

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 4th December 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:

- (i) Development Control Committee - 13th November 2008 (Herewith 'A')
- (ii) Site Visit - 24th November 2008 (Herewith 'B')

Attached Documents:

[MINUTES \(A\)](#)

[MINUTES \(B\)](#)

4. **AMENDMENT TO THE 12TH LIST OF BUILDINGS OF SPECIAL ARCHITECTURAL OR HISTORIC INTEREST IN DERWENTSIDE, TO INCLUDE THE WAR MEMORIAL AT THE CIVIC CENTRE.**

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

Attached Documents:

[AMENDMENT TO THE 12TH LIST OF BUILDINGS OF SPECIAL ARCHITECTURAL OR HISTORIC INTEREST IN DERWENTSIDE, TO INCLUDE THE WAR MEMORIAL AT THE CIVIC CENTRE \(C\)](#)

5. **APPEAL DECISIONS**

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

Attached Documents:

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

6. **PLANNING APPLICATIONS**

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

Attached Documents:

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

7. **EXCLUSION**

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

8. ENFORCEMENT

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

Agenda prepared by Lucy Stephenson, Democratic Services
Tel: 01207 218249 Email: l.stephenson@derwentside.gov.uk

Date: 24th November 2008

DEVELOPMENT CONTROL COMMITTEE

Minutes of a meeting of the Development Control Committee held in the Council Chamber, Civic Centre, Consett on Thursday 13th November at 2.00 p.m.

Present

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

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

Apologies

Apologies for absence were submitted on behalf of Councillors H. Christer, R. Ellis, W. Gray, D. Hume, D. Lavin.

In Attendance

Councillor W. Stelling

40. DECLARATIONS OF INTEREST

Councillors R. Alderson, P. Hughes, O. Milburn and T. Westgarth declared an interest in Planning Application 08/0397 and O Milburn further declared an interest in Planning Application 08/0547.

41. MINUTES

RESOLVED: that the minutes of the following meetings were approved as a correct record:-

- (i) Development Control Committee – 23rd October 2008
- (ii) Site Visit – 3rd November 2008

42. APPEAL DECISIONS

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

- (i) Planning Application – Appeal against the refusal of permission for the erection of six apartments on land to the east of 5 George Street, Blackhill – Appeal dismissed.

43. PLANNING APPLICATIONS

(1) Public Speaking Applications

08/0430 MR AND MRS P SAVOTA

Change of use of land and demolition of hotel to allow residential development of 17 houses. The Raven Hotel, Broomhill, Ebchester, Consett.

The Chair welcomed to the meeting Mrs Little who was in attendance to speak against the application and Andrew Richardson who was in attendance to speak in support of the application.

The Development Control Manager presented the report which recommended approval of the application subject to it being referred to GONE for approval due to the application being a departure from the Local Plan. She advised that since the report had been written amended plans had been received which brought properties 16 and 17 further into the site to provide additional landscaping along the boundary line. She further advised that the plans also showed reduced drive lengths to allow for more green space to be incorporated within the site. All dwellings however would still include 2 parking spaces.

She advised that objectors were concerned that the application was contrary to policy and there would be a loss of tourist accommodation within the area, it was also noted that objectors were concerned regarding the design of the dwellings.

She added that officers were of the opinion that the current buildings on the site were of no architectural merit and demolition of the buildings would be preferable over redevelopment of the existing buildings.

She went on to advise that the Design and Conservation Officer was happy with the design of the scheme and was in support of the application.

The Development Control Manager advised that members should also consider the prominence of the dwellings against the landscape, images were available for members to view which showed the current building against the landscape, it was noted that the current white rendering of the building was very prominent in its location.

MRS LITTLE: Speaking Against the Application.

Mrs Little introduced herself to the committee and made the following comments in support of refusal of the application.

- Main concerns of residents are due to the aspect of design, sustainability and location of the development;
- Surrounding buildings in the area are far different from that proposed and feel that these dwellings will not fit into the landscape;

- Proposals contradict policies within the Local Plan and Local Plan, reference was made to PPS1, PPS3 and GDP1;
- The site falls within an area of high landscape value and the proposals do not constitute a small scale development;
- With regard to sustainability, the site is some distance from bus stops and local services;
- The site being on such a steep incline can suffer severe weather during winter months, this may lead to seasonal parking on the main road and footpaths;
- In conclusion she further added that the development would create a hamlet or ribbon development.

ANDREW RICHARDSON: Speaking in Support of the Application.

Andrew Richardson advised that he was speaking on behalf of the applicant as the Architect to the development. He made the following points in support of the application:

- The Raven Country Hotel is a failing business and if approval is not granted it would be likely that the business would close within a few months;
- Lengthy discussions have taken place with Officers from both Derwentside and Durham County Council over how to maximize the potential of the site;
- The applicants have also tirelessly attempted to market the business for sale but unfortunately been unsuccessful.
- The site is relatively sustainable and accessible;
- Applicant appreciates the concerns and objections raised however it is felt that the proposals meet the requirements and is well designed to fit the site;
- The properties would benefit from excellent views and would have a unique appearance in a rural setting;
- The use of two colours in materials used; orange and black are felt to have a timeless appearance and this will be enhanced by carefully thought out landscaping;
- He added that with regard to the current buildings on the site it was likely that these would become derelict and become gradually more and more unsightly on the landscape;

COUNCILLOR STELLING: Speaking in Support of the Application.

Councillor Stelling as County Councillor for the ward made the following points in support of the application:

- Accepts that there will be a loss of tourist attraction and accommodation in the area but the design team have tried to appease some of the objectors;
- The development would sit on a unique and attractive sight, to blend any development into the site would be difficult;
- He added that he appreciated the concerns of the objectors and felt they had put forward a good case although one factor remained;

- Either the site is left to fall into a state of dereliction or it is developed to a high standard of design which is tipped to win an award for design excellence

The Development Control Manager added in response to comments made by the objector, that it was correct in that the application was contrary to policy however if members were minded to approve it would be referred to GONE as a departure from the Local Plan.

Councillor Watson questioned whether the applicant had a builder waiting to develop the site as he had concerns whether the development would be achievable under the current climate, he further questioned whether a percentage of the houses would be affordable.

In response the Development Control Manager advised that there was no current policy on the requirement to provide affordable housing within new developments and therefore it would be difficult to refuse on that basis. The Director of Environmental Services further added that in the eventuality that the development was not commercially viable, a watered down version of the application would most likely not be accepted, if members are minded to approve the application it should be noted that it was on the strong basis of the high quality of design.

Councillor Shield added that he noted the comments of the objectors and felt that the issue would be difficult to deliberate. In his opinion although the houses would not integrate into the landscape well and there was not a current need for these types of house, if development did not go ahead, the current buildings would become derelict and look far worse. He accepted that there was poor public links to this site including poor footpaths although he added that he wished to hear other members' comments before he determined the application.

Councillor Williams made reference to the street scene and raised concerns regarding the distance of properties to the main road being only 3 meters, on that basis he had major concerns over road safety.

The Development Control Manager advised that the Highways authority had advised that a traffic regulation order would be required to put in place a waiting restriction on the main road.

Councillor Rothwell added that she wished to congratulate the design team for a very imaginative and well thought out scheme.

Councillor Milburn made reference to the sewage treatment works and capacity issues, the Development Control Manager in response added that she understood Northumbrian Water were trying to resolve capacity problems with a long term plan. In the interim attenuation measures could be imposed to store

waste material which would then discharge to the sewage treatment works at less busy times.

Councillor Alderson added that the business had found themselves in a very unfortunate position with the current economic situation. He added he felt the design was of a good standard, there was to be adequate parking, good landscaping and therefore supported the application.

Councillor Turner as ward Councillor added that the site had a long history of planning and made reference to some of the previously refused applications, he added that in his opinion the design of the scheme was hideous and felt it would stick out on the landscape. In conclusion he suggested that as there was so many concerns a site visit should be considered to take into account the proximity of neighbouring dwellings and neighbours concerns.

Councillor Watson added that he felt some relevant points had been made, however he did agree that a development of a high standard of design was better than dereliction. In conclusion however he added that he did still have some concerns that the scheme may be undeliverable under the current climate.

Following a vote being taken it was

RESOLVED: that the application be deferred for a site visit which will take place at 10.30 a.m. on Monday 24th November 2008.

(2) Site Visits

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 members that as the site visit had now taken place the committee should be in a position to determine the application. With reference to some comments made by the committee at the site visit regarding the erection of a warning sign on the highway, the Highways Officer had been consulted and he was happy with the suggestion.

Councillor Pattinson added that he agreed that a warning sign on the brow of the hill would be an advantage.

Councillor Williams questioned whether the access to the field would be gated. The Senior Area Planning officer advised that this would be the case and would be conditioned so. Discussion ensued regarding the positioning of the gate and it was agreed that this should be set some way into the access to prevent vehicles blocking access to the back street of Hawthorne Terrace.

Following a vote being taken it was

RESOLVED: that Planning Application 08/0547 be approved subject to:-

- Standard Time Limit (ST)
- Approved Plans (ST01)
- Screening
- The stables hereby approved shall be used solely for private use only and shall not be used for any business or livery use.
- Details of the access road and gate from 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.
- 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.
- Details of design and dimensions of the proposed field shelter shall be agreed in writing with the Local Planning Authority prior to the commencement of the development.
- 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.
- Notwithstanding the details of the submitted application, the applicant shall provide for the installation of a 'Side Road Ahead' traffic warning sign on the eastbound side of the C127. The sign shall be erected prior to the use of the stables hereby approved commencing.

(3) **RESOLVED:** that the following Applications be approved.

08/0560 DERWENTSIDE DISTRICT COUNCIL

Construction of first phase of new business park centre including parking area, Area 13, Number One Industrial Estate, Consett.

The Senior Area Planning Officer presented the report which recommended approval of the application. He advised that the application was for the approval of the first of four phases to complete the Villa Real Business Park.

He continued to run through the application advising on the number of units proposed and the further additions to be made over the four phases.

With regard to the disposal of sewage this would have to be stored on site until less busy periods through the day when it could be discharged to the treatment works. Northumbrian Water had indicated that work to extend the treatment works was anticipated to be complete by 2010 and therefore this would most likely coincide with the completion of the business centre.

Councillor Milburn added that she thought that the plans for the buildings looked

lovely however requested that consideration be given to those walking through onto Werdohl Way and questioned whether footpath links could be incorporated into the scheme.

Councillor Watson agreed that footpath links should be provided. He added that the business park would help with the regeneration of the area and also help to sustain jobs.

Following a vote being taken it was

RESOLVED: that Planning Application 08/0560 be approved subject to:-

- 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 hydrogeological 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.
- 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.
 - 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.
 - 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.
 - 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.
 - 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.
 - 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.
 - Landscaping (LO1).
 - Notwithstanding the details of the submitted application, a scheme for the provision of a footpath link through the site between the main site entrance and

Werdohl Way shall be submitted to and agreed in writing by the Local Planning Authority and the said agreed scheme shall be fully implemented prior to the building hereby approved being brought into occupation.

08/0563 MR P LAMB

Conservatory to rear and dormer window to front, 11 New Durham Road, Annfield Plain.

The Senior Area Planning Officer presented the report which recommended approval of the application. He advised that although the application was recommended for approval the Design and Conservation officer was not happy with the design of the dormer window to be erected on the front of the building and had suggested that this be moved to the rear of the house.

Councillor Atkinson added that in his opinion the dormer would be in character as other houses on the terrace already had these features, he therefore supported the application.

The Design and Conservation Officer added that Durham Road was arguably the best Terrace in the Annfield Plain conservation area, she added that the terrace had strong detailing, each dwelling being the same as each other all following a certain rhythm. She added that she appreciated that 3 dwellings on this terrace already had dormer windows however these had been put in place before it was made a conservation area.

Councillor Atkinson further commented that he felt all the houses on the terrace were different in style and approval of the dormer would set a precedent. The Director of Environmental Services added that members needed to consider whether the proposal would preserve or enhance the character or appearance of the conservation area.

Further discussion then took place over the suitability of the design of the dormer and whether this could be altered to achieve a higher standard of design. Councillor Pattinson commented that the application may be more acceptable if a higher standard of design was achieved.

In response the Development Control Manager advised if members were minded to seek to achieve this, the applicant would have to be approached to seek amended plans.

Councillor Hughes reiterated the comments of Councillor Pattinson and **MOVED** that the application be deferred. This was **SECONDED** by Councillor Pattinson.

Councillor Watson questioned whether the application could be approved providing that amended plans were agreed by the Planning Officer and **MOVED** that this be taken as a new motion.

Councillor Hughes agreed with the comments of Councillor Watson and **WITHDREW** the original motion, this was **SECONDED** by Councillor Pattinson.

Consequently the new motion by Councillor Watson then became the **SUBSTANTIVE MOTION** and the Chair put the motion to the vote.

Following a vote being taken it was

RESOLVED: that Planning Application 08/0563 be approved subject to the receipt of amended plans in relation to the design of the dormer

- 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.
- amended plans

(4) Departures

In accordance with Standing Order 33, Councillor Alderson, Hughes, Westgarth and Milburn declared an interest in the following application.

08/0397 DERWENTSIDE DISTRICT COUNCIL AND DERWENTSIDE HOMES
Erection of 35 dwellings for affordable housing consisting of 25 houses and 10 bungalows, one, two and three storeys in height. Land south east of Iveston Road, Delves Lane, Consett.

The Development Control Manager presented the report which advised that at the meeting of the Development Control Committee on the 21st August 2008 the committee had agreed that the application be advertised as a Departure from the Local Plan and be referred to the Government Office for the North East with a recommendation that the Council was minded to approve the application, subject to conditions.

This had now been done and it was concluded that there was insufficient conflict with national planning policies or any other sufficient reason to warrant calling-in the application, therefore it was concluded that the application should remain with Derwentside District Council for decision.

