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Michael Laing Chief Executive

5th March 2008

Dear Councillor,

I hereby give you Notice that a Meeting of the **DEVELOPMENT CONTROL COMMITTEE** will be held in the **COUNCIL CHAMBER, CIVIC CENTRE, CROOK** on **THURSDAY 13th MARCH 2008** at **6.00 P.M.**

AGENDA

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1. Apologies for absence	
2. To consider development control application 3/2008/0041 – Extend number of days for events to 56 days at Unthank Park, Unthank Mill, Stanhope for Stanhope Agricultural Society.	1 - 9
3. To consider development control application 3/2008/0057 – Detached dwelling at land rear of 56 High Hope Street, Crook for Mr. Grant, MDG Contractors.	10 - 17
4. To consider development control application 3/2008/0050 – New palisade fencing to perimeter including double gates. New containers for use on community allotment at land to the rear of Buckingham Terrace, Leeholme for Wear Valley District Council.	18 - 21
5. To consider development control application 3/2008/0097 – Replacement fence around tennis court, bowling green and skate park, new fence to sides of leisure centre, installation of CCTV, installation of a meeting shelter at Glenholme Park, New Road, Crook for Wear Valley District Council.	22 - 25
6. To consider development control application 3/2007/0905 – Erection of new industrial unit at the Durham Box Company Limited, Auckland Crescent, St. Helen Auckland for Mr. Morris.	26 - 31
7. To consider development control application 3/2008/0063 – Replacement of existing windows and doors with UPVC double glazed windows and doors (first floor flat) at 65 Proudfoot Drive, Bishop Auckland for Wear Valley District Council.	32 - 35

8. To consider development control application 3/2008/0067 – Replacement of existing windows and doors with UPVC double glazed windows and UPVC doors all to the same size and style at Flat 25A Hall Lane Estate and Flats 5, 6, 7, 8, 19, 20, 21, 22 Chester Drive, Willington for Wear Valley District Council. 36 - 39
9. To consider development control application 3/2008/0070 – Replacement of existing windows and doors with UPVC double glazed windows and UPVC doors all to the same size and style at 1 – 12 Eden Court, Bishop Auckland for Wear Valley District Council. 40 - 43
10. To consider development control application 3/2008/0071 – Replacement of existing windows with UPVC double glazed windows all to the same size and style at Flat 1 Cornwall Place and 1 – 24 Devon Place, Henknowle, Bishop Auckland for Wear Valley District Council. 44 - 47
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12. To consider development control application 3/2008/0073 – Replacement of existing windows with UPVC double glazed windows all to the same size and style at 1 – 25 Greenside Place, Watergate, Crook for Wear Valley District Council. 52 - 55
13. To consider development control application 3/2008/0074 – Replacement of existing windows and doors with UPVC double glazed windows and UPVC doors all to the same size and style at Flats 1 – 9, 12 – 15 Flanders Way and 6 – 32 Waterloo Close, Crook for Wear Valley District Council. 56 - 59
14. To consider development control application 3/2008/0069 – Replacement of existing windows and doors with UPVC double glazed windows and UPVC doors all to the same size and style at 7 Warwick Place, Willington for Wear Valley District Council. 60 - 63
15. To consider development control application 3/2008/0068 – Replacement of existing windows with UPVC double glazed windows all to the same size and style at 13 Tees Walk and 25, 27, 29, 31 Eden Close, Coundon for Wear Valley District Council. 64 - 67
16. To consider development control application 3/2008/0075 – Replacement of existing windows and doors with UPVC double glazed windows and UPVC doors all to the same size and style at 20 Mickle Grove, Leeholme for Wear Valley District Council. 68 - 71
17. To consider an appeal against refusal of planning permission 72 - 76

3/2007/0456 – To remove condition 12 of planning permission 3/1998/0329 to allow unrestricted opening at Asda Supermarket, 6 South Church Road, Bishop Auckland for Asda Stores Limited.

18. To consider an appeal against refusal of planning permission 3/2007/0434 – Change of use from bakery and coffee shop to adult gaming centre (sui generis) at 58 Newgate Street, Bishop Auckland for J. Noble and Sons Limited.. 77 - 81
19. To consider such other items of business which, by reason of special circumstances so specified the Chairman of the meeting is of the opinion should be considered as a matter of urgency.

Yours faithfully



Chief Executive

Members of this Committee: Councillors Anderson, Bowser, Buckham, Mrs Burn, Mrs Douthwaite, Gale, Grogan, Mrs Jopling, Kay, Kingston, Laurie, Mrs Lee, Lethbridge, Mairs, Mowbray, Mews, Murphy*, Perkins, Seabury*, Taylor, Des Wilson and Zair.

*ex-officio, non-voting capacity.

Chair: Councillor Grogan

Deputy Chair: Councillor Mews

TO: All other Members of the Council for information
Management Team

DEVELOPMENT CONTROL COMMITTEE

13TH MARCH 2008

Report of the Strategic Director for Environment and Regeneration

PART 1 – APPLICATION FOR DECISION

3/2008/0041- EXTEND NUMBER OF DAYS FOR EVENTS TO 56 DAYS AT UNTHANK PARK, UNTHANK MILL, STANHOPE FOR STANHOPE AGRICULTURAL SOCIETY – 23.01.2008

description of site and proposals

1. Planning permission is requested to extend the number of days for events to 56 days in total at Unthank Park, Unthank Mill, Stanhope. At present under The Town and County Planning (General Permitted Development) Order 1995 the land can be used as a showground for 28 days in total in any calendar year.
2. The application site consists of a field measuring approximately 5.2 hectares located approximately 75 metres south of Stanhope. To the north of the site is Unthank Mill, which is a collection of flats, beyond which is the River Wear, whilst to the west lie Unthank Hall and Untank Farm. The site is accessed via a made road which runs along the north of the site which also provides access to Unthank Mill.

