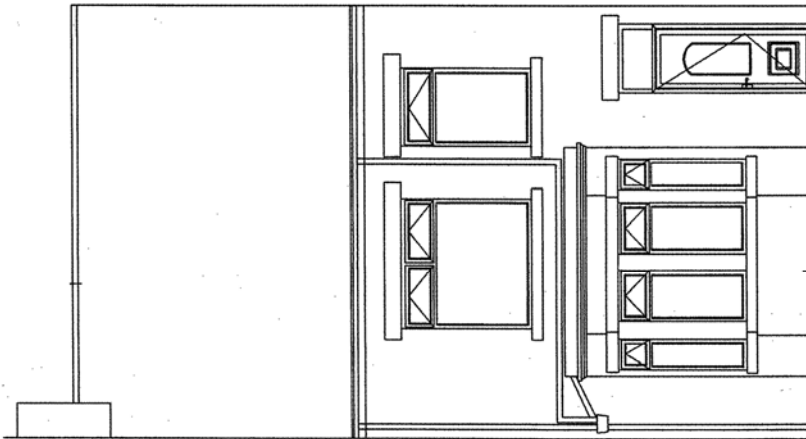
22. It is the opinion of the local planning authority that the proposed dormer window and roof lights would not have a detrimental impact upon the character and appearance of the street scene or Conservation Area, despite the views of the Design and Conservation Officer, and that the proposed conservatory would not have a harmful affect upon the amenity of the neighbouring property fully in accordance with Policies GDP1 and HO19 of the District Local Plan. On balance there are no material planning considerations which out weigh the decision to grant planning permission.