She advised that there was a potential change in the wording of the application to read as follows; required in the interests of achieving affordable homes in

accordance with PPS3 and in order to justify the development of this Greenfield site.

Following a vote being taken it was

RESOLVED: that Planning Application 08/0397 be approved subject to:-

- 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.
- Materials (A04).
- Details of treatments of blank gable end shall be submitted to, and approved in writing by, the Local Planning Authority before the development commences.
- The parking spaces shown on the approved plan shall be constructed and made available for use before the dwellings they serve are occupied.
- If during development, contamination not previously identified is found to be present at the site 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.
- Foul drainage (D03)
- Removal of permitted development rights (PD01)
- Legal agreement for the off-site play provision contribution (LG01)
- Landscaping (L01)
- Vehicular access (R05)
- Solar panels shall be installed to the roof of each dwelling and shall be solar cells for water heating.
- Development shall not commence until a detailed scheme for 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.
- 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.

Conclusion of Meeting

The meeting closed at 3.30 p.m.

Chair.

DEVELOPMENT CONTROL COMMITTEE

Minutes of a Site Visit undertaken by the Development Control Committee held on Monday 24th November 2008 at 10.30 a.m.

Present

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

Councillors M. Campbell, B. Cook, R. Ellis, D. Lavin, O. Milburn, T. Pattinson, E. Turner, A. Watson, J. Williams, R. Young.

Apologies

Apologies for absence were received on behalf of R. Alderson, A. Atkinson, H. Christer, G. Coulson, W. Gray, P.D. Hughes, D. Hume, S. Rothwell, A. Shield, T. Westgarth, M. Wotherspoon.

44. PLANNING APPLICATION 08/0430 – CHANGE OF USE OF LAND AND DEMOLITION OF HOTEL TO ALLOW RESIDENTIAL DEVELOPMENT OF 17 HOUSES, THE RAVEN HOTEL, BROOMHILL, EBCHESTER, CONSETT.

The Chair opened the meeting and the Senior Area Planning Officer referred to the minutes of the Development Control Committee held on the 13th November 2008 when consideration of Planning Application 08/0430 had been deferred for a site visit.

The Senior Area Planning Officer advised members of the proposed locations of the 17 dwellings in relation to current buildings which would all be demolished to accommodate the development. He advised that a single new access would be created in a central position on the site and all vehicular access to properties would be from within the site, each house being intended to have 2 parking places

He advised that 17 houses were proposed and that this, in relation to the site's size of just over half a hectare, was a reasonable density. He added that the materials proposed were considered by officers to be in keeping with the surroundings, it being proposed to use orange bricks, black timber cladding, black slates and orange tiles with black fencing. .

With regard to the two blocks of terraced houses, the distances from them to Ebchester Bank would vary between 3.5 – 5.8 metres.

Councillor Turner requested that Members view the site from Ebchester Bank so that the Committee could take into consideration the closeness of the neighbouring dwelling.

Members proceeded to view the site from the pathway on Ebchester Bank from both the top and bottom of the site and were able to consider the development's impact on the 2 dwellings diagonally opposite at Creswell Cottages.

Discussion then took place regarding the use of materials, some Members being of the opinion that orange brick would be out of character and that nothing other than stone should be used. Councillor Campbell, however, was of the opinion that other buildings and dwellings nearby were built using a mix of materials (brick, stone and render). Therefore, to say that brick would be out of character would not be true.

Councillor Watson made reference to a recent article in the local Advertiser which stated that the business was under new management and that reservations were in place for up to 3 years in advance. He further questioned the comments of the applicant in saying that it was a failed business and would be likely to close within a few months. The Senior Area Planning Officer advised that much confidential information had been submitted about the state of the business. The application should be determined on how it currently stood and Members should assume that if permission were to be granted that it would be built

Councillor Cook then commented that he felt that the state of business should not be taken into account when determining the application but the fact that the dwellings would be too close to the main road should be a major consideration.

Further discussion took place regarding the layout of the site and its prominence in the landscape, including when viewed from across the valley.

Members visited Rose Cottage, the detached house immediately below the proposed development, and were able to observe how it was set at a much lower level and was well screened by existing boundary planting.

The Chair thanked Members for their attendance and closed the meeting, he advised Members that the application would be open for full discussion at the next meeting of the Committee scheduled to be held on Thursday 4th December 2008 at 2.00 p.m.

Conclusion of Meeting

The meeting closed at 11.00 a.m.

Chair.

DERWENTSIDE DISTRICT COUNCIL
DEVELOPMENT CONTROL COMMITTEE

4th December 2008

REPORT OF DIRECTOR OF ENVIRONMENTAL SERVICES

**AMENDMENT TO 12th LIST OF BUILDINGS OF SPECIAL ARCHITECTURAL
OR HISTORIC INTEREST IN DERWENTSIDE, TO INCLUDE THE WAR
MEMORIAL AT THE CIVIC CENTRE, CONSETT.**

1. The purpose of this report is to inform Members that the Secretary of State has made an amendment to the 12th List of Buildings of Special Architectural Interest in Derwentside. The amendment has been made in order to add the War Memorial at the Civic Centre in Consett onto the list. The War Memorial is to be designated at Grade II. The proposed amendment came into effect as of the 30th October 2008.
2. The memorial is a First World War Memorial with Second World War and Korean War additions, erected in 1925 and is constructed of stone. The memorial takes the form of a small wheel cross upon a tall and slender octagonal column, which in turn rests upon the plinth which has a wreath raised in half relief on two of the four sides. Below this is a stepped pedestal. The memorial records the names of 301 men of Consett who fell in the Great War, 175 men who fell in the Second World War and a single soldier of the Korean War.
3. The War memorial was designated for the following principal reasons:
 - It is an eloquent witness to the impact of tragic world events on this community.
 - It has strong cultural and historical significance within both a local and national context.
 - It is an elegant and dignified memorial.
4. A certified copy of the 9th amendment to the 12th list of buildings of special architectural or historic interest is attached to this report, as Appendix A.

Recommendation

5. This report and its Appendix are noted.

Report prepared by Louisa Ollivere, Area Planning Officer.



SCHEDULE

The following building has been added to the list:-

505897

MEDOMSLEY ROAD
WAR MEMORIAL AT THE CIVIC
CENTRE

II

First World War Memorial with Second World War and Korean War additions, erected in 1925.
Constructed of stone.

The memorial takes the form of a small wheel cross upon a tall and slender octagonal column, which in turn rests upon on a plinth which has a wreath raised in half relief on two of the four sides. Below this is a stepped pedestal. The memorial records the names of 301 men of Consett who fell in the Great War, 175 men who fell in the Second World War and a single soldier of the Korean War.

Inscription ON FRONT reads:

TO THE GLORY/OF GOD AND/IN MEMORY OF/THE MEN OF/CONSETT/ WHO GAVE THEIR LIVES
IN/THE GREAT WAR 1914-1918/THEIR NAME LIVETH FOR EVER MORE. / (NAMES)

The names of the fallen are carved on the front, sides and rear faces of the upper pedestal. The names of the fallen of the Second World War are carved on the faces of the lower pedestal.

HISTORY: This First World War memorial, with Second World War and Korean War additions, was unveiled and dedicated at a service on September 30th 1925 by Maj. Gen F.A. Dudgeon, C.B. Original photographs depicting the ceremony and procession survive. It was originally sited at Ainsley Terrace, Consett and was moved to its present location in the mid C20.

SOURCES: UKNIWM ref: 19511

The war memorial at Consett is designated at Grade II, for the following principal reasons:

- * It is an eloquent witness to the impact of tragic world events on this community
- * It has strong cultural and historical significance within both a local and national context
- * It is an elegant and dignified memorial

Dated:- 30th October 2018

Signed by authority of the
Secretary of State

DIANE MACFARLANE
Department for Culture, Media
and Sport

DERWENTSIDE DISTRICT COUNCIL

DEVELOPMENT CONTROL COMMITTEE

4th DECEMBER 2008

REPORT OF DIRECTOR OF ENVIRONMENTAL SERVICES

APPEAL DECISION

Appeal against the refusal of Outline Planning Permission for eleven dwellings at the former Bird Inn PH, Hill Top, Flint Hill, Stanley.

1. This appeal relates to an application for Outline Planning Permission for eleven dwellings at the site of the former Bird Inn Public House in Flint Hill Stanley which was refused permission under delegated powers on the 3rd October 2007. It was refused on the grounds that the site would not be appropriate to the existing form and pattern of development in the settlements of Flint Hill and Dipton, given its position in relative isolation to the North of the A692, and that it would be an encroachment into the countryside without special justification such as benefit to the rural economy or forestry. The Planning Inspector allowed the appeal.
2. The Inspector acknowledged that the majority of existing housing development was located to the south of the A692. However this had been largely dictated by the topography in the area – dropping away to the northwest. Where there had been available flat land to the northwest, as in the centre of Dipton, development has taken place on this side of the road. The Inspector noted that permission had been allowed for 14 dwellings at the former Bute Arms PH site. Therefore the Inspector did not consider that the development would necessarily be inappropriate to the existing form and pattern of development in the area and that the general linear form would not be significantly compromised.
3. The Inspector also acknowledged that the site is sandwiched between the A692 and the old railway line to the north, which now carries a public footpath. He was satisfied that this site is quite different in character from open countryside further to the northwest and as such is considered to not be an encroachment into the countryside, with the old railway line forming a physical boundary for the built up area. The Inspector considered that the proposed development constitutes “rounding off” of the settlement, particularly

given the presence of a pair of semi-detached dwellings to the southwest and the grounds of Mountsett Crematorium to the northeast, and thus acceptable under Policy HO5 of the District Local Plan.

4. An important element of central government policy is that it encourages the re-use of previously-developed land in sustainable locations. The Inspector concluded that the development is in a reasonably sustainable location given the presence of a range of local facilities and services within walking / cycling distance in the centres of Flint Hill and Dipton, as well as employment opportunities potentially available on industrial estates within the immediate area.
5. The Inspector concluded that the proposal would not have a detrimental effect on the character and appearance of the countryside or the creation of sustainable patterns of development in the area, having regard to local, regional and national policies, reinforced by the inevitable environmental benefit of bring back into use a derelict site.

Recommendation

6. This report be noted.

Report prepared by Graham Blakey, Area Planning Officer

DERWENTSIDE DISTRICT COUNCIL**DEVELOPMENT CONTROL COMMITTEE****4th DECEMBER 2008****REPORT OF THE DIRECTOR OF ENVIRONMENTAL SERVICES****PLANNING APPLICATIONS AND ASSOCIATED MATTERS****CONTENTS**Site Visits

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Recommendation For Refusal

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SITE VISITS

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. At the last meeting of the Development Control Committee on the 13th November 2008 the Committee decided to defer consideration of a report regarding the change of use of land and demolition of hotel to allow residential development of 17 houses at The Raven Hotel, Broomhill, Ebchester, Consett for a site visit.
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 recommendation remains as previously, that Members are minded to approve the proposal, subject to the application being advertised as a Departure and being referred to the Government Office for the North East.

Recommendation

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

The development hereby approved shall be implemented solely in accordance with the amended plans R/009, R/010, R/011, R/012 received on 30th September 2008 and R/007 received on 5th November 2008.

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.

4. Reasons for Approval

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.

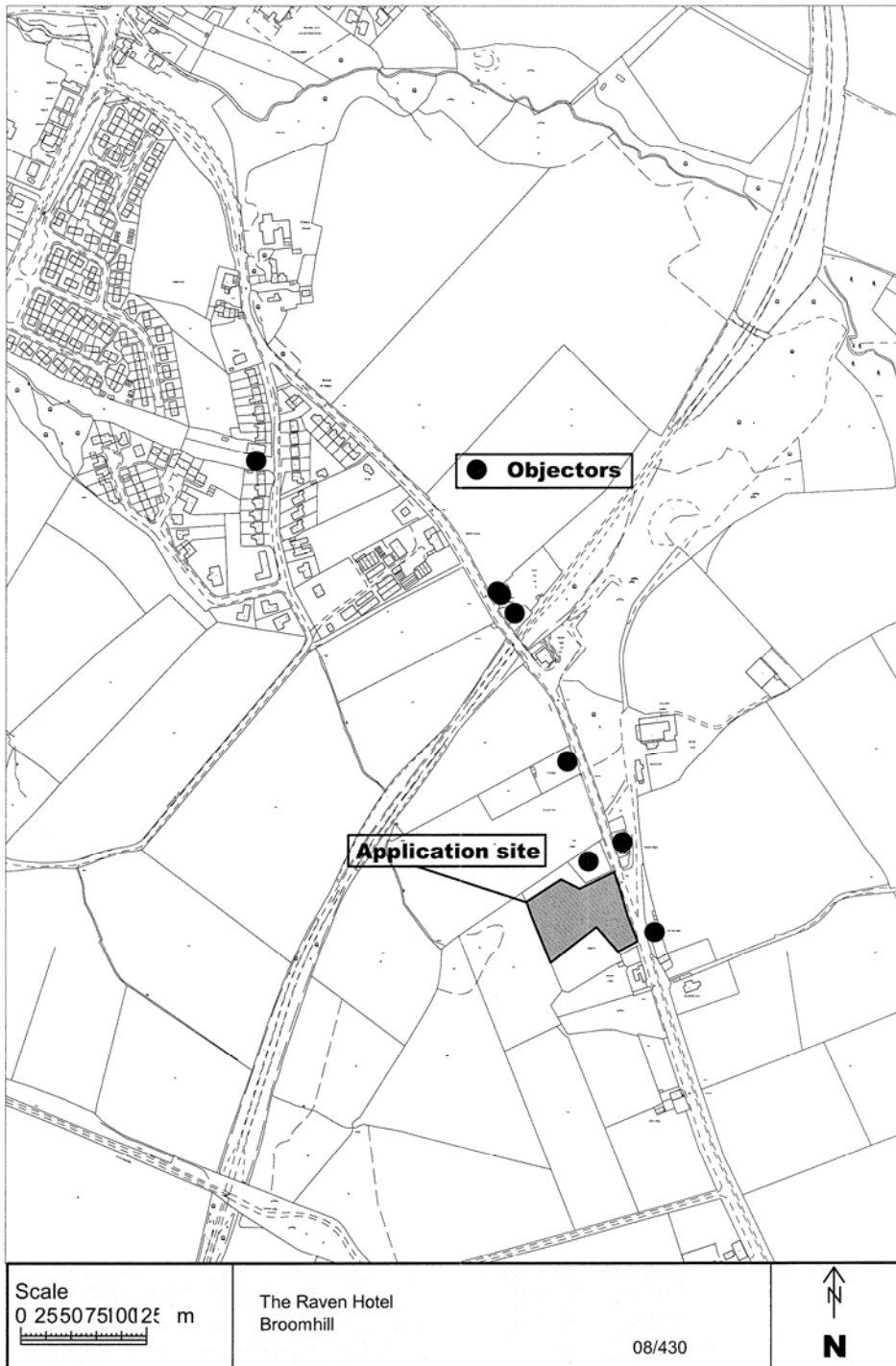
In particular the development was considered acceptable having regard to consideration of issues of sustainability, accessibility, inclusivity, design,