planning history

3. The following history is relevant to the consideration of this application:
 - 3/2007/0811 Extend Number of Days for Withdrawn 10.01.20908
 Events to 120 days

planning policies

4. The following policies of the Wear Valley District Local Plan are relevant in the consideration of this application:
 - GD1 General Development Criteria
 - ENV1 Protection of the Countryside
 - ENV3 Area of Landscape Value
 - T1 Highways - General Policy
 - TM1 Criteria for Tourist Proposals

consultations

5. CDE&TS (Highways): No objection.
6. Public Rights of Way Officer: Public Footpath 3 crosses the Western area highlighted on the plan. Footpath 69, Stanhope follows close to the edge of and possibly just inside the area highlighted.
7. I have concerns over the significant number of days which are proposed in respect of the potential conflict that may arise with users of the footpaths. I am aware that these footpaths are well used.
8. I require clarification on whether it is proposed to mark out or temporarily fence any areas (as part of the events) that may affect the public's enjoyment of the right of way

officer analysis

9. The main issues for consideration are;
 - Principle of Development
 - Impact on Residential Amenity
 - Highways Issues
 - Impact on Public Rights of Ways

principle of development

10. Schedule 2 Part 4 Class B of The Town and Country Planning (General Permitted Development) Order 1995 states that "*The use of the land for any purpose for not more than 28 days in total in any calendar year*" is permitted provided that the land is "*not within the curtilage of a building, the use of the land is for a caravan site, and does not lie within a Site of Special Scientific Interest and the land is not used for any motor sports, clay pigeon shooting or any war game.*"
11. It is also important to note that from information submitted by the applicant that the land is to be used for the holding of caravan rallies.
12. For this, planning permission is usually necessary and the site must be licensed. However, caravanning organisations that meet certain requirements can apply for certificates exempting them from the need to obtain planning permission for a site licence. These are known as Touring Caravan Exemption Certificates. These meetings are often referred to as 'rallies'. The Department for Environment, Food and Rural Affairs (DEFRA) can issue touring caravan exemption certificates to formally constituted organizations whose objectives include the encouragement or provision of recreational facilities, and fulfil certain other criteria.

13. A certificate allows an organisation to hold a meeting (rally) of not more than 5 days. Meetings lasting longer than 5 days however do require planning permission. Theoretically, there is no limit to the number of rallies that could be held on the same site throughout the season. However DEFRA has drawn up a code of conduct for meetings held under the certificate that organisations must adhere to in order to avoid causing nuisance. An annual list of the exemption certificates is available on the DEFRA website. From the list of proposed events provided by the applicant, the proposed organisations which intend to use the field for rallies hold an exemption certificate, and as such are exempt from planning control.
14. As such the main issue for consideration is the principle for other events to be held (excluding caravan rallies).
15. As stated above, the site can be used for 28 days per calendar year under permitted development rights. The proposal seeks to add another 28 days to the time allowed under permitted development, this would include time taken for the setting up and taking down of any temporary structures needed for proposed events, making 56 days in total. The acceptability of the proposal depends upon whether the use can be implemented without causing a significant and adverse impact on both the environment and residential amenity.
16. In principle the use of the site for additional events is considered acceptable providing any potential impact to surrounding occupiers' amenities can be minimised. A number of conditions are proposed to be attached to any grant of planning permission in order to protect the residential amenities of neighbouring occupiers. With the addition of these conditions the principle of the development is acceptable, and accords with policies GD1, ENV1 and ENV3 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

impact on residential amenity

17. The main impact on residential properties will be from the sound systems employed from the various events and general noise disturbance caused by the staging of events.
18. Advice has been sought from the Public Protection section. The licence issued by Public Protection for the showground does not have any restrictions on the level of noise produced by events staged. Any complaints raised by neighbouring residents in respect of noise produced by events on the showground would be investigated by the Public Protection section.
19. It is recommended that conditions be used to limit the times works and events can take place on the site. It is suggested that members of the general public should not be allowed on the site before 8.30am and after 9.00pm on any day and the equipment associated with the use should not be set up or dismantled before 7.00am or after 7.00pm on any day. This would allow the local planning authority to retain control over noise emissions from the site, in the interests of safeguarding the amenities of neighbouring residents.

20. The benefits to the rural economy of the proposed events needs to be considered in light of the disbenefits of local residents. The limited number of events each year will encourage visitors to the area to the benefit of the local economy. The advantages to the local economy outweigh the disadvantages to local residents. It is considered that the proposal is of a scale and intensity compatible with its surroundings, and would not have a detrimental effect on the open character of the countryside. As such it is considered that the proposal accords with policies GD1, ENV1, ENV3 and TM1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

highways issues

21. The County Highways Engineer has been consulted on the proposal and no objection has been raised. As such, it is considered that the proposal would not have a detrimental impact on highways users. It is considered that the showground can be accessed safely, with adequate parking facilities provided. In order to ensure minimal disruption to users of the highway, it is recommended that a Comprehensive Traffic Management Plan for the site be submitted to and approved in writing by the local planning authority before any event is undertaken on the site. As such it is considered that the proposal accords with policies GD1 and T1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

impact on public rights of way.

22. The County Public Right of Way Officer has raised concerns that Public Footpaths Nos. 3 and 69 which run through the site may be blocked and impassable for members of the public. In order to ensure that this does not occur a condition is recommended requiring that the public rights of way be fenced off when events are occurring on the showfield and to ensure their availability at all times for public use. The proposal accords with policy GD1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

objections/observations

23. Occupiers of neighbouring properties have been notified in writing and a site notice was also posted near the application site. The application has also been advertised in the press.
24. Seven letters of objection/ observation have been received, the details of which are set out below:
- a) I wish to object on the grounds of loss of privacy and nuisance with caravans and campers within touching distance of our cattle sheds and overlooking our farm house.
 - b) I am concerned that the public footpath which runs through the site will be unusable during events.
 - c) The showfield seems to be mainly used for caravan rallies.
 - d) There are easements and rights of sewerage over Unthank Park in favour of the owner of Unthank Farm.