Report prepared by Graham Blakey, Area Planning Officer

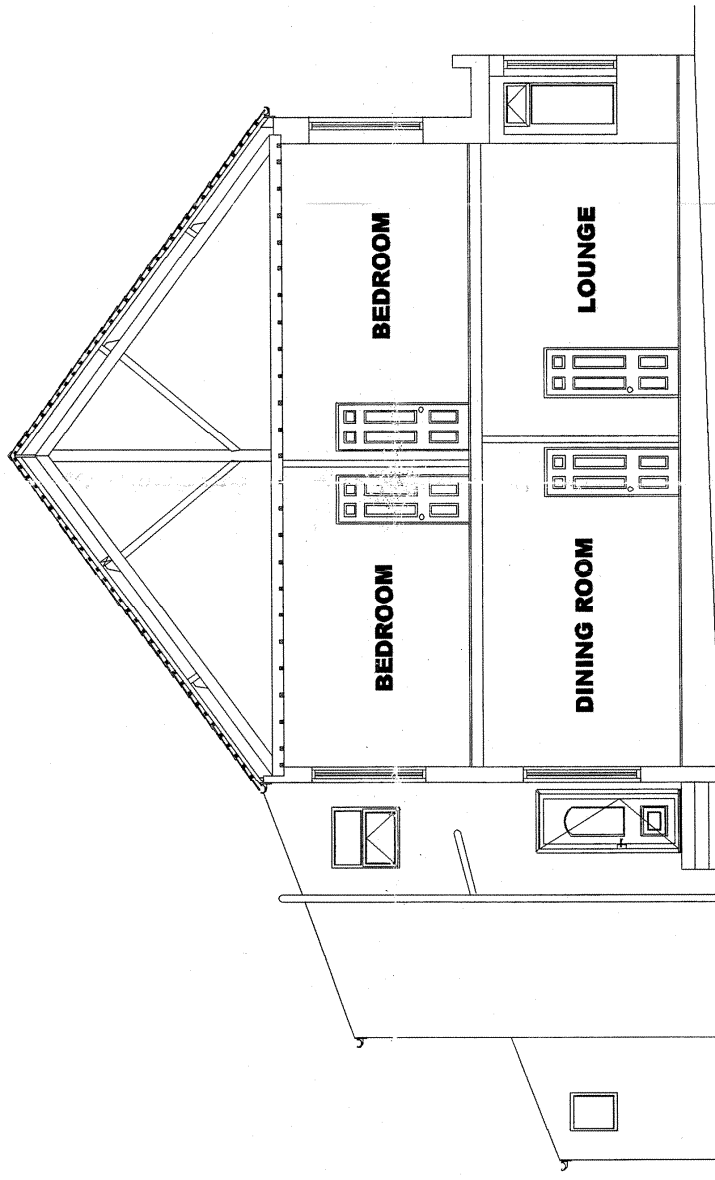




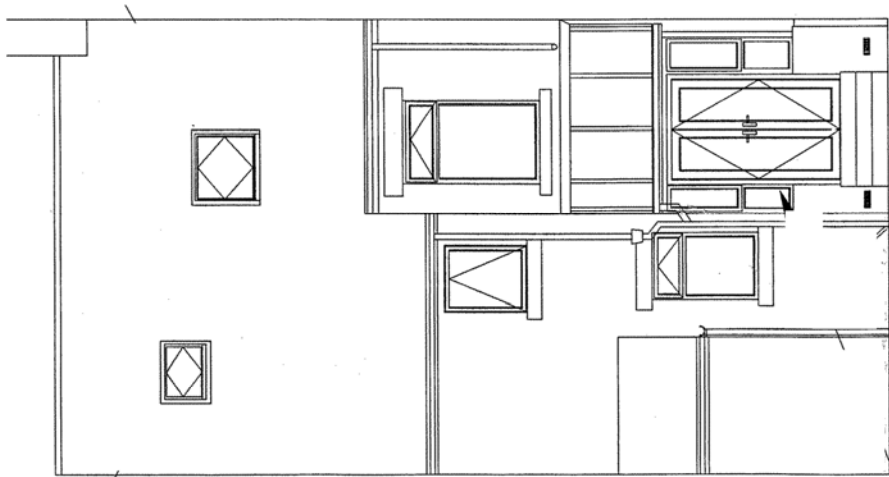
**EXISTING REAR
ELEVATION**



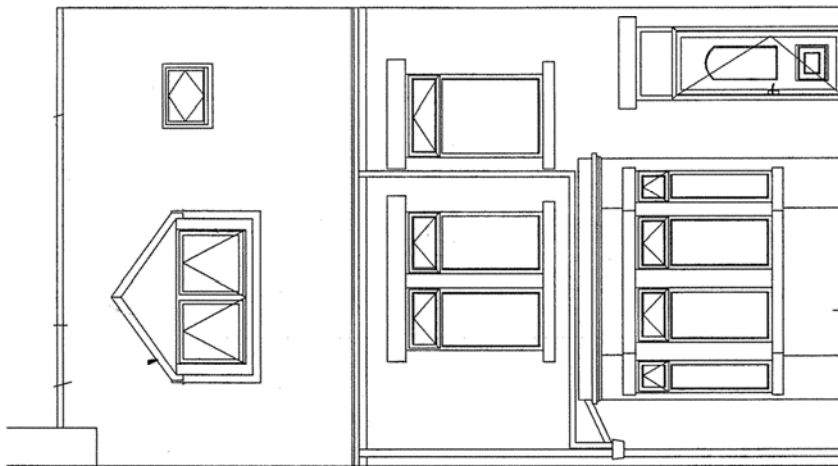
**EXISTING FRONT
ELEVATION**



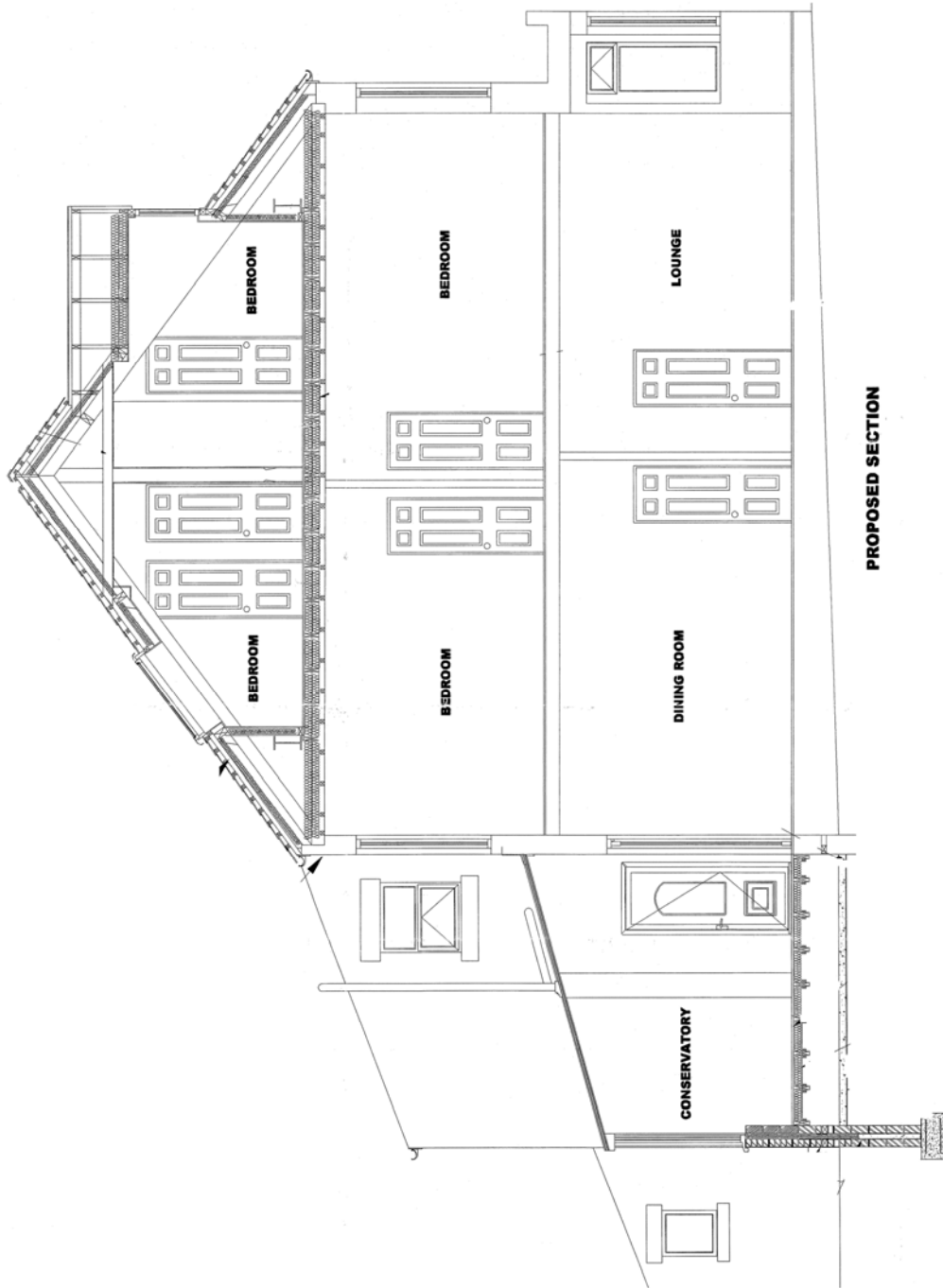
EXISTING SECTION



PROPOSED REAR
ELEVATION



PROPOSED FRONT
ELEVATION



DEPARTURES

08/0397

22.05.08

Derwentside Council and
Derwentside Homes

Land south east of Iveston
Road, Delves Lane, Consett.

Erection of 35 dwellings for
affordable housing consisting
of 25 houses and 10
bungalows, one, two and three
storeys in height.

Delves Lane Ward

The Application

1. At the meeting of the Development Control Committee on the 21st August 2008, Members agreed that in accordance with the Town and Country Planning (Development Plans and Consultations) (Departures) Directions 1999 that an application for the erection of 35 affordable dwellings on land to the south east of Iveston Road, Delves Lane, Consett should be advertised as a Departure and referred to the Government Office for the North East with a recommendation that the Council is Minded to Approve the application, subject to conditions.
2. The planning application was subsequently advertised as a Departure and sent to the Government Office for the North East in order for the Secretary of State to determine whether or not she should call the application in for her own determination. Government Office for the North East have considered national policy and other relevant planning issues raised by this proposal, together with all representations received and have had regard to the Secretary of State's policy on call-in. The Secretary of State has concluded that her intervention will not be justified as there is not sufficient conflict with national planning policies on the above matters or any other sufficient reason to warrant calling-in the application for her own determination. She has therefore concluded that the application should remain with Derwentside District Council for decision.