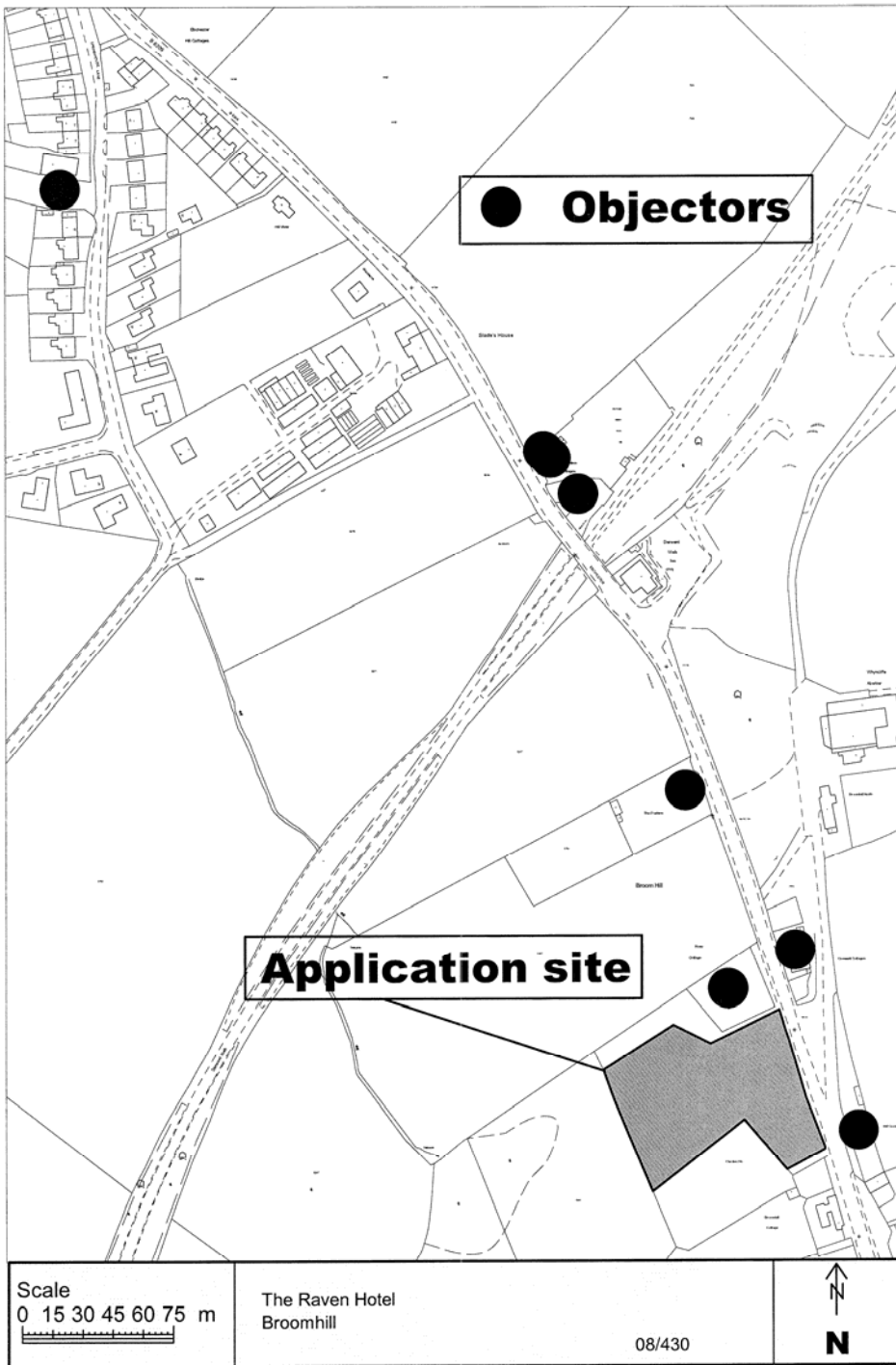
effect on rural economy, effect on rural landscape, impacts upon residential amenity, highway safety, effects on protected species or archaeological remains.

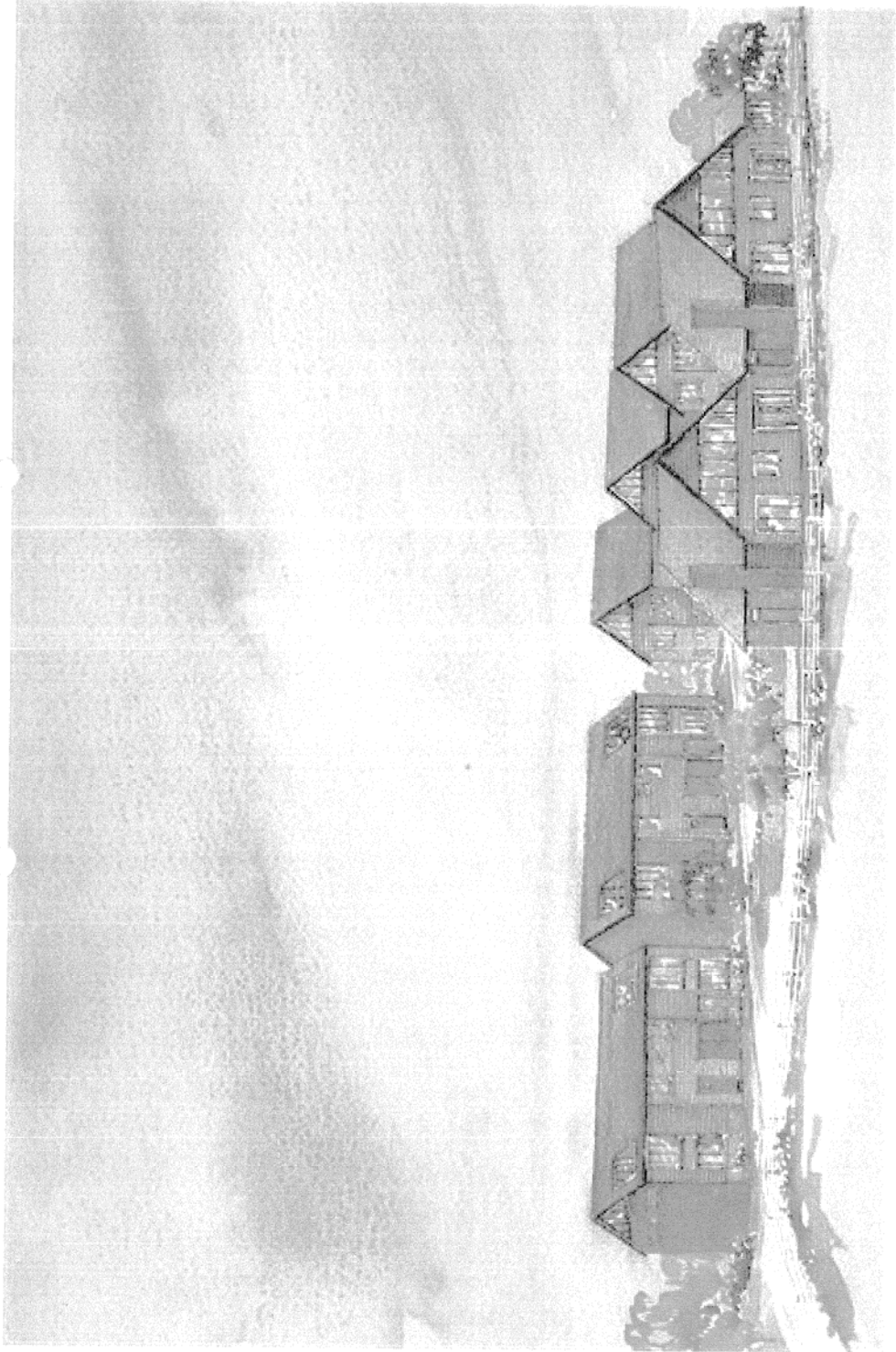
The stated grounds of objection were not considered sufficient to lead to reasons to refuse the application as this would be a high quality housing proposal on a brownfield site which would ensure the future of this highly prominent site which is at risk of becoming either a disused site or being converted 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 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.

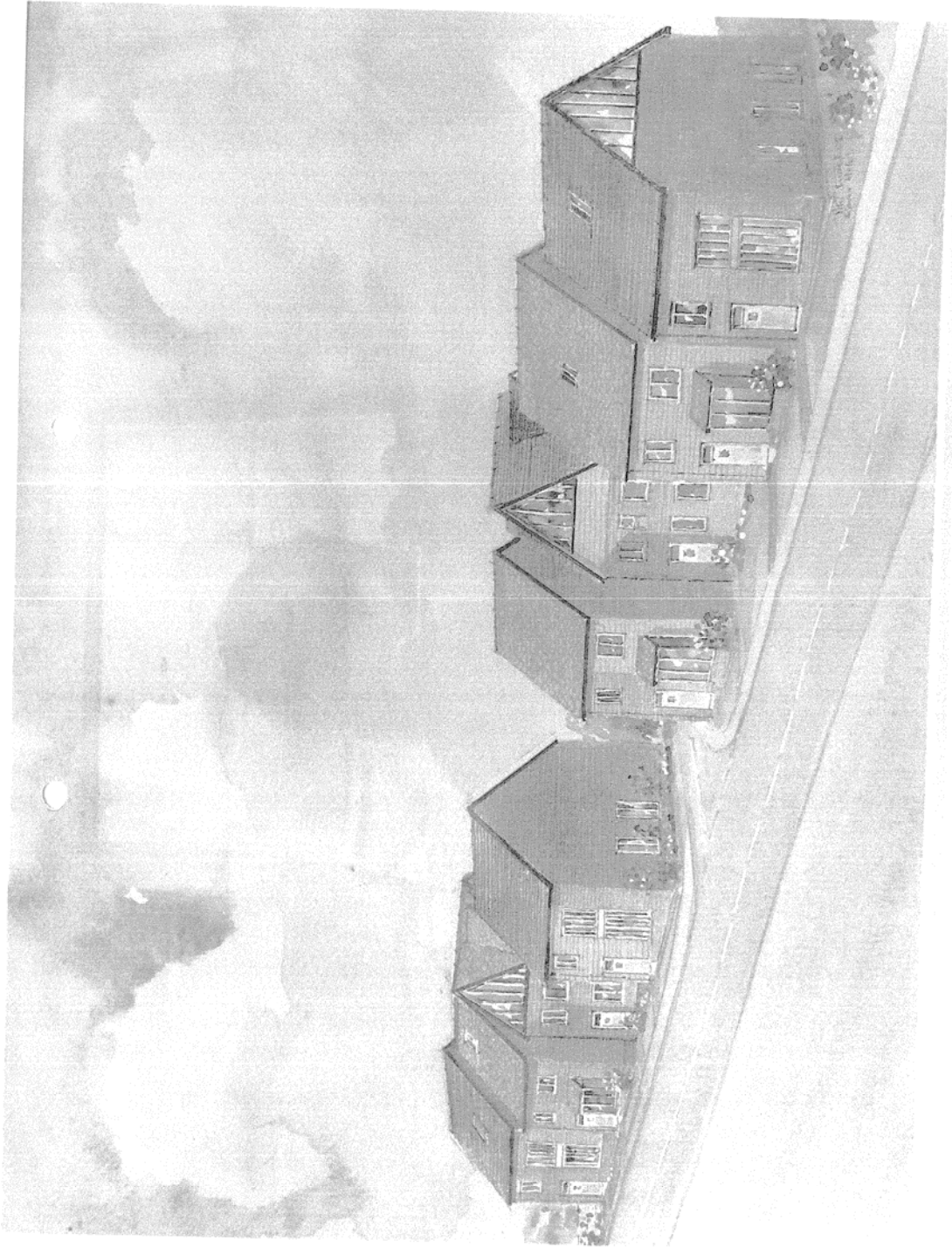
The Committee report relating to the application is obtainable from these offices upon request.

Report prepared by Louisa Ollivere, Area Planning Officer.