- e) The increased use of the field will cause an increase in the disturbance to occupiers of Untank Farm.
- f) Trespass onto Mr Dobson's lambing fields is already a problem. Any increase of the numbers of days for events will exacerbate the situation.
- g) Protected species inhabit adjoining farmland.
- h) The application site lies within a floodplain. I presume a flood risk assessment should be undertaken.

response to objections

25. The following comments are made in response to the issues raised by the objectors:

- a) A condition has been attached stating that no vehicles shall at any time, encroach within 15 metres of the western edge of the site in order to protect residential amenity.
- b) A condition has been attached requiring the public rights of way to be fenced off and to be available at all times for public use.
- c) As stated above in Officer Analysis 'principle of development'. The Department for the Environment and Transport and the Regions (DEFRA) can issue touring caravan exemption certificates to formally constituted organizations whose objectives include the encouragement or provision of recreational facilities, and fulfil certain other criteria. A certificate allows an organisation to hold a meeting (rally) of not more than 5 days. Meetings lasting longer than 5 days however do require planning permission. Theoretically, there is no limit to the number of rallies that could be held on the same site throughout the season.
- d) This is a civil matter.
- e) It is considered that with the attached conditions the residential amenities of neighbouring occupiers would not be unduly affected by the proposal.
- f) This is a civil matter.
- g) It is considered that the proposal would not have a detrimental impact upon protected species and their habitats.
- h) Awaiting consultation response from the Environment Agency. Any comments received will be reported to the Committee.

conclusion and reasons for approval

1. If appropriate conditions are attached to the grant of planning permission to protect the residential amenities of neighbouring occupiers it is considered the principle of using the site for up to 56 days per calendar year is acceptable, and accords with policies GD1, ENV1 and ENV3 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
2. It is considered that the proposal would not have a detrimental impact on highways users and the showground can be accessed safely, with adequate parking facilities provided in accordance with policies GD1 and T1 of Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

3. The proposal, with a suitable condition attached to the grant of planning permission, would not cause any obstruction to the rights of way which pass through the site in accordance with policies GD1 and T1 of Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

RECOMMENDED

That planning permission be **GRANTED** subject to the following conditions and reasons;

conditions

1. The use of the land hereby approved shall not be operated or open to members of the general public outside the following times: 8.30 a.m. - 9.00 p.m. on the same day.
2. The equipment associated with the use hereby approved shall not be set up or dismantled outside the following times: 7.30 a.m. - 7.00 p.m. on the same day.
3. The equipment associated with the use hereby approved shall not be set up on the application site any more than 10 days prior to the first day of each show or dismantled any time after 5 days after the last day of each show.
4. None of the individual events, hereby approved, shall take place or be set up on the site until a comprehensive Travel Plan for that event is submitted to and approved in writing by the local planning authority. The event shall then take place in accordance with the approved Travel Plan.
5. No foul or surface water shall at any time be put into or allowed to enter the public sewer network. The operators shall instead provide portable toilets.
6. Prior to commencement of any event or operational development hereby approved an assessment to assess the effects of the development on the hydraulic regime of the area and necessary mitigation measures shall be submitted to and approved in writing by the local planning authority. The development shall proceed only in accordance with the approved details.
7. No vehicles at any time shall encroach within 15 metres of the western edge of the site or within 20 metres of the boundary of the site with Unthank Mill in connection with the operational development hereby approved.
8. Notwithstanding other conditions attached to this permission, the use of the land as a temporary showground, in accordance with this permission, shall be limited to 56 days per calendar year.
9. Notwithstanding the details of the application, no event shall include music or a music concert that is a substantial part or the main element of the event.
10. The public rights of way as shown on the definitive map which run through the site shall be fenced off and not obstructed at any time to ensure their use to the public at all times when events are being carried out on the site.

reasons

1. In the interests of safeguarding the amenities of the occupiers of neighbouring and nearby residential properties. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
2. In the interests of safeguarding the amenities of the occupiers of neighbouring and nearby residential properties. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
3. In the interests of safeguarding the amenities of the occupiers of neighbouring and nearby residential properties. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
4. In order to satisfy the local planning authority and the highway authority that green travel issues are addressed in line with Government policies. In accordance with policies GD1 and T1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
5. To safeguard the amenities of the locality and because such details are not shown on the application. In accordance with policies GD1, ENV1 and ENV3 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
6. To ensure that the proposed development, existing land and property in the area are not adversely affected and to reduce the risk of flooding on site and elsewhere in accordance with policy GD1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
7. In the interests of safeguarding the amenities of the occupiers of neighbouring and nearby residential properties. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
8. In the interests of safeguarding the amenities of the occupiers of neighbouring and nearby residential properties. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
9. In the interests of safeguarding the amenities of occupiers of neighbouring and nearby residential properties. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
10. In order to ensure the availability of the public rights of way which run through the site at all times. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

Informative

A condition requiring that no cars obstruct the footpath would not be enforceable as the road is private. However, as the road carries a public right of way, the owner of the road is legally responsible for ensuring that the public right of way is not obstructed under Section 130 of the Highways Act 1980.

background information

Application files, WVDLP as amended by the Saved and Expired Policies September 2007.