3. The Committee is now in a position to determine whether or not to grant planning permission. The officer's recommendation remains as previously, for Conditional Permission.

Recommendation

4. Conditional Permission
 - Standard time limit (ST).
 - Approved Plans (ST01).

- This permission relates to the application as amended by plan No 07141/P100 Revision E received on 10th October 2008.
Reason: In order to define the consent.
- 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.
Reason: In the interests of the character and appearance of the development in accordance with Policy GDP1 of the Local Plan.
- The parking spaces shown on the approved plan shall be constructed and made available for use before the dwellings they serve are occupied.
Reason: In the interest of highway safety in accordance with Policy TR2 of the Local Plan.
- If during development, contamination not previously identified is found to be present at the site then 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.
Reason: To protect human health and the environment by ensuring effective remediation in accordance with Policy EN27 of the Local Plan.
- 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.
- Reason: In order to reduce emissions and incorporate adequate energy efficient measures in accordance with Local Plan Policy GDP1 of the Local Plan.
- Development shall not commence until a detailed scheme for the diversion of Northumbrian Water apparatus 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.
Reason: A public sewer crosses the site and is shown built over on the application. Northumbrian Water will not permit a building over or close to its apparatus.
- Development shall not commence until a detailed scheme for the disposal of surface water from 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.
Reason: To ensure the discharge of SW from the site does not increase the risk of flooding from sewers in accordance with the requirements of PPS25 "Development and Flood Risk"

and complies with the Hierarchy of Preference contained within Revised Part H of the Building Regulations 2000.