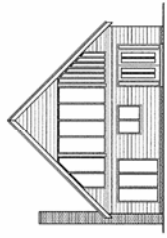




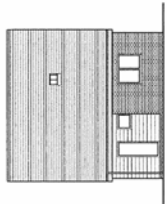




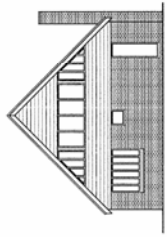
unit 17



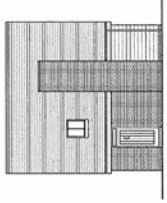
north elevation



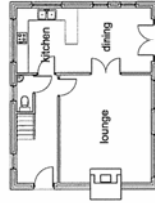
west elevation



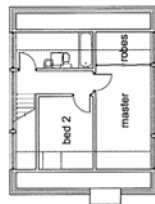
south elevation



east elevation

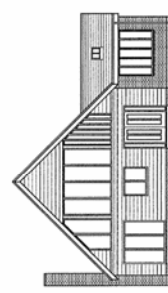


ground floor plan

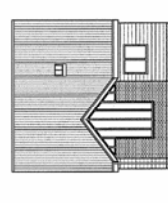


first floor plan

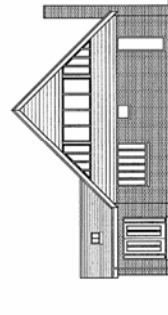
unit 16



north elevation



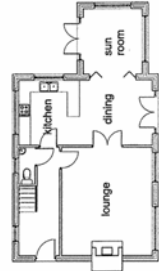
west elevation



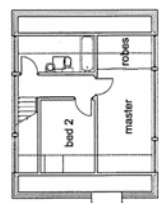
south elevation



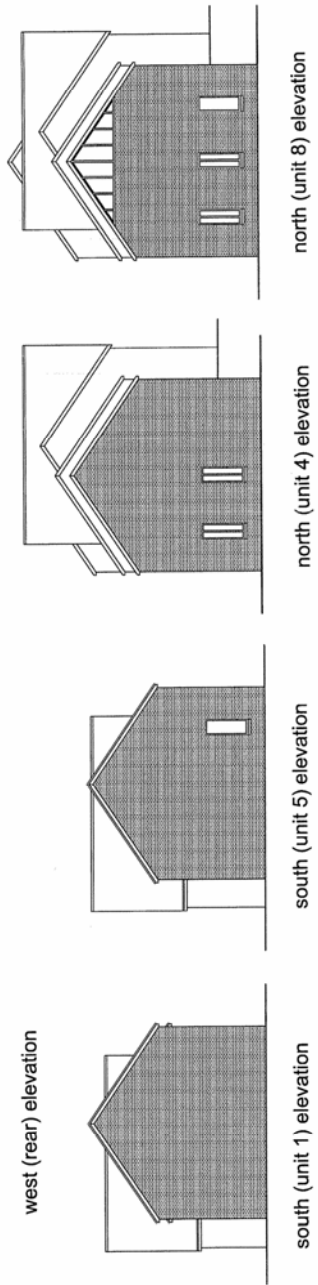
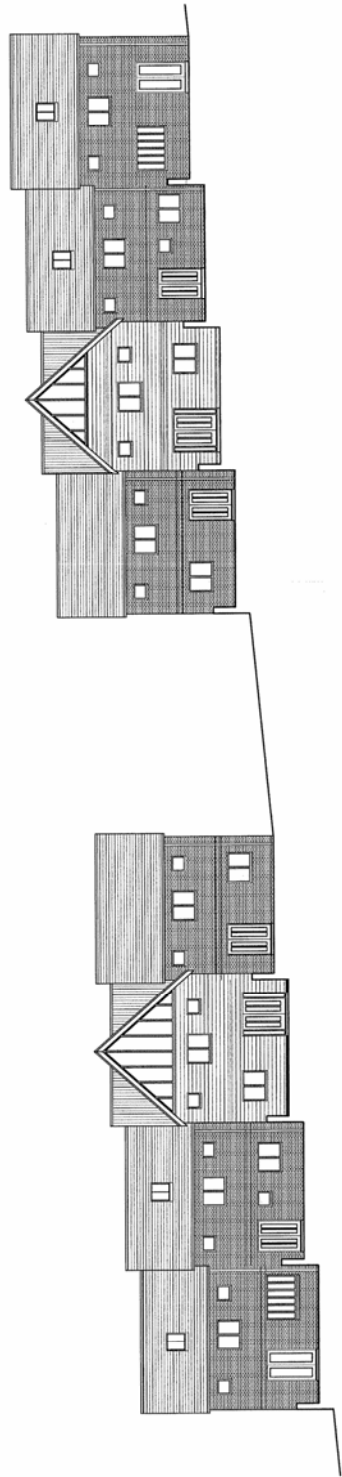
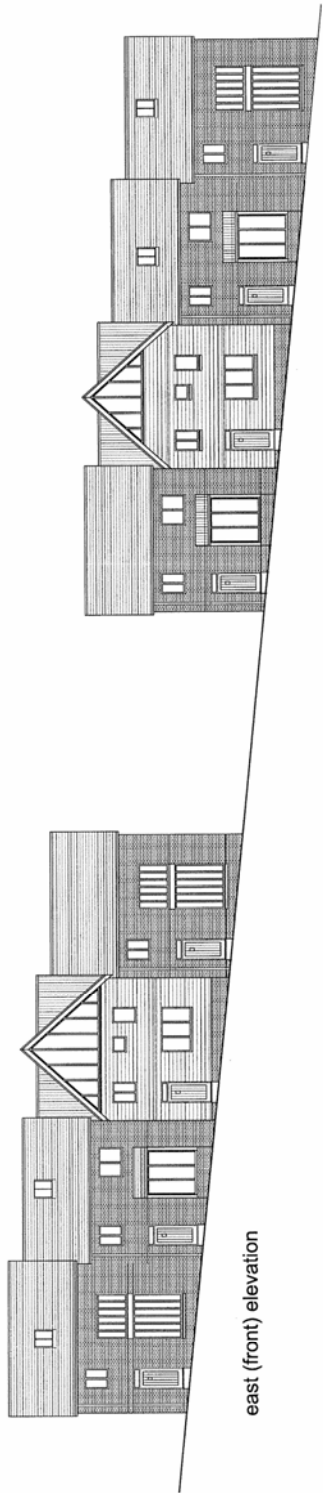
east elevation

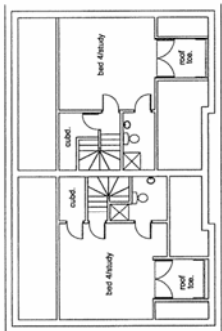


ground floor plan

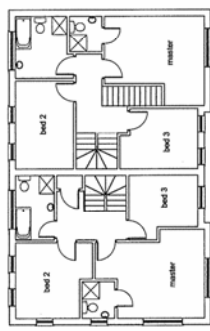


first floor plan

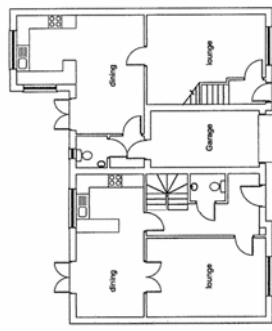




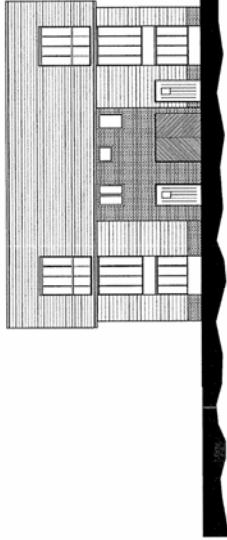
second floor plan



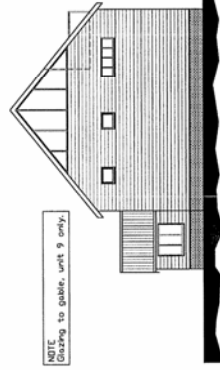
first floor plan



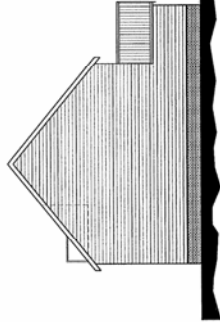
ground floor plan



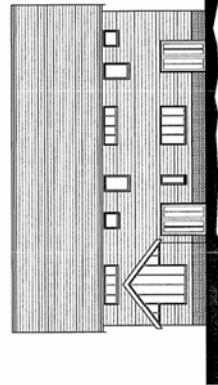
north (front) elevation



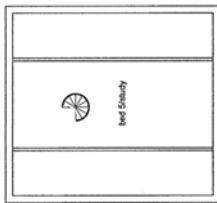
side elevation



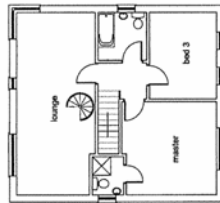
side elevation



south (rear) elevation



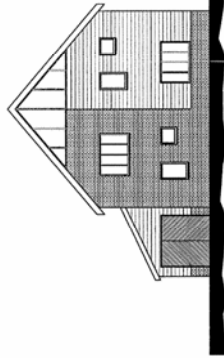
second floor plan



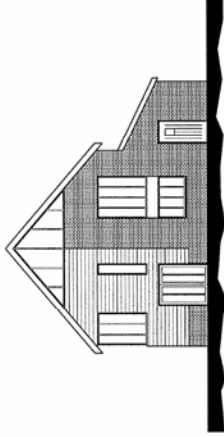
first floor plan



ground floor plan



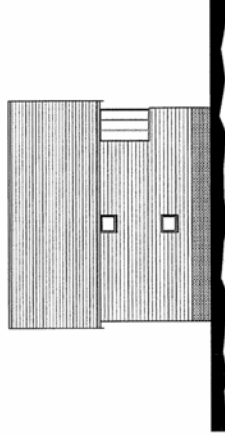
east (front) elevation



west (rear) elevation



side elevation



side elevation

RECOMMENDATION FOR REFUSAL

1/2008/0658

15/09/08

Mrs K Willis

86 Tweed Terrace,
South Stanley

Erection of detached double garage
to front

South Stanley Ward

The Application

1. This application seeks Planning Permission for the erection of double garage, driveway and additional hard standing to the front of 86, Tweed Terrace, an end terrace property in South Stanley.
2. The property to which this application relates lies within an extensive residential area that comprises rows of dwellings facing each other, with long front gardens fronting a road and smaller rear yards overlooking a back lane. The topography of the site slopes significantly from north to south which results in the front road being at the same level as the first storey of the properties of Tweed Terrace (even numbers).
3. The proposed double garage would be located to the front elevation and take access from the front road. A level base for the garage and additional hard standing would be constructed that would measure 8 metres (from a total of 8.5 metres for the full width of the front garden). The hardstanding area would be level with the front road, with the driveway sloping down to the level of the garage that is stepped lower than the front road.
4. The garage itself would measure 4.9 metres in depth, 5.2 metres in width and 2.235 metres in height. It would be a concrete sectional garage with a flat roof and finished in either pebbledash or brickwork. Two garage doors would be positioned to the front elevation of the garage and drainage would be via a soakaway to the front garden.
5. Overall, the total height would be 3.2 metres at the rear of the garage and base, the width will be 8 metres, and the garage, drive and hardstanding would extend 8.5 metres from the boundary of no. 86 with the footpath at the front of the property.

History

6. No planning history.

Policy

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

GDP1	GDP1 - General Development Principles
HO19	Extensions and alterations to existing dwellings

Consultations

8. County Highways Development Control Officer: has no objections but states that any new access created onto a highway should be constructed in accordance with Section 184 (3) of the Highways Act 1980.
9. Neighbours have been consulted and a site notice posted. No objections have been received.

Officer Assessment

10. The main issues to consider in relation to this application are whether a garage is acceptable in principle; the impact of the garage on the neighbouring properties, and the design.

The Principle of the Development

11. The garage would be positioned to the front elevation of the property at the top of the garden, fronting a road, and it would be set lower than the road by 0.4 metres. Given the topography of the street and the length of the front garden this means that the proposed garage would be at approximately the same level as the first floor of the properties of Tweed Terrace (evens). The long gardens located to both sides of Tweed Terrace are generally unbroken by high hedges or trees. This open aspect to the front of the properties would be undermined and negatively affected by these proposals and thus contrary to Policy GDP1 of the District Local Plan.
12. Policy GDP1 states that a development should respect the character and appearance of the locality. The construction of the garage in the proposed location would not respect the appearance and character of the area, nor does it take into account the scale, form and mass of the original dwelling. Policy HO19 states that all householder extensions should reflect the character of the original dwelling(s) and respect the scale of the original dwelling. The proposed garage neither reflects the character of the original dwelling or its surroundings, nor respects the scale of the original dwelling or incorporates a pitched roof.

Neighbouring Amenity

13. The impact the garage would have upon the neighbouring properties also needs to be taken into account. As the garage would be elevated and be

approximately at the height of the first floor of the properties, its impact upon the outlook and amenity of neighbouring properties would be detrimentally large (contrary to both policies GDP1 and HO19). It should however be noted that no objections to the application have been received.

Design Issues

14. The proposed garage would be sectional with a flat roof. Policy HO19 of the Local Plan states that a pitched roof should be incorporated wherever possible, however, the proposals do not incorporate a pitched roof. The garage would be of a concrete sectional construction: the plans note that the external materials would be to the specification of the Local Planning Authority with a choice of pebbledash or brickwork. Both policies GDP1 and HO19 mention the need to utilise materials that match as closely as possible the original dwelling. The application does acknowledge that the stated preference of the Local Planning Authority would be adhered to when determining the finishing materials for the proposed garage.