PS code	12	number of days to Committee	52	target achieved	√
explanation					

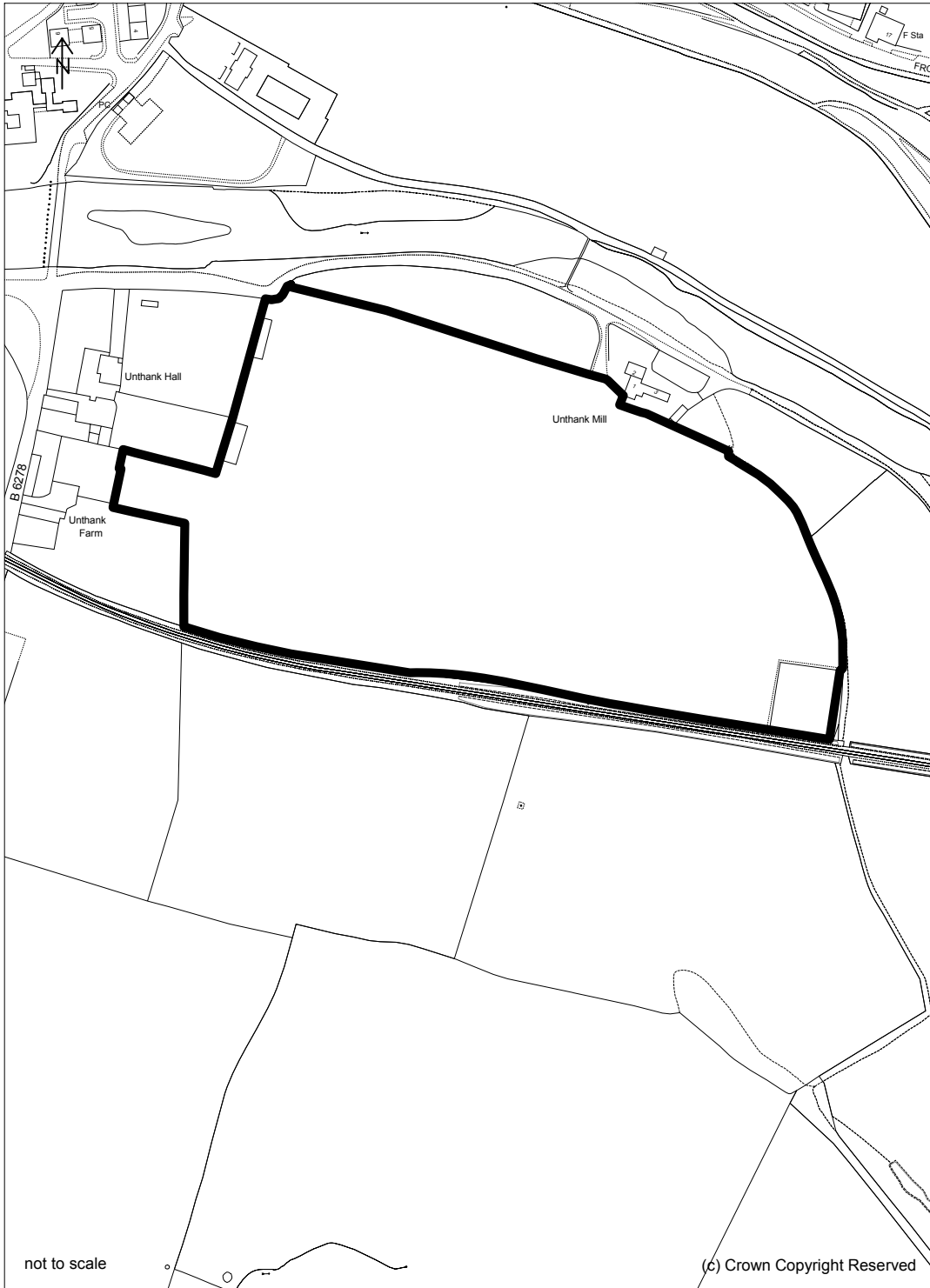
Officer responsible for the report

Robert Hope
Strategic Director for Environment and Regeneration
Ext 264

Author of the report

Adam Williamson
Planning Officer
Ext 495

3/2008/0041- EXTEND NUMBER OF DAYS FOR EVENTS TO 56 DAYS AT UNTHANK PARK, UNTHANK MILL, STANHOPE, BISHOP AUCKLAND FOR STANHOPE AGRICULTURAL SOCIETY - 23.01.2008



DEVELOPMENT CONTROL COMMITTEE

13th MARCH 2008

Report of the Strategic Director for Environment and Regeneration

PART 1 – APPLICATION FOR DECISION

3/2008/0057- DETACHED DWELLING AT LAND REAR OF 56 HIGH HOPE STREET, CROOK FOR MR. GRANT, M D G CONTRACTORS – 24.01.2008

description of site and proposals

1. Full planning permission is sought for the construction of a two storey detached property. The overall foot print of the proposed dwelling would measure 10.2 metres by 5 metres. The dwelling would measure 4.5 metres to the eaves height and 6.8 metres to the ridge height. The dwelling would have a living room and kitchen at ground floor with three bedrooms and a bathroom at first floor. There would be a rear garden area measuring 8.4 metres in depth by 14 metres in width.
2. The application site comprises of a parcel of land which is located to the rear of properties 56, 57 and 58 High Hope Street in Crook. The unclassified road of Milton Street bounds the site to the north east, with the unclassified road of High Hope Street Rear bounding the site to the south west. There are neighbouring gardens situated to the north west and south east of the application site. There are commercial buildings located to the north east with the residential terraced properties of High Hope Street to the south west. An existing single storey building is positioned on the application site.
3. The application is to be determined at the Development Control Committee as the application was called in by the Ward Councillor.

planning history

4. The following history is relevant to the consideration of this application:
 - 3/1991/0155 Garage Withdrawn
 - 3/2006/0306 (Outline) Proposed Dwelling Approved 26.05.2006

planning policies

5. The following policies of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007 are relevant in the consideration of this application:

- GD1 General Development Criteria
- H24 Residential Design Criteria
- H3 Distribution of Development
- T1 Highways - General Policy

consultations

6. Durham County Council (Highways Authority): No objections subject to the access to the site being constructed to highway standards.
7. Environment Agency: No objections.
8. Northumbrian Water: No objections.

officer analysis

9. The key issues for consideration are:

- Principle of development
- Visual impact
- Residential amenity
- Highways issues

principle of development

10. The application site falls within the settlement limits to development for Crook as allocated on the Proposal Maps of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007. There is outline planning permission on this site therefore the principle of development has been established. The principle of development is supported by policy H3 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007. In any event, the site is brownfield land and located within the 'urban area' of Crook which satisfies the sequential search as agreed by Members at the Regeneration Committee on 2nd April 2007.

visual impact

11. The majority of the residential properties in the surrounding area are terraced properties. There is a detached dwelling located approximately 60 metres to the north west. Commercial buildings are located to the north of the site. Given the range of different styles of buildings in the locality of the application site, it is considered that the design and style of the proposed property would not have an adverse impact on the visual amenity of the surrounding area. The proposal would not compromise the visual appearance of the surrounding street scene. The proposal is in accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

residential amenity

12. The main habitable windows would be located on the north east elevation of the proposed property. There are no residential properties located to the north east of the site which ensures that adequate levels of privacy are satisfied from this aspect. There are to be no windows in the side elevations of the proposed property. A bathroom window and an en-suite window are proposed in the rear of the property which faces the terraced properties on High Hope Street. A condition is recommended to ensure these windows are obscurely glazed. The distance between the back of the proposed property and the windows in the terraced properties on High Hope Street is measured at approximately 18 metres. This distance is sufficient to achieve adequate levels of privacy between the proposed dwelling and neighbouring properties. The proposal accords with the separation distances stated in policy H24 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007. Sufficient amounts of private and useable garden amenity space would be provided within the curtilage of the proposed property.
13. The application site is set at a lower level to the existing neighbouring properties on High Hope Street. Given that the proposed property would be set at a lower level and be to the north of the dwellings on High Hope Street, it is considered that the proposed development would not create any adverse impacts on neighbouring properties in terms of overbearing and overshadowing effects.
14. The proposed development would not have a detrimental impact on the residential amenities of existing and future occupiers of neighbouring properties and the proposed dwelling. The proposal accords with policies GD1 and H24 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

highway issues

15. Access to the site is to be taken from the unclassified road of Milton Road to the north. A footpath runs along the north boundary of the site. Off street parking would be provided within the curtilage of the site. Durham County Council Highways Authority have been consulted. The Highways Officer has not raised any objections to the proposed development providing the access is constructed to highway standards. It is considered that the proposed development would not have an adverse impact on the safety of highway users. The proposal accords with policies GD1 and T1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

objections/observations

16. Occupiers of the surrounding properties have been notified in writing and a site notice was also posted. Six letters of objection have been received. Some of these letters are duplicated. The contents of the objection letters are summarised below:

- a) Devaluation of neighbouring properties.
- b) Due to the height of the proposed house it will result in the loss of light to neighbouring properties.
- c) Loss of privacy.
- d) Over development.
- e) Rise in traffic congestion.
- f) Out of character with environment.
- g) This appears to be a four bedroom dwelling.
- h) Concerns over a hedge on the boundary which birds nest in.
- i) Overshadowing onto neighbouring gardens.
- j) Loss of view.
- k) The proposed building is too large and a bungalow is more appropriate.
- l) The proposed property would be difficult to sell and could result in the building being left empty and could lead to vandalism.

response to objections

17. The following comments are made in response to the issues raised by the objectors:

- a) Not a material planning consideration.
- b) Discussed in officer analysis. There will be no direct loss of natural sunlight as the proposed property would be situated to the north of the neighbouring properties.
- c) Discussed in officer analysis. The proposal accords with the privacy separation distances stated in policy H24 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
- d) There is sufficient space within the site for a property to be built and provide adequate levels of amenity space. The proposal is not considered to be overdevelopment.
- e) Durham County Council Highways Authority have not objected to the proposed development. It is not considered that one single property would create traffic congestion to the surrounding area.
- f) The area is a mixture of commercial and residential buildings. It is not considered that the development of a single residential property would be out of character with the surrounding environment.
- g) Incorrect. The proposal is for a three bedroom property.
- h) There is nothing within the application indicating that the boundary hedge is to be removed. The agent for the application has stated in the Design and Access Statement that the boundaries to the north, east and west side will be retained. A condition is recommended for details of boundary treatment to be submitted to and agreed by the local planning authority prior to the commencement of works.
- i) Whilst it is accepted that the neighbouring gardens either side of the application site may lose direct sunlight at certain times of the day, it would not be all day. The proposed dwelling would not compromise the residential amenities of neighbouring properties.
- j) Not a material planning consideration.

- k) As discussed in officer analysis, the two storey property is considered acceptable in size, design and position and is in accordance with the policies of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007. A two storey property is considered appropriate in this location.
- l) The site currently has an existing building located on it, which appears to be disused. The remaining site also appears unkempt. The development of a property would revitalise the site. It is not considered that the granting of planning permission for a single dwelling would result in vandalism.

conclusion and reasons for approval

- 1. The proposed development is acceptable in relation to policies GD1, H3, H24 and T1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007 as it:
 - 1. Is located within the settlement limits of development for Crook.
 - 2. Would not have an adverse impact on the visual appearance of the surrounding area.
 - 3. Would not result in the loss of privacy to neighbouring occupiers.
 - 4. Would not have any adverse impacts on adjoining properties in terms of overbearing or overshadowing effects.
 - 5. Provides sufficient amounts of private and useable garden amenity space.
 - 6. Would not compromise the safety of highway users.

RECOMMENDED

That planning permission be **GRANTED** subject to the following conditions and reasons;

conditions

- 1. No development shall take place until samples of all materials to be used in the construction of the external surfaces of the building have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 2. Development shall not begin until details of the surface treatment and construction of all hardsurfaced areas have been submitted to and approved in writing by the local planning authority, and the dwellings shall not be occupied until that work has been carried out in accordance with the approved details.
- 3. Before the development hereby approved is commenced details of the height, siting, appearance and construction of all means of enclosure to be erected upon the site shall be submitted to and approved in writing by the local planning authority, and the works shall be carried out in accordance with such approved details before the dwelling hereby approved is occupied.
- 4. Notwithstanding any other details shown on the plans hereby approved, the window(s) and any other glazing to be inserted in the south west elevation of the dwelling shall, up to a minimum height of 1.7 metres above finished floor

level, be fixed shut (without any opening mechanism) and glazed in obscure glass of factor 3 or above. The windows shall thereafter be retained as such.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows/dormer windows [other than those expressly authorised by this permission] shall be formed in the south west, south east and north west elevations of the building hereby approved.

reasons

1. To ensure the satisfactory appearance of the completed development. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
2. To achieve a satisfactory standard of development. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
3. To achieve a satisfactory form of development. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
4. In the interests of the amenity of neighbouring properties. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
5. To safeguard the privacy of the occupiers of nearby buildings. In accordance with policies GD1 and H24 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

INFORMATIVE

The access must be constructed in accordance with the requirements of Section 184(3) of the Highways Act 1980. The developer must contact the Area Engineer, Southern Area, Etherley Lane, Bishop Auckland, DL14 6UQ, telephone 01388 602028 in this regard.

background information

Application files, WVDLP as amended by Saved and Expired Policies September 2007.

PS code	<input type="text" value="6"/>		
number of days to Committee	<input type="text" value="50"/>	target achieved	<input checked="" type="checkbox"/>
explanation			