- No development approved by this permission shall be commenced until a scheme for the provision and implementation of foul drainage works has been approved by the local planning authority. The agreed details shall be implemented in full prior to the occupation of any dwelling.

Reason: In the interest of satisfactory drainage in accordance with Policy GDP1 of the Local Plan.

- All dwellings shall be affordable homes and 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.

Reason: In the interests of achieving affordable homes in accordance with PPS3.

4. Reasons for Approval

The development was considered acceptable having regard to Planning Policy Statement 3, Planning Policy Guidance 17 and Local Development Plan policies GDP1, HO22, RE04 and TR02.

In particular the development was considered acceptable having regard to consideration of issues of suitable locations for housing sites, protection of open space, residential amenity, design, transport and sustainability.

The stated grounds of objection concerning were not considered sufficient to lead to reasons to refuse the application. Whilst a greenfield site and open space would be lost as a result of this development it was considered that a departure from both national and local policy could 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 and as the site was not high quality open space, retains adequate open space and there is a significant amount of other open space within close proximity. It was considered that the proposed scheme would not be detrimental to existing residential amenity and was of an acceptable design and would incorporate adequate highway safety measures and parking. It was felt that conditions could ensure appropriate drainage and landscaping for the site.

The Committee report relating to the application is obtainable from these offices upon request.

Report prepared by Louisa Ollivere, Area Planning Officer.

DEVELOPMENT CONTROL COMMITTEE

13TH November 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 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 EN27

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

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

make the site, proposed development and surrounding area safe and stable.

Policy HO5

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

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

Annfield Plain (Including Catchgate And West Kyo)

Blackhill

Burnhope

Burnopfield

Castleside

Consett

Cornsay Colliery

Craghead

Crookgate

Delves Lane (Including Crookhall)

Dipton (Including Flinthill)

Ebchester

Esh

Esh Winning

Greencroft

Hamsterley (Including Low Westwood)

Hamsterley Mill

Harelaw

Hobson (Including Pickering Nook)

Iveston

Lanchester

Langley Park

Leadgate

Maiden Law

Medomsley

Moorside

New Kyo

No Place

Oxhill

Quaking Houses

Quebec

Satley

Shotley Bridge

Stanley (Including Shield Row)

Tanfield
Tanfield Lea (Including Broomhill)
Tantobie
The Dene
The Grove
The Middles
South Moor (Including Oxhill)
White-Le-Head

Policy HO19

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

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

Policy HO22

Planning permission for new housing developments will be granted if:

- (a) the detailed proposals include sufficient public open space and play areas, in appropriate locations, to meet the needs of residents within the development, in accordance with the recommendations contained in the NPFA document the 6 acre standard - minimum standards for outdoor playing space, at Appendix H; and
- (b) such approval may be subject to a planning condition or the applicant agreeing to enter into a planning obligation to ensure that the area(s) will be set out and then maintained; or
- (c) the developer agrees to make a financial payment in lieu of direct provision, where sufficient provision cannot be made on site.

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 IN6

Development affecting landscaped or tree planted areas within or around the perimeter of a business or industrial park or estate will only be permitted if:

- (a) the site can be developed without any significant adverse effect on the surrounding area; and
- (b) replacement landscaping of the same or better quality is provided; and
- (c) adjoining business or industrial uses do not suffer any adverse impact.

Policy RE4

Development which would directly affect a public right of way or other recognised or proposed recreational path will only be permitted if an acceptable and equivalent alternative route is provided. Where possible, development should facilitate the incorporation rather than diversion of public rights of way and other recreational paths.

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

Policy TR3

When considering proposals for traffic management, road improvements and new developments, the Council will ensure that the needs of cyclists are taken into account. Planning permission for any development which is accessible by the public will only be granted if safe and convenient access for cyclists and cycle parking facilities, such as racks or wall bars, are provided.

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 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 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
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 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 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 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 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 1000m² 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