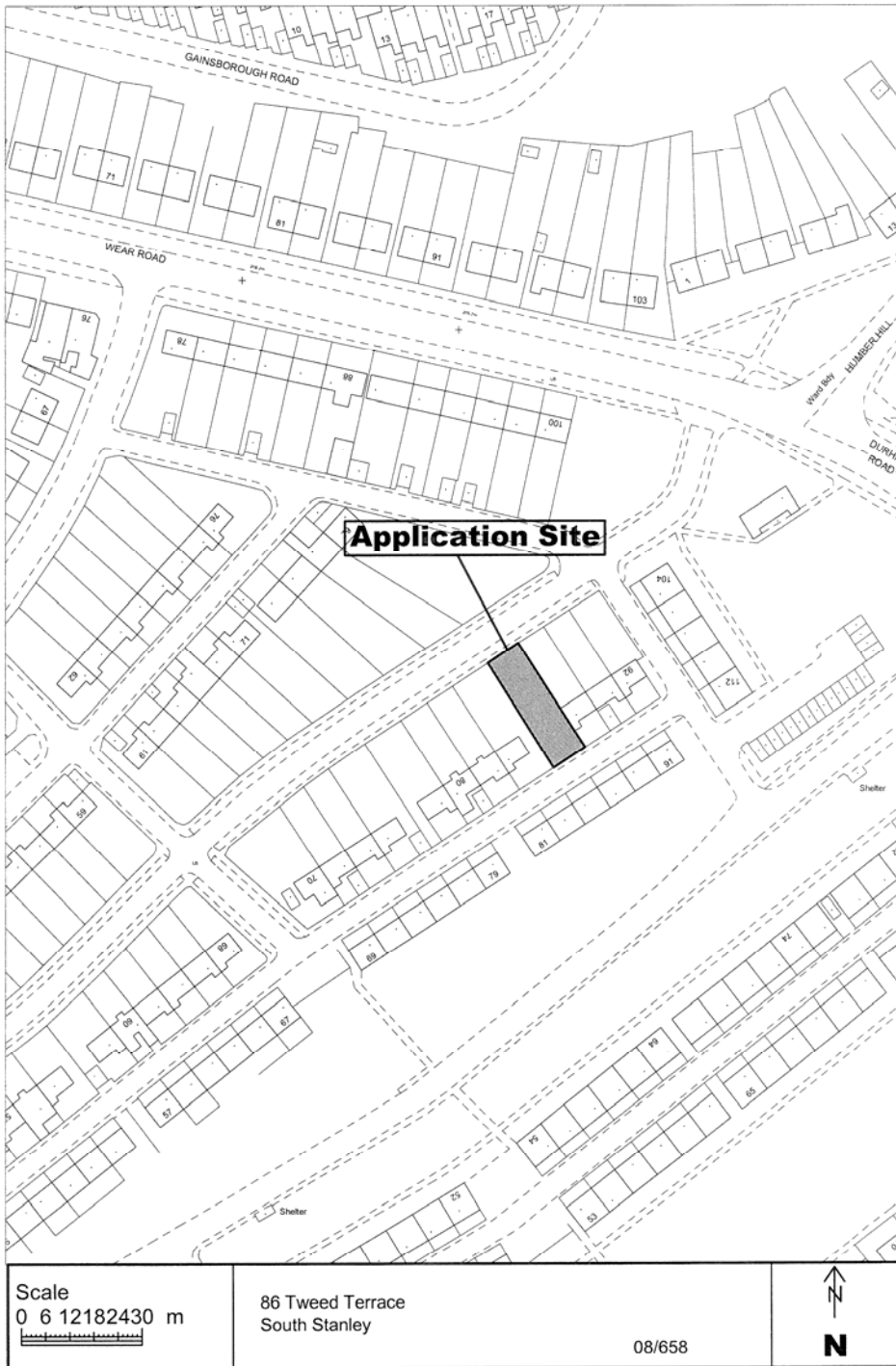
Other Issues

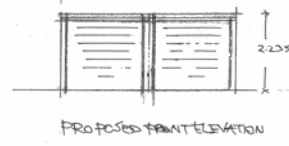
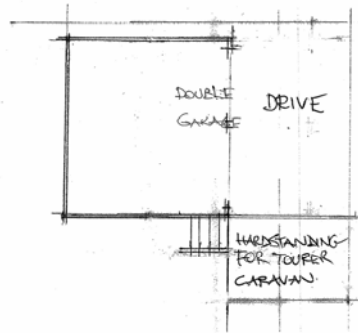
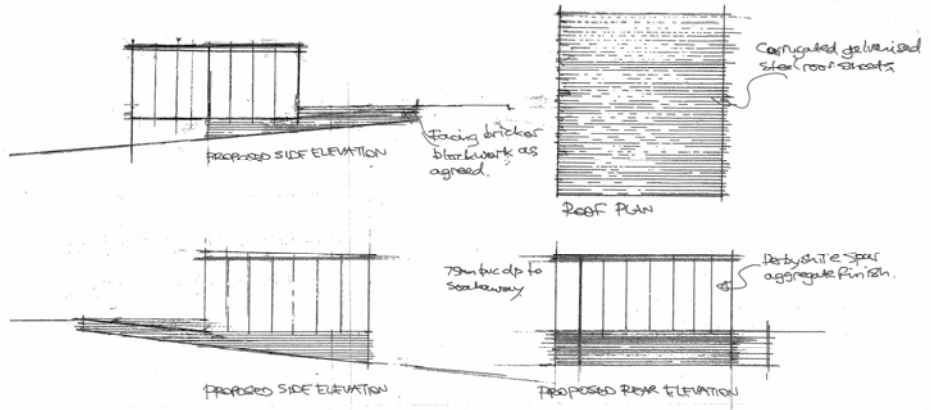
15. Of note however, is the presence of a single garage to the front of 80 Tweed Terrace that has been erected without the benefit of Planning Permission. This garage is very similar to the proposals contained within this application, but on a smaller scale. The Enforcement team have been made aware of this and a retrospective planning application has been submitted but is currently 'invalid'.
16. Also there are a number of garages present in other areas of Tweed Terrace and beyond that are located to the front (principal elevation), these are generally single garages constructed from red brick (matching the existing dwelling) and feature pitched roofs. A number of these appear to be constructed without the approval of the Planning Division and are being considered accordingly.
17. A garage, very similar in location (to front elevation) and design (pre-cast section garage with pebble-dash exterior) was granted Planning Permission in 2004 at 6 Tees Crescent. This is some distance from the application site and it should be noted that each case must be dealt with on its individual merits.
18. Overall, it is considered that the presence of a garage in this location would have a harmful affect upon the character and appearance of the area; would result in an unacceptable loss of amenity to the neighbouring properties and would not respect the scale, form and mass of the dwelling(s) within the street scene, contrary to policies GDP1 and HO19 of the District Local Plan.

Recommendation

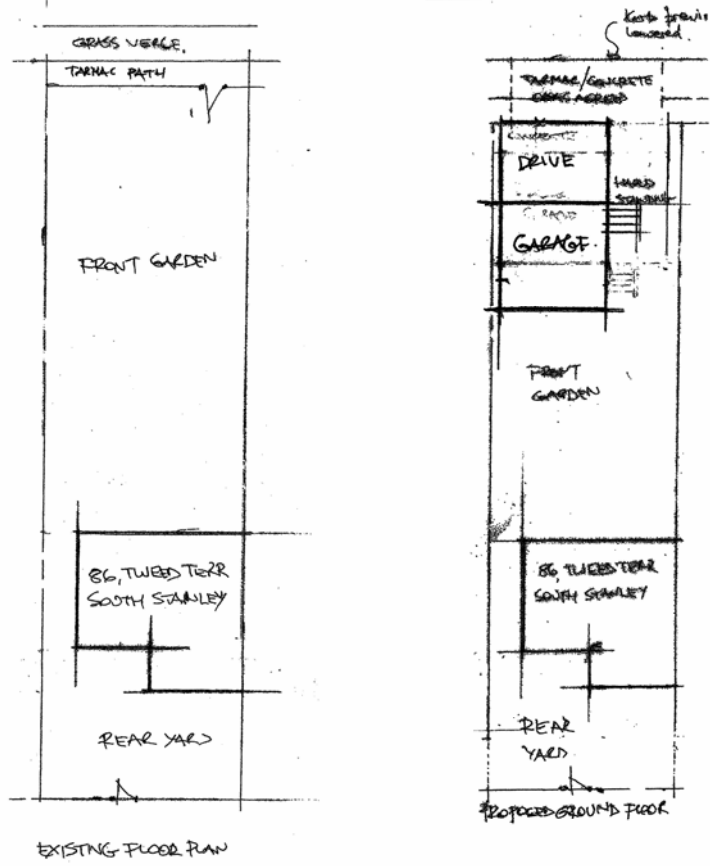
19. Refuse
20. The proposed garage would be detrimental to the character and appearance of the street scene; does not respect the scale, form and mass of the original dwelling and would result in an unacceptable loss of amenity to the neighbouring properties contrary to Policies GDP1 and HO19 of the District Local Plan.

Report prepared by Graham Blakey, Area Planning Officer.

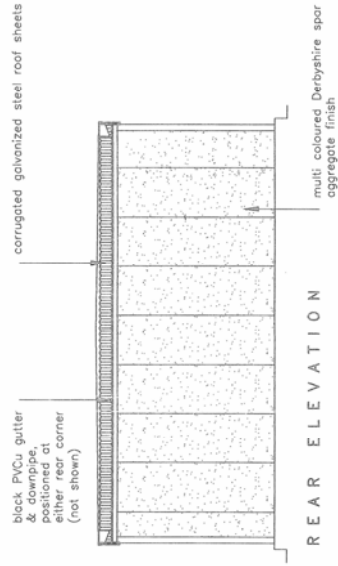
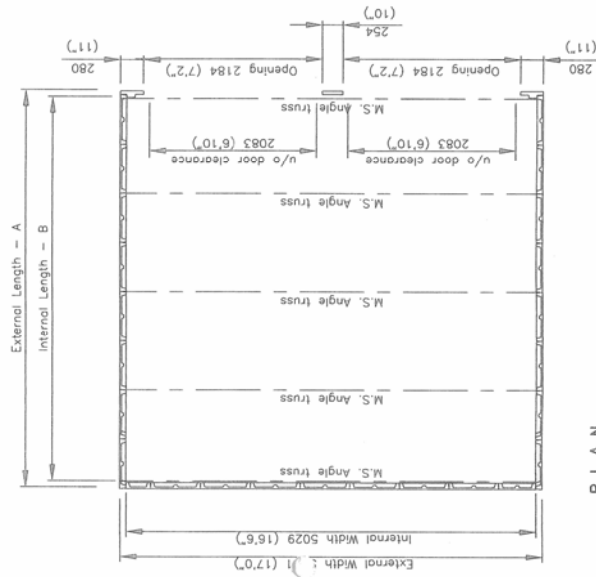
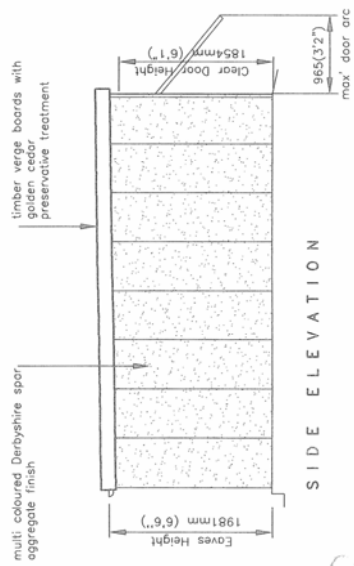
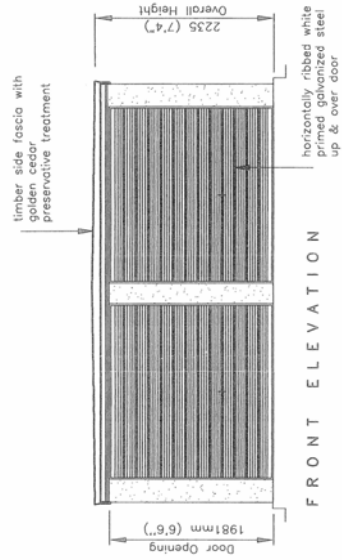




86 Tweed Terrace
 South Stanley 08/658



86 Tweed Terrace, South Stanley 08/658



86 Tweed Terrace
South Stanley 08/658

RECOMMENDATION FOR APPROVAL

08/0732

15.10.08

Lanchester Parish Council

Kitswell Park, Lanchester

Change of use of former agricultural field to allow for the creation of a bike track, play area and extension of rugby pitch, creation of toddlers play area, cricket nets and electronic scoreboard

Lanchester Ward

The Application

1. This application seeks Planning Permission for the change of use of an agricultural field for recreational facilities on approximately 3.6 hectares of land at Kitswell Park, Lanchester. The existing cricket pavilion, cricket and rugby pitches would remain along with the provision of the two existing car parks accessed from Kitswell Road.
2. The site's topography is relatively flat and comprises rough grass to the west of the site and manicured sports pitches to the east leading to the cricket pavilion. The site is bound to the north by the A691 and to the south and east by residential properties of Ashdown Grove, Burnside and Fenhall Park. To the southeast of the site is Lanchester Cemetery. The site is currently accessed by pedestrians from the existing car parks on Kitswell Road and by three further accesses from Ashdown Grove, Victoria Terrace and Fenhall Park.
3. Permission is sought to create a bike track, play area, extension to the existing rugby pitch, creation of toddlers play area, cricket nets and electronic scoreboard. As specified in the accompanying Design and Access Statement the aim of the scheme is 'to provide exciting opportunities for physical activity within a safe environment that will encourage social development and test the children's skills and fitness'.
4. The proposed bike track would be located to the western side of the site adjacent to the Cemetery. Access to the facility would be gained by a path from the Kitswell Car park along the boundary of the site behind the properties of Ashdown Grove. The site would consist of two bike tracks, for beginners and advanced users between the ages of 8 and 14. The proposal would involve some engineering works to create contours in the land to provide interest for riders. A landscaped bund is proposed to the southeast corner of the bike track to provide a screen between the track and residential properties. Additional screening is proposed along the boundary of the site

to provide screening from the cemetery and adjacent road.