Officer responsible for the report

Robert Hope

Strategic Director for Environment and Regeneration

Ext 264

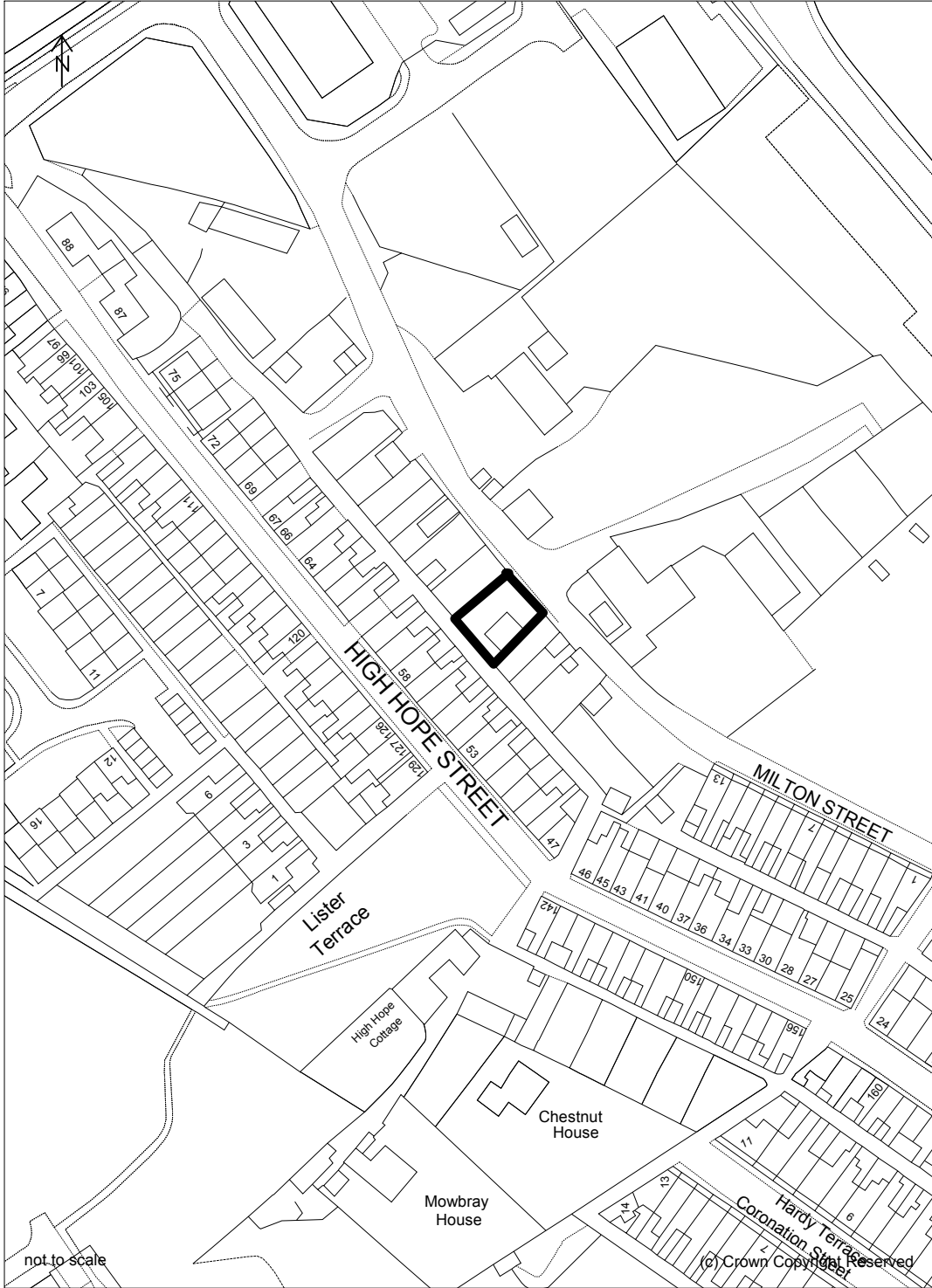
Author of the report

Chris Baxter

Senior Planning Officer

Ext 441

3/2008/0057- DETACHED DWELLING AT LAND REAR OF 56 HIGH HOPE STREET, CROOK FOR MR. GRANT, M D G CONTRACTORS – 24.01.2008



DEVELOPMENT CONTROL COMMITTEE

13th MARCH 2008

Report of the Strategic Director for Environment and Regeneration

PART 1 – APPLICATION FOR DECISION

3/2008/0050 - NEW PALISADE FENCING TO PERIMETER INCLUDING DOUBLE GATES. NEW CONTAINERS FOR USE ON COMMUNITY ALLOTMENT AT LAND TO THE REAR OF BUCKINGHAM TERRACE, LEEHOLME FOR WEAR VALLEY DISTRICT COUNCIL - 24.01.2008

description of site and proposals

1. Planning permission is sought for the erection of 1.8m high palisade fencing (dark green) around the northern perimeter of the allotment site and siting of 2 No. steel containers (dark green) within the allotment site. The containers are required for tool storage and for a community classroom. The tool store container would measure 3m x 3m and would be 2.4m high. The classroom container would measure 2.4m x 6m and would be 2.4m high. The proposal is part of a programme of improvement works to the allotment site, which include the establishment of a community allotment at the top of the site.
2. The allotment site is well established and is located on the western perimeter of Leeholme. It is currently bounded by a series of adhoc fencing. There are numerous structures of varying shapes and sizes within the site. There is a tree belt along the eastern perimeter and open fields to the west that separate Leeholme from Coundon.

planning history

3. None

planning policies

4. The following policies of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007 are relevant in the consideration of this application:
 - GD1 General Development Criteria
 - RL9 Allotments

consultations

5. None received.

officer analysis

6. The key issue for consideration is:
 - Impact on the Character and Appearance of the Surrounding Areaimpact on the character and appearance of the surrounding area
7. Policy support for improvements to allotment sites is given in policy RL9 of the WVDLP Plan as amended by Saved and Expired Policies September 2007 as it is recognised that allotments perform an important recreational function. This proposal is part of a programme to reclaim and improve the site and add an educational and community value.
8. It is considered that the proposed works could be carried out without detriment to the character and appearance of the surrounding area and would in fact, as a result of the overall improvement and reclamation works, be part of a programme to improve the general character of the area. At the same time the proposal would lead to community benefits.
9. The proposal therefore accords with policies GD1 and RL9 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

objections/observations

10. Occupiers of surrounding properties were notified in writing and a site notice was posted. The application has also been advertised in the press. No comments have been received.

conclusion and reasons for approval

1. The proposal is considered to be acceptable and in accordance with policies GD1 and RL9 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007 as it:
 1. Would be part of the revitalisation of a community facility.
 2. Would not cause harm to the character and appearance of the surrounding area.

RECOMMENDED

That planning permission be **GRANTED**.

background information

Application files, WVDLP Plan as amended by Saved and Expired Policies September 2007.

PS code

10

number of days to Committee

50

target achieved

√

Officer responsible for the report

Robert Hope

Strategic Director for Environment and Regeneration

Ext 264

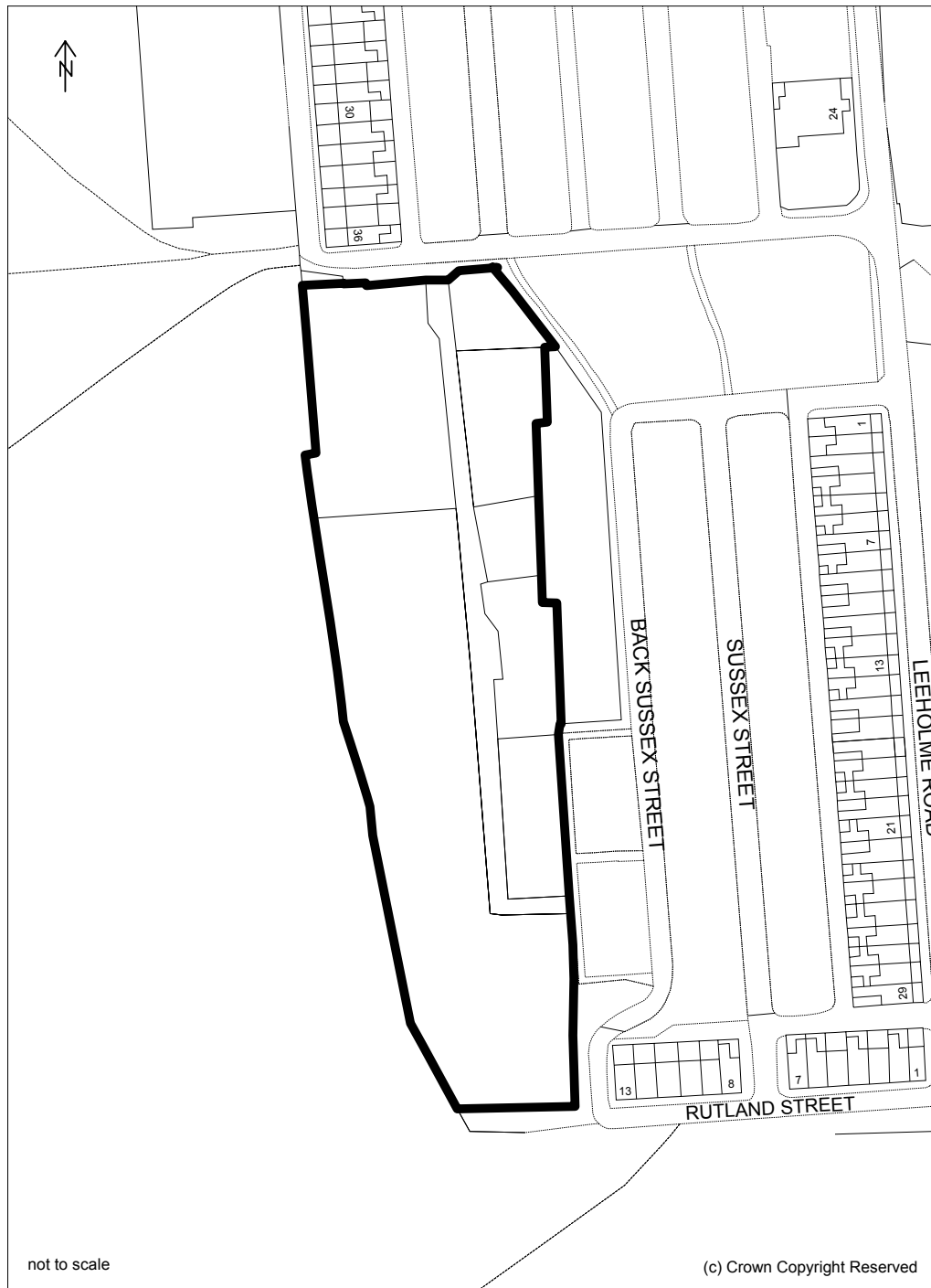
Author of the report

Adrian Caines

Senior Planning Officer

Ext 369

3/2008/0050 - NEW PALISADE FENCING TO PERIMETER INCLUDING DOUBLE GATES. NEW CONTAINERS FOR USE ON COMMUNITY ALLOTMENT AT LAND TO THE REAR OF BUCKINGHAM TERRACE, LEEHOLME FOR WEAR VALLEY DISTRICT COUNCIL - 24.01.2008



DEVELOPMENT CONTROL COMMITTEE

13TH MARCH 2008

Report of the Strategic Director for Environment and Regeneration

PART 1 – APPLICATION FOR DECISION

3/2008/0097 - REPLACEMENT FENCE AROUND TENNIS COURT, BOWLING GREEN AND SKATE PARK, NEW FENCE TO SIDES OF LEISURE CENTRE, INSTALLATION OF CCTV, INSTALLATION OF A MEETING SHELTER AT GLENHOLME PARK, NEW ROAD, CROOK FOR WEAR VALLEY DISTRICT COUNCIL – 07.02.2008

description of site and proposals

1. Planning permission is sought for numerous improvement works to facilities at Glenholme Park in Crook. This would include the erection of 2.74m high (and 4.9m high at the ends of the tennis court) replacement fencing, in the form of metal weld mesh fencing, around the tennis court, skate park and bowling green; new 2.74m high fencing to the side/rear of the leisure centre; a meeting shelter adjacent to the boys club; and two CCTV cameras – one mounted on an 8m high column and the other mounted on the NE corner of the leisure centre.
2. The proposed works are part of a wider development plan for physical and public safety improvements to the park and facilities. The plans have been drawn up in consultation with local residents and the police.

planning history

3. Planning history on the site relates mainly to the leisure centre and there is nothing of direct relevance to this proposal.

planning policies

4. The following policies of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007 are relevant in the consideration of this application:
 - GD1 General Development Criteria
 - RL8 Improvement to Existing Open Spaces

consultations

5. Durham County Highways Authority: No objections.

6. Durham Constabulary: The police have been involved in the consultation process and are fully supportive of the proposals. Believe the improvements will benefit all users and will improve the level of security in and around the area.
7. Durham County Council Rights of Way: Footpath 54, which runs adjacent to the south west of the site, should remain unaffected however the are obligations to keep the right of way unobstructed.

officer analysis

8. The key issue for consideration is:
 - Impact on the Character and Appearance of the Surrounding Areaimpact on the character and appearance of the surrounding area
9. Policy support for improvements to existing open spaces is given in policy RL8 of the WVDLP as amended by Saved and Expired Policies September 2007. This proposal is part of a wider programme of improvements to Glenholme Park and its facilities. The proposed works have been identified as priorities through a public consultation exercise and have the full support of the Police.
10. The proposed fencing is mostly replacement fencing, apart from that to the rear of the leisure centre. In the setting of the park and leisure centre, this would not be visually obtrusive.
11. Similarly the CCTV column would be located in the centre of the park amongst other lighting columns and trees and therefore would not be visually obtrusive. The wall mounted CCTV camera on the leisure centre would not be highly visible to the surrounding area and would not affect the appearance of the building.
12. The meeting shelter would be the most visible of the proposed developments, however it would be located adjacent to the boys club building so that it would not be isolated, would not be excessive in size and is a type of structure that is associated with parks and playgrounds. Therefore despite being visible, it would not be harmful.
13. It is therefore considered that the proposal could be carried out without detriment to the character and appearance of the surrounding area and would have community safety benefits.
14. The proposal therefore accords with policies GD1 and RL8 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

objections/observations

15. Occupiers of surrounding properties were notified in writing and a site notice was posted. The application has also been advertised in the press. No comments have been received.

conclusion and reasons for approval

1. The proposal is considered to be acceptable and in accordance with policies GD1 and RL8 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007 as it:
 1. Would have community safety benefits.
 2. Would not cause harm to the character and appearance of the surrounding area.