5. A play area for children between the ages of 6 and 14 years is proposed to the south side of the bike track adjacent to the boundary to the Cemetery. Play equipment is proposed, including a Gyrospiral, Aeroskate and Cableway. The equipment would be installed on rubberised reinforced grass.
6. The area used for rugby pitches would be enlarged: the changes involve no material development.
7. A second play area aimed at children up to the age of 5 years is proposed to be located adjacent to the western car park to the rear of 24 Ashdown Grove. The equipment would include a swing, duo (see saw) and tightrope circuit.
8. New cricket nets are proposed to the east of the cricket pavilion on the site of former tennis courts. The cricket nets would measure approximately 30 metres in length by 7 metres in width. The nets would allow players to practice without the balls potentially going outside the site.
9. An electronic scoreboard is proposed to be situated in front of the existing scoring box to the west of the cricket pitches. The box would be fixed to a wall 2.5 metres high and 3.0 metres long.
10. Access to the site would remain as existing except a vehicle access is proposed from Ashdown Grove. However this access would remain locked, except for access by emergency vehicles.

History

11. A planning application was approved for extension to public toilets and changing facilities in 1985 (reference 1/1983/0033).
12. In 1987 permission was granted for an illuminated amenity board (reference 1/1987/0635).
13. Extensions to the Clubhouse were approved in 1991 (reference 1/1991/0543).
14. Permission was granted for the demolition of a building and change of use of the land in 1997 (reference 1/1997/0391).
15. In 2003 permission was granted for a stone storage building and score box (reference 1/2003/0380).
16. Retrospective planning permission was granted in 2008 for the siting of a metal storage container (reference 1/2008/0492).

Policy

17. The following Planning Policy Guidance is relevant in determining this application:

PPG 17 – Planning for open space, sport and recreation

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

General Development Principles (GDP1)
Development and Highway Safety (TR2)
Lanchester Village Design Statement (SPG9)

Consultations

18. County Highways Development Control Officer: raises no objections to the proposal.
19. Landscape Officer: is supportive of the application in general, but has some concerns on the Tree Constraints Plan. It is not clear if this has been based on an accurate tree survey that measured the diameter of each tree and calculated the Root Protection Area from this in accordance with BS 5837:2005. He states that he is a little wary by the way in which the proposed protective fencing shown on the Tree Constraints Plan (drawing 539/06) as this follows the heptagonal tree graphics rather than describing an arc round each tree. He suspects that this is not a serious issue, but the protection should cover the hedge along the boundary with the Cemetery and the trees within the Cemetery. The Landscape Officer advises that the trees in the southwestern boundary of the cricket pitch, near the proposed location of the under 5's play area, also need to be protected.
20. Land and Property Division: no comments.
21. Environmental Health: no adverse comments to make regarding the proposal.
22. Police Architectural Liaison Officer: no comments received at the time of writing the report.
23. Lanchester Partnership: no objection to these proposals but would wish to see the site adequately landscaped.
24. Neighbours have been consulted and a site notice posted. Five objections have been received on the following grounds;
- Residential parking at Ashdown Grove is limited. As a result, several residents are forced to park on the estate road. By allowing access for cyclists through the estate this would significantly increase the risk of

injury and compromise the safety of young children living there.

- Visitors to the cycle track and play area may choose to park their vehicles in Ashdown Grove increasing the risk of accidents.
- Access from Ashdown Grove onto the playing field is currently maintained as a pedestrian access point. As this is the shortest access from the public highway, it is felt cyclists may increase the risk of injury to pedestrians.
- Increase in anti social behaviour including vandalism, underage drinking, littering and criminal damage.
- Concerns regarding potential access to the site by vehicles in the event of an emergency.
- Increase in litter following rugby matches at the site.
- Increase in noise to neighbouring residents in the evening and at night.
- Potential use of the track for mini, moto or motor cross bikes.
- Increase in disturbance to visitors of the Cemetery.
- The proposed vehicle access is in the ownership of 12 Ashdown Grove.
- The pedestrian accesses are unclear on the plans.
- The Parish Council have not taken into account residents' comments at the consultation events.
- The proposal is not needed.
- Further consultation with residents should be carried out.
- The proposed footpath to the cycle track should be located on the opposite of the field. The 'Secured by Design' award for new homes recommends that public footpaths should not run to the rear of and provide access to gardens or dwellings as these have been proven to generate crime.
- A wide 'no alcohol' policy should be implemented with the ability for residents to dial 999 if young people are seen with alcohol.
- The access from Ashdown Grove should be removed to prevent the use of the road as a thoroughfare.
- Security fencing should be provided and only opened within daylight / sociable hours.
- Users of the bike track may ride over the cricket pitch damaging the surface.
- There does not seem to be a dedicated source of funding.
- The development area is often waterlogged.
- Lack of car parking.
- The proposed development may look obtrusive from the A691.
- The development is close to the Smallhope Burn which is the principal watercourse and acts as one of the primary wildlife corridors. The proposed development is in close proximity with the area, and that wildlife inhabiting the area may be disturbed.

Officer Assessment

25. Members will wish to consider the following issues in determining this application; the principle of the development, residential amenity, design, highway safety, landscaping and anti social behaviour.

Principle of Development

26. Government Guidance in Planning Policy Guidance 17 'Planning for open space, sport and recreation' has the primary aim of supporting rural renewal, promoting social inclusion and promote health and well-being. The guidance supports and encourages the upgrading of existing recreational land and facilities. The site has a long-standing use for recreational activities with the provision of both rugby and cricket pitches, which are used on a regular basis. In accordance with national guidance the development would encourage the use of the site by all ages with an aim to encourage social inclusion and health, and well being particularly in children. National guidance does not require a proposal of this nature to provide justification for its need in a specific location provided the scheme meets with other relevant planning polices.

Residential Amenity

27. Local Plan Policy GDP1 seeks to ensure that developments are not detrimental to the amenity of neighbouring occupiers and land users. The proposed development is bound to the east, south and west by the developments of Ashdown Grove, Fenhall Park, Kitswell Bungalows and Burnside. A number of objections have been received relating to the potential increase in noise resulting from the development, which would impact on the amenity of neighbouring properties and the Cemetery. Whilst it is acknowledged that new and improved facilities would encourage an increase in use of the site, it should be borne in mind that the site is currently used for recreational activities which are regularly attended. While this development would intensify this use, it would be difficult to argue that this would be seriously detrimental to the residential amenity of residents. The scheme includes no provision for lighting and therefore discouraging night time use. In view of its current use, and the proposal encouraging only day time use, it is considered the proposal would not determinately impact on neighbouring residential properties.

Design and Layout

28. The western area of the site would remain largely unchanged, with the majority of space dominated by the existing sports pitches. The bike track located at the eastern end of the site is located away from residential properties and makes use of the existing screening provided. The siting of the bike track and the screening to be provided would help to reduce the impact on nearby residential properties.

Highway Safety

29. Concerns have been raised by objectors regarding an increase in vehicles parking in the area, in particular in Ashdown Grove which could lead to accidents. Concerns were also raised regarding the lack of formal parking spaces to serve the development. The Highways Officer at Durham County

Council has been consulted and offered no objections. One objector has raised concerns regarding a new vehicle access to the site adjacent to 12 Ashdown Grove not being in the ownership of the applicant. As Members will be aware, ownership disputes are not material planning considerations and therefore can not be taken into account. The access in question as stated in the Design and Access statement would be locked at all times and would only be used in the event emergency vehicles are required to enter the site.

Pedestrian Access

30. Several objectors have raised concerns regarding the lack of clarity over pedestrian access points, and the use of the existing access point on Ashdown Grove being inappropriate. Residents feel that this would create a thoroughfare for bikes through the estate. The development would use the existing pedestrian accesses with access gained for bikes from the western car park. It is not considered the current arrangements for pedestrians are inappropriate or their use is further detrimental to neighbouring residents than the current situation.

Landscaping

31. The site has existing screening on the northern and southern boundaries in the form of trees and hedges. The development includes additional landscaping around the proposed bike track combined with a proposed bund along the western edge of the bike track to create a shield from neighbouring properties. A landscaping plan has been submitted to ensure all existing trees are protected to British Standards, and this would be strengthened by the inclusion of a condition. A concern has been raised regarding the proposal being obtrusive from the A691. However, due to the combination of the engineering works to the topography of the land, along with the natural materials proposed for the bike track, it is considered the development would blend with the area ensuring the appearance of a green open space is maintained. The scheme is considered to be in accordance with the advice in the Lanchester Design Statement, which ensures developments should blend in with their environment and not have a detrimental impact on the area.

Anti Social Behaviour

32. The majority of concerns that have been raised in relation to the development are in relation to increasing anti-social behaviour at the site. The Police Architectural Liaison Officer has been consulted on the proposal and their comments will be reported verbally at your meeting.

Biodiversity

33. The development runs adjacent to the Hedleyhope Burn, approximately 20 metres away at the closest point of development, and a concern has been raised regarding the development impacting on wildlife in the river. Due to

the distance from the proposal and the nature of the development it is considered a survey is not required to be carried out.

Other Matters

34. Concerns have been raised regarding the lack of public consultation the applicant has undertaken. As specified in the Design and Access statement the applicant has undertaken pre-application consultation groups with local residents to seek ideas and opinion. Members will be aware that this is not compulsory to the submission of a planning application. With regard to the duty of the Local Planning Authority, a site notice was displayed at the entrance to the car park on Kitswell Lane and the neighbouring properties to the development site were consulted by letter. The purpose of the consultation exercise is to inform those people that may be directly affected by a proposal, and the concerns that have been presented would appear to show that affected local residents are aware of the proposal.
35. In relation to an objector's concern regarding damage to the cricket pitches from bikes, this is a matter for the applicant to address.
36. Concerns have also been raised regarding funding for the maintenance of the scheme. Again this is a matter for the applicant to address and cannot be considered as part of this application.

Conclusions

37. In conclusion, it is considered this proposal would encourage and expand the use of an existing facility. Given the current use of the site it is not considered the additional facilities would have a detrimental impact on the amenity of neighbouring residents. The proposal has been carefully designed to ensure the scheme blends with the surrounding area, with appropriate landscaping. The current parking and access arrangements are considered appropriate to support the new facilities. Overall it is considered this is an appropriate scheme for this location within Lanchester.

Recommendation

38. Conditional Permission
- Three Year Time Limit (ST).
 - Approved Plans (ST01).
 - Samples of proposed bike track materials and matta safety surfacing (A03).
 - Details to be submitted and approved in writing by the Local Planning Authority of the proposed scoreboard and cricket nets.
 - Reason: In the interests of the character and appearance of the development in accordance with Policy GDP1 of the District Local Plan.
 - Details and samples to be provided of the proposed fencing proposed under 5's play area.
 - Reason: In the interests of the character and appearance of the

- development in accordance with Policy GDP1 of the District Local Plan.
- Erection of fencing for the protection of any retained tree to be agreed (L09).

Reason for Approval

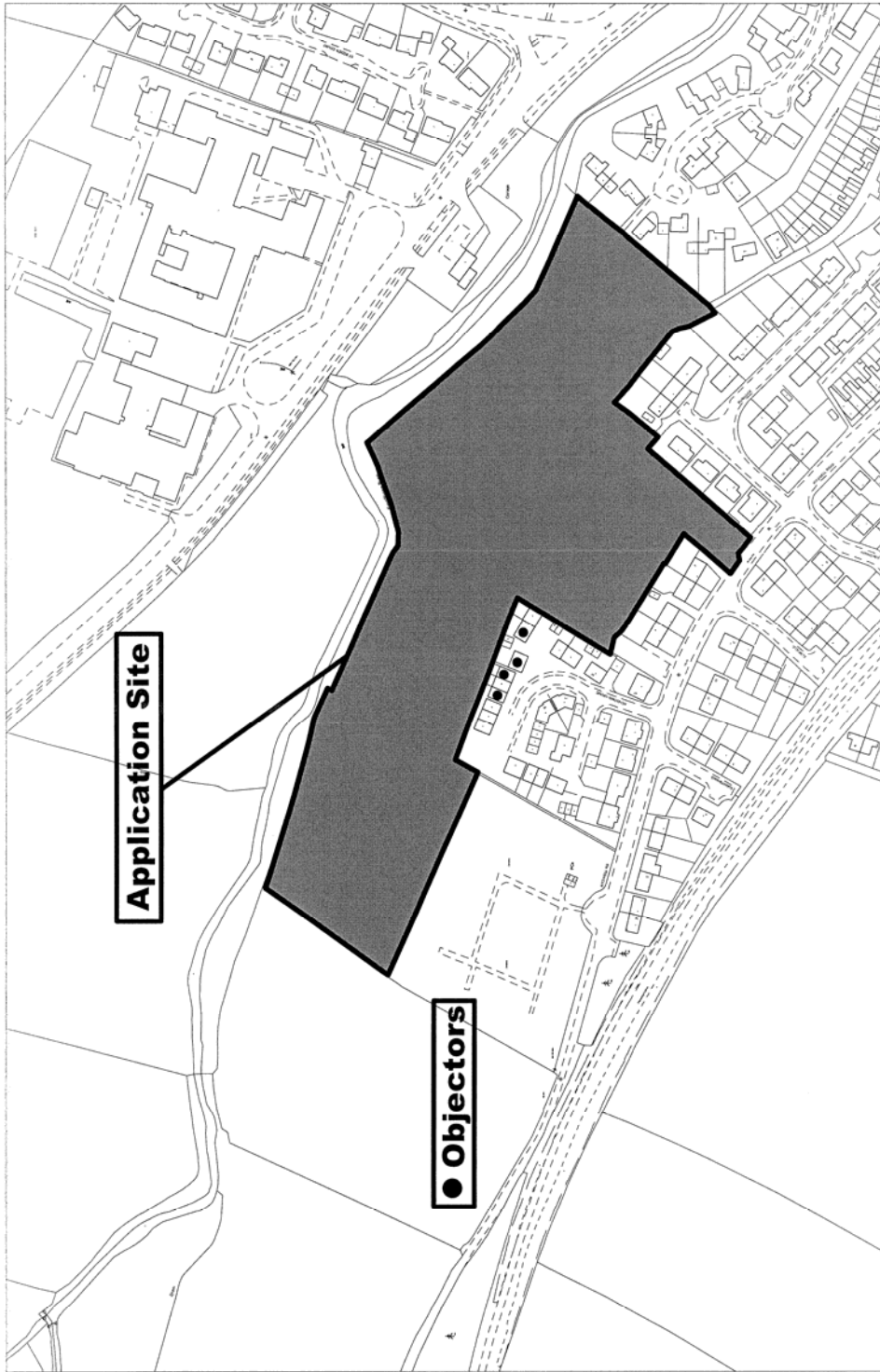
39. The development was considered acceptable having regard to Local Plan Policies GDP1 and TR2 and Lanchester Village Design Statement.

In particular the development was considered acceptable having regard to consideration of issues of principle, accessibility, design, landscaping, impacts on residential amenity, highway safety, anti social behavior and effect on protected species.

The stated grounds of objection were not considered sufficient to lead to reasons to refuse the application as this would be an appropriate scheme to improve an existing recreational facility, would not impact on highway safety or increase parking problems in the area. It is not considered that there would be a detrimental impact upon residential amenity. On balance, it is considered that the positive benefits the development of this site could bring would outweigh the objections.

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

Report prepared by Jessica Taylor, Senior Area Planning Officer.



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Existing Roadbed	Existing Highways	Proposed Pathway	Existing Trees	Design to be Retained	Proposed Biotic Planting Area	Proposed Earth Retention	Proposed Seats	Proposed Bikes	Vehicle Access Gate	Warning Signs	Post-Alignment Control Edge	Structure Alignment Control Edge	Proposed Activation Paths	Proposed Edge/Mark Paths	Mass Entry Building	Low Height Steel Snow Support Frame	Proposed Cycle Paths	Existing Columns	Existing Spot Heights	Proposed Spot Height	Proposed Spot Height	Proposed Spot Height	Proposed Spot Height	Proposed Spot Height	Proposed Spot Height	Proposed Spot Height	Proposed Spot Height
Green line with cross-hatch	Green line with dots	Green line with diagonal hatch	Green line with circle	Green line with triangle	Green line with solid fill	Green line with horizontal hatch	Black circle	Black triangle	Black triangle	Purple circle	Red circle	Blue circle	Green arrow	Green arrow	Grey rectangle	Green rectangle	Green line with dots	Green line with dots	Orange line with dots	Yellow line with dots	Cyan line with dots	Magenta line with dots	Red line with dots	Green line with dots	Blue line with dots	Green line with dots	Green line with dots



Impression Of Play Area Equipment

-  4. 2031 Gyroscopic
Age 6-12 Year Olds
-  5. 2252 Ferris Wheel
Age 7-14 Year Olds
-  6. 2011 Gateway for installation on playground
Age 5-14 Year Olds

Photos: Impression Equine, © 2011 EquiNet



Impression Of Play Area Equipment



1. J450 Swing

Age 2-10 Year Olds



2. J827A Duo

Age 2-8 Year Olds



3. J16 The Tightrope Circuit

Age 2-6 Year Olds



4. J831 Gyrospring

Age 6-12 Year Olds



5. J2581 Aeroskate

Age 7-14 Year Olds



6. J511 Cableway (for installation on flatground)

Age 7-14 Year Olds

Impression Of Play Area Equipment



4. J831 Gyrospring

Age 6-12 Year Olds



5. J2581 Aeroskate


Age 7-14 Year Olds



6. J511 Cableway (for installation on flatground)

Age 7-14 Year Olds

KEY

 Planning Application Boundary
 Ownership Boundary



RECOMMENDATION FOR APPROVAL

08/0708

22.10.08

Mr A Smith

Middle Newbiggin Farm, Newbiggin Lane, Lanchester

Reposition of stable block, change of approved four live / work units to four dwellings and the change of one workshop to a double garage

Lanchester Ward

The Application

1. The application seeks permission for the conversion of former agricultural buildings at Middle Newbiggin Farm, Lanchester. The former farm buildings to the eastern side of the site would be converted to create four residential units within an 'h' shape with a courtyard to the centre. Access would be provided from the first of two existing accesses off Newbiggin Lane into a courtyard. Planning permission has been granted under application 1/2007/1061/DM for the conversion of the barns to live / work units.
2. A block of timber stables with hay and tack store is also proposed. A stable block has already been granted permission under application 1/2007/1061/DM, however the block was situated back from the roadside to the rear of the paddock area. The current proposal involves stepping the block forward by approximately 13 metres to a central location within the paddock; the stables would be set back from the roadside by approximately 20 metres.
3. Conversion of an existing gin gang to a residential unit, conversion of a barn to holiday units and the creation of a new access road have been approved at the site and are currently under construction.

History

4. Outline Planning Permission was refused for the erection of a dwelling in 1988 (reference 1/1988/0381/DM).
5. Permission was granted for an extension to the farmhouse in 1989 (reference 1/1989/0535/DM).
6. Planning Permission was granted in August 1990 for the conversion of one dwelling to two dwellings (reference 1/1989/1205/DM).
7. Planning Permission was granted for external alterations at Middle Newbiggin Farm on 11th May 1995 (reference 1/1995/0473/DM).

8. Planning Permission was granted for the Change of Use of farm buildings to two holiday cottages on 24th April 2002 (reference 1/2001/0832/DM).
9. Planning Permission was granted in February 2005 for the conversion of the existing barn to four live / work units, conversion of the farmhouse to two dwellings, the construction of four holiday cottages and diversion of the access road (reference 1/2004/849/DM).
10. An application for the conversion of barns to four live / work units, the erection of four holiday cottages and the renovation of the gin gang to provide a dwelling was withdrawn in December 2007 due to officer concerns regarding the design and size of the proposed development (reference 1/2007/0611/DM).
11. Planning Permission was granted in 2007 for the conversion of barns to four live / work units, the erection of three holiday cottages and the renovation of the gin gang to provide a dwelling (reference 1/2007/1061).

Policy

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

General Development Principles (GDP1)
 Protecting the Countryside (EN1)
 Extensions to Buildings in Rural Areas (EN3)
 Conversion of Rural Buildings (EN4)
 Sub-division and Adaptation of Existing Buildings to Residential Use (HO17)
 Development and Highway Safety (TR2)

Supplementary Planning Guidance: Lanchester Village Design Statement and SPG3 Conversion of rural buildings are relevant.

Consultations

13. County Highway Development Control Officer: advises that the proposed realignment of Yek House Lane has been agreed previously and the Section 247 'stopping up' process has been instigated. No objection is made.
14. Northumbrian Water: no objections.
15. Lanchester Parish Council: they had supported the initial application to introduce the work units because it was diversification and provided opportunities for other business. They point out that this concurred with the Village Design Statement page 23 under the heading Farm Diversification / Reuse. The Parish Council make the following observations on this application:
 - i. An objection be made to this unacceptable residential development in the countryside.

- ii. The Planners' attention be drawn to the access and egress on Newbiggin Lane
16. Building Control Access Officer: no observations received to date.
17. Neighbours have been consulted and a site notice posted. One letter of objection has been received from a resident of Lanchester whose concerns are summarised as follows and relate to the repositioning of the stable block:
- Bringing forward the stable block would be more obtrusive in public views from Newbiggin Lane.
 - The Local Planning Authority first advised that the land west of Yeckhouse Lane should revert back to agriculture, to retain the traditional rural character and appearance. The intention to make some compensation for the intensive development of the farmyard.
 - The previous application was approved on the basis that the building would be set back from the road.
 - The stable block would adversely affect the open character of the landscape contrary to design guideline 4Q of the Lanchester Village Design Statement.
 - To utilise the existing base footprint of the original steel framed barn is insufficient reason for intruding even further into the open countryside.
 - A stable block is not necessary for the applicant's development.
 - A condition should be attached to ensure the stables are not used for commercial purposes, it is only fair and reasonable, if the barn conversions are to be solely residential and without any commercial use, that the stables and paddock are restricted likewise. Furthermore, commercial use of the stables e.g. would lead to even more traffic, including large vehicles / trailers and horses, using the narrow, winding Newbiggin Lane, increasing the risk of accidents.
 - The land should be able to revert back to agriculture and part of the original countryside as originally intended, or at least the stable block reduced in size and set back as possible from Newbiggin Lane.

Officer Assessment

18. The application seeks permission for the conversion of buildings at Middle Newbiggin Farm, Lanchester to form residential units and the relocation of a stable block. Middle Newbiggin Farm forms a small hamlet of buildings within the countryside just outside of Lanchester. It is important to note that this site has previously been granted Planning Permission to renovate the barns and stables into live / work units and to construct a stable block. (references 1/2004/0849 and 1/2007/1061). This application seeks to establish the following:
- The principle of conversion of these rural buildings to residential for open market sale.
 - The location of the proposed stable block.

Principle of Development

19. The Parish Council has objected to the principle of wholly residential units at the site. The principle of conversion to live / work units has already been considered acceptable by the grant of Planning Permission in 2007.
20. The proposed units would use the existing buildings and the applicant has demonstrated that the majority of the buildings are structurally sound and physically capable of conversion. Although there would be some re-building and extensions, these would not result in a scale of extension that would adversely affect the appearance of the original barn buildings and would not exceed the floor space or volume of the existing buildings by 50% in accordance with EN3 of the Local Plan.
21. Local Policy EN4 of the Local Plan states that economic or employment generating uses that benefit the rural economy should be considered prior to considering residential use. The applicant has provided evidence to demonstrate the development has been advertised on the open market for a period of 7 months between March 2007 and October 2007 to seek buyers for the site with the intentions of uses the site for alternative uses than residential. The information submitted demonstrates 734 people viewed the details of the properties and 9 people requested details, however no requests for viewings or offers were received.
22. The applicant has advertised the approved scheme of live / work units, however has been unsuccessful in securing sales for the scheme and therefore is seeking permission for an alternative proposal.
23. The applicant has demonstrated the lack of need for alternative uses and therefore the principle of residential development is considered acceptable in accordance with Policy EN4 of the District Local Plan and Supplementary Planning Guidance Note 3.

Design

24. Members should note the design of the scheme has been accepted under the approval of the previous application, minimal changes to the external appearance are proposed. These include:
 - Garage doors on barn A, east elevation replacing approved windows.
 - Insertion of a window on Barn B, north elevation to replace an existing door.
25. It is considered that the scheme would provide an attractively designed development which would enhance the appearance of the area and comply with Local Plan Policy. The scheme has been designed to incorporate existing and new dry stone walls, landscaped areas, courtyards and parking in the way of stone walls, which have been sympathetically integrated into the layout to ensure that it would not be unduly prominent. The proposal is also considered to comply with design guidelines 4A, 4C and 4I of the

Village Design Statement and SPG3 'Conversion of Rural Buildings'.

26. The objection received relates to the relocation of the stable block. The objector raises concerns that bringing forward the stable block would be more obtrusive and adversely affect the open character of the landscape. The principle of the design and scale has been accepted through the approval of the previous application and therefore it is considered that the proposed timber stable block, to be located to the western side of the access road, is an acceptable use and style of building for the countryside. Although the proposal would result in the block being located closer to the highway it is not considered this would further impact on the landscape than the approved proposal. The block would still be set back from the road side approximately 20 metres. It is considered acceptable in the proposed location within the countryside, as it would not adversely affect the open character of the landscape in accordance with design guideline 4Q of the Lanchester Village Design Statement.

Residential Amenity

27. The scheme would not adversely affect the amenity of the occupiers of neighbouring properties in terms of loss of outlook, privacy, light or overlooking in accordance with Policy GDP1 of the District Local Plan.

Other Matters

28. A bat survey was submitted with the previous application, which confirmed that no bats or barn owls use the buildings. However there is bat habitat nearby within trees but no roosting opportunities are provided within the buildings at present. Therefore a bat loft would be provided in one of the existing buildings during the proposed conversion.
29. The applicants propose to provide a septic tank for the new dwellings.
30. The Parish Council draw attention to the access onto Newbiggen Lane, however this remains unchanged from the previous approval. The Highways Officer has no objection to the proposal.
31. It is not considered appropriate to attach a condition to the approval restricting the use of the stables to solely domestic use. The previously approved stables were not approved with such a condition and therefore the applicant could implement the previous approval and operate the stables as a commercial business.

Conclusion

32. This is a substantial development, however it is well designed and would significantly improve the appearance of the farm and surrounding area. The principle of redevelopment and design have been accepted under the approval of application 1/2007/1061. The applicant has demonstrated there is a lack of need for alternative uses and therefore residential development

is considered acceptable. It is considered that this would be a positive development for the area and the scheme would comply with Local Plan Policy in terms of principle and design.

Recommendation

33. Conditional Permission

- Three Year Time Limit (ST).
- Approved Plans (ST01).
- Surface Water Drainage (DO4).
- Foul Water Drainage (DO5).
- Removal of permitted development rights (PD01).
- No development shall take place until the applicant has secured the implementation of an agreed programme of archaeological works (watching brief) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority.
- Reason: The site has high archaeological potential.
- Landscaping (LO1).
- Means of enclosure (C14).
- Samples of external finishing materials (A03).
- Renovation materials to be stone and slate (A16).
- Test panels of materials (A06).
- Windows inset (A12).
- Rainwater goods (A13).
- All windows to be timber and painted.
- Scale drawings of typical windows shall be submitted and agreed in writing by the Local Planning Authority. These shall be timber and painted.
- Reason: To protect the special character of the buildings, in order to conform with Policy GDP1 of the District Local Plan.
- Car parking spaces to be available prior to occupation of dwelling to which they relate (HO3).
- Notwithstanding the submitted plans no demolition shall take place other than that identified by the Structural Survey received on 19th December 2007 without the prior written consent of the Local Planning Authority.
- Reason: In order to comply with Policy EN4 of the Local Plan.
- No development shall take place unless in accordance with the mitigation detailed within the protected species report 'Middle Newbiggin Farm, Bat and Barn Owl Report Autumn 2007, Ruth Hadden', including, but not restricted to adhering to the timing and spatial restrictions, and adhering to precautionary working methods.
- Reason: To conserve protected species and their habitat in accordance with GDP 1 of the Local Plan.
- This consent relates solely to the conversion of the barns to four residential units and the erection of a stable block and does not in any way discharge any of the conditions contained in planning permission No. 1/2007/1061 dated the 20th February 2008.
- Reason: In order to define the permission granted.

Reason for Approval

34. The decision to grant planning permission has been taken having regard to policies GDP1, EN1, EN3, EN4, HO17, TO6, AG2, and TR2 of the Derwentside District Plan, and relevant supplementary planning guidance and material considerations, as detailed in the report to the Development Control Committee.

In particular the development was considered acceptable having regard to consideration of issues of principle and design.

The stated grounds of objection were not considered sufficient to lead to reasons to refuse the application, as the scheme would bring into use redundant buildings in the countryside. The applicant has demonstrated no alternative uses would be suitable due to a lack of demand. It is not considered the proposed stable block would impact further on the countryside than the current consent. It is not considered that there would be a detrimental impact upon residential amenity. On balance, it is considered that the positive benefits the development of this site could bring would outweigh the objections.

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

Report prepared by Jessica Taylor, Senior Area Planning Officer.



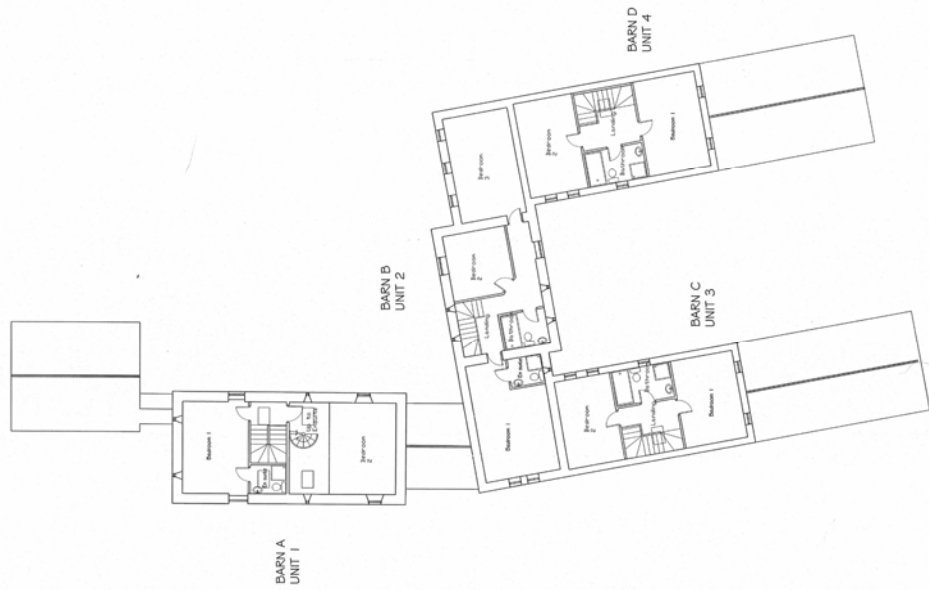
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Middle Newbiggen Farm
Newbiggen Lane
Lanchester

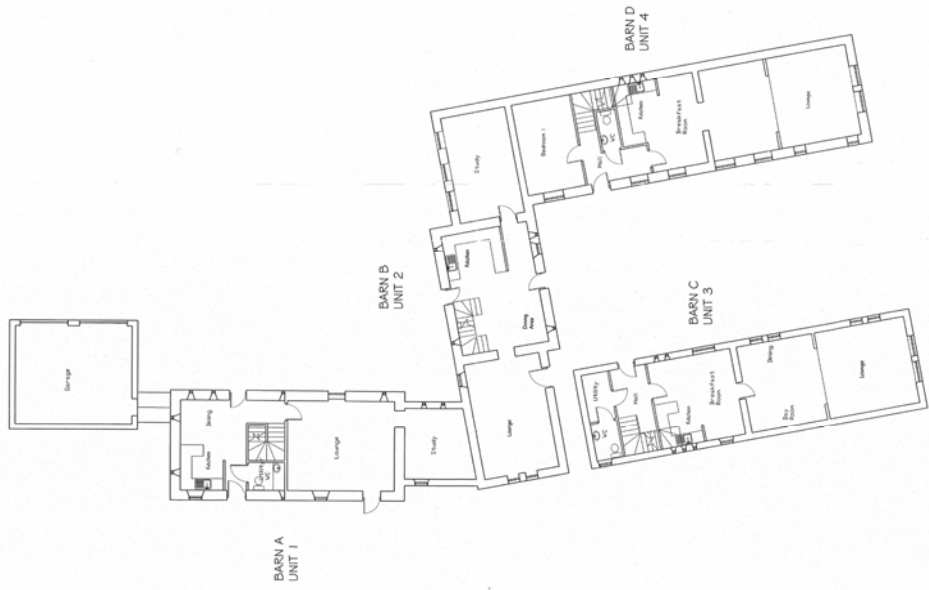
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First floor plan as proposed

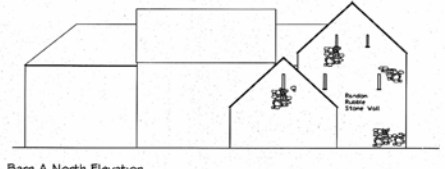


Ground floor plan as proposed

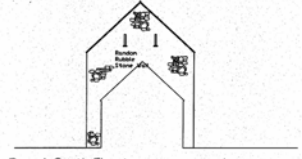
Middle Newbiggen Farm, Newbiggen Lane, Lanchester. 08/708



Barn A East Elevation as proposed



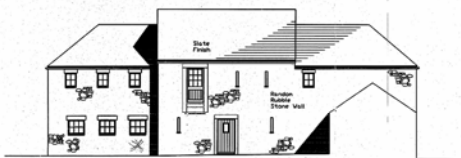
Barn A North Elevation



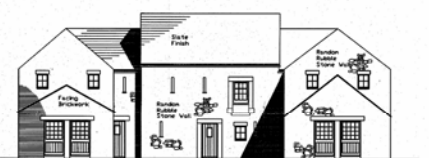
Barn A South Elevation as proposed



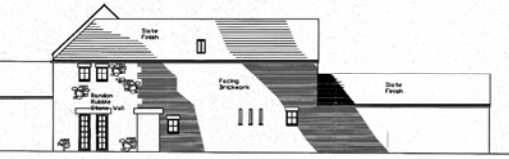
Barn A West Elevation as proposed



Barn B North Elevation as proposed



Barns B & C South Elevation as proposed



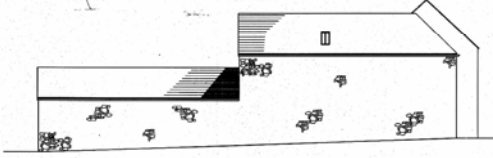
Barn B & C West Elevation as proposed



Barn C East Elevation as proposed

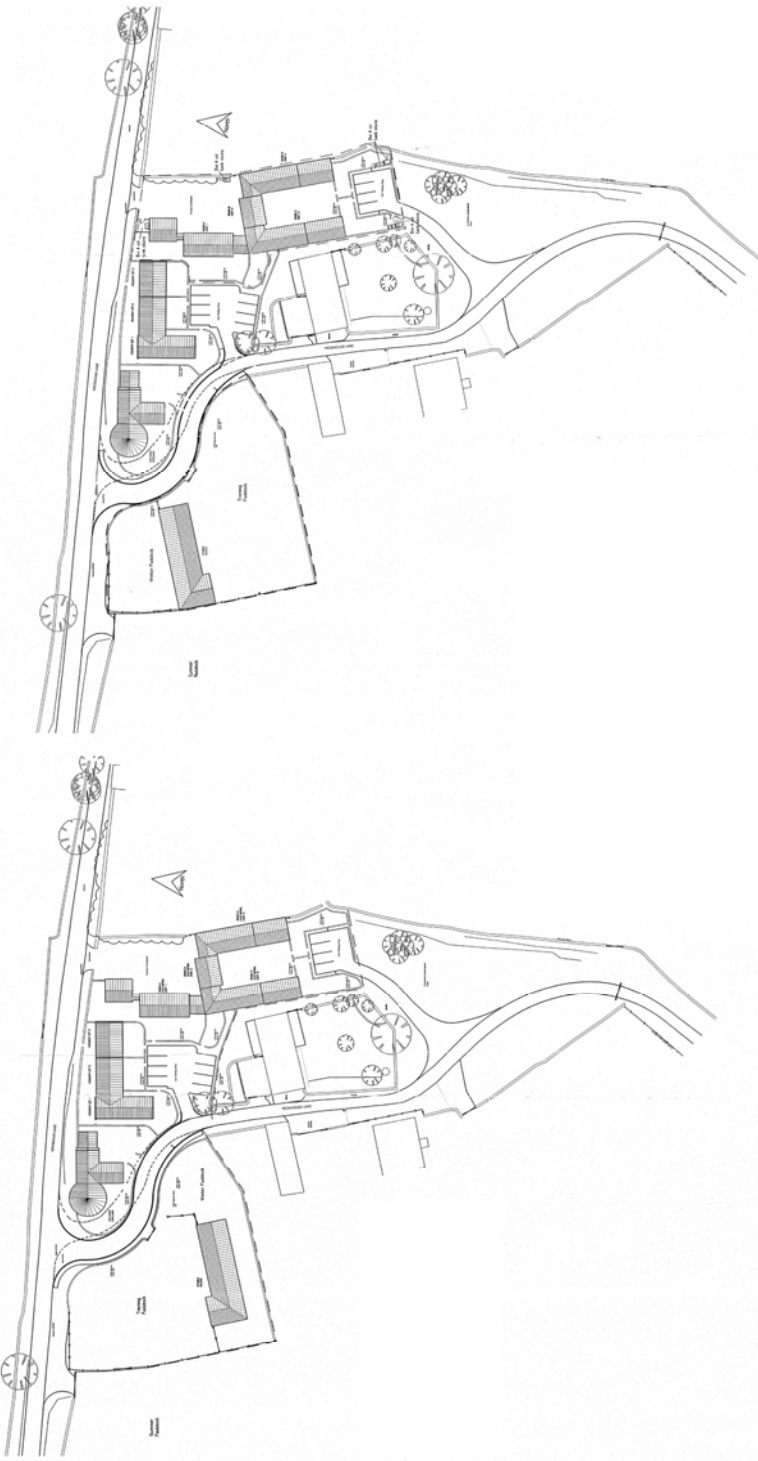


Barn D West Elevation as proposed



Barn D East Elevation as proposed

Middle Newbiggen Farm, Newbiggen Lane, Lanchester. 08/708



Site # Roof plan as proposed

Site # Roof plan as approved ref AR/1/2007/106/DMFP

Middle Newbiggen Farm, Newbiggen Lane, Lanchester. 08/708

DEVELOPMENT CONTROL COMMITTEE

4th DECEMBER 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 EN3

Extensions to single buildings and those contained within small groups of buildings in the countryside, will only be permitted if:

- (a) the proposal reflects the character and style of the original building; and**
- (b) the scale of the extension does not adversely affect the appearance of the original building; and**
- (c) the proposal does not result in the loss of a feature which contributes to the character of the original building or locality.**

Policy EN4

The change of use or conversion of existing buildings in the countryside will be permitted for the following:

- economic or employment generating uses, including diversification of agricultural enterprises (see Policy AG2)**
- recreation or tourist facilities**
- visitor accommodation (see Policy T06)**

If the buildings are not to be developed solely for any of the uses identified above, consideration will be given to the conversion of the buildings to residential use or a mix of uses.

The change of use or conversion of existing buildings in the countryside will only be permitted if:

- (a) the buildings are structurally sound and physically capable of conversion without significant rebuilding or extensions. Evidence of this may be required and therefore applications should be supported by a written assessment undertaken by an appropriately qualified professional; and**
- (b) the form, bulk and general design of buildings are in keeping with their surroundings. This should include the retention of existing door and window openings and minimising the number of new openings (including rooflights). Other visual, architectural or historic features should be retained and design details and materials to be used should be traditional and/or sympathetic; and**
- (c) there would be no adverse effect on the setting of the buildings, including any attractive adjoining or neighbouring buildings and/or the character or appearance of the surrounding countryside; and**
- (d) there would be no loss of amenity to neighbouring occupiers through noise, smell, pollution or general disturbance as a direct result of the new use; and**
- (e) vehicular access and other services exist or can be provided without adversely affecting the appearance of the surrounding area.**

Where re-use of farm buildings is involved, planning permission may be subject to a condition withdrawing agricultural permitted development rights, in order to control the construction of new farm buildings on that particular unit.

Where conversion to residential use is involved, planning permission may be subject to a condition withdrawing the normal permitted development rights to alter or extend a dwelling.

Proposals should also meet the requirements of Policy GDP1 with regards to species protected by the Wildlife and Countryside Act 1981.

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 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 HO17

Planning permission for the adaptation of large buildings or the sub-division of an existing dwelling to provide smaller residential units will only be granted if:

- (a) the proposal is sympathetic to the character of the existing building and the locality as a whole; and**
- (b) the proposal would not adversely affect the amenities of future occupants and/or neighbouring occupiers, or result in a loss of privacy or overlooking; and**
- (c) an adequate, accessible and usable amount of amenity space is provided; and**
- (d) a concentration of such uses does not affect the character of the area or will not cause serious annoyance to existing residents.**

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 TO2

Planning permission will only be granted for the development of appropriate new or the extension of existing tourist attractions if the development:

- (a) respects the natural and physical characteristics of the area; and
- (b) does not detract from the visual environment of the area; and
- (c) is adequately served by the road network; and
- (d) does not result in any loss of amenity to surrounding occupiers or land users.

The North of England Plan / Regional Spatial Strategy

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 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 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 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 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 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