RECOMMENDED

That planning permission be **GRANTED** subject to the following conditions and reasons;

conditions

1. The redesign of the play area has not been approved.
2. Prior to the commencement of development, details of the colour of the meeting shelter shall be submitted to and approved in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved details.

reasons

1. No details were submitted.
2. In the interests of visual amenity. In accordance with policy GD1 of the Wear Valley District local Plan as amended by Saved and Expired Policies September 2007.

background information

Application files, WVDLP as amended by Saved and Expired Policies September 2007.

PS code	<input type="text" value="10"/>		
number of days to Committee	<input type="text" value="38"/>	target achieved	<input type="text" value="√"/>

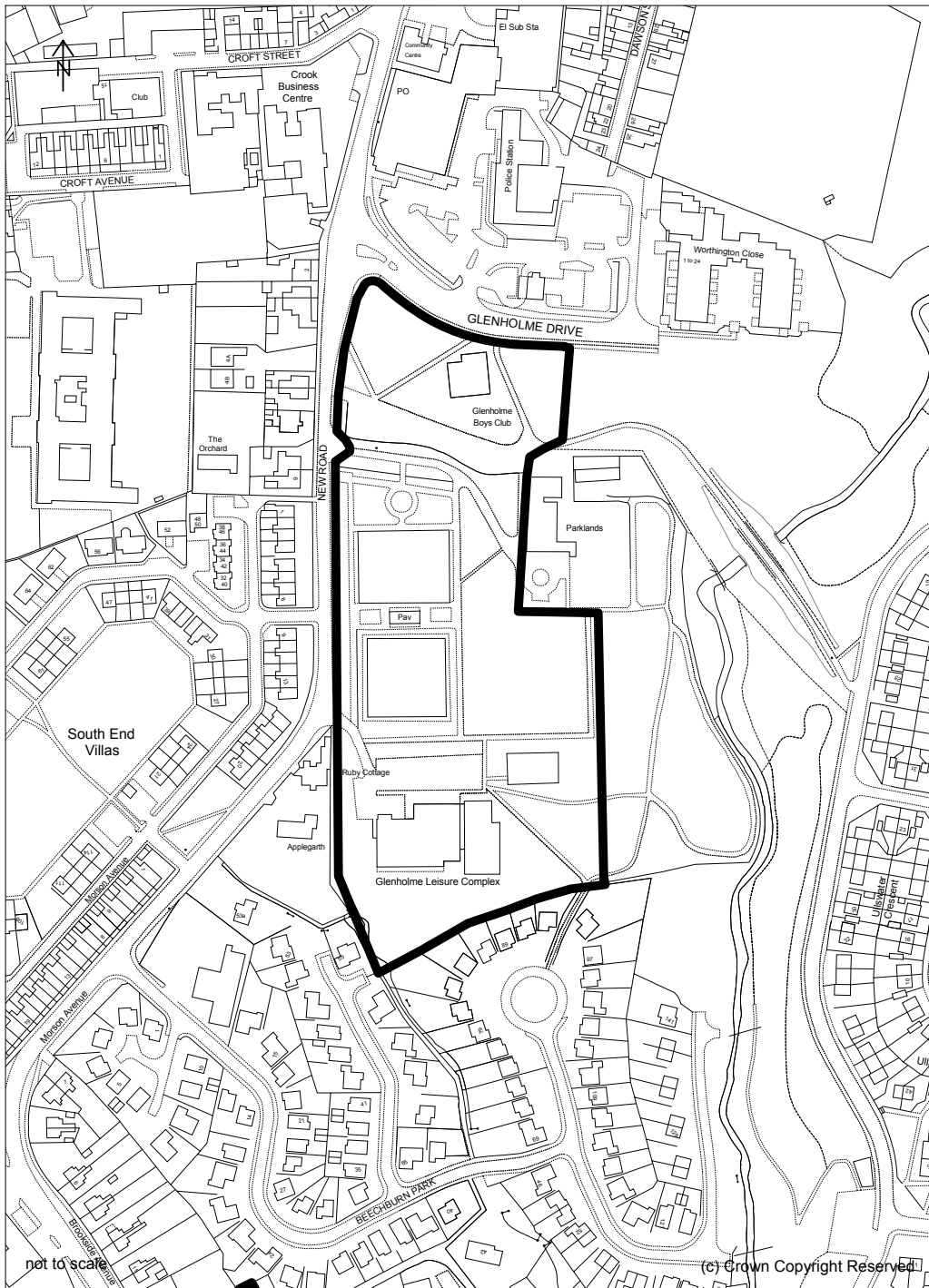
Officer responsible for the report

Robert Hope
Strategic Director for Environment and Regeneration
Ext 264

Author of the report

Adrian Caines
Senior Planning Officer
Ext 369

3/2008/0097 - REPLACEMENT FENCE AROUND TENNIS COURT, BOWLING GREEN AND SKATE PARK, NEW FENCE TO SIDES OF LEISURE CENTRE, INSTALLATION OF CCTV, INSTALLATION OF A MEETING SHELTER AT GLENHOLME PARK, NEW ROAD, CROOK FOR WEAR VALLEY DISTRICT COUNCIL - 07.02.2008



DEVELOPMENT CONTROL COMMITTEE

13TH MARCH 2008

Report of the Strategic Director for Environment and Regeneration

PART 1 – APPLICATION FOR DECISION

3/2007/0905- ERECTION OF NEW INDUSTRIAL UNIT AT THE DURHAM BOX COMPANY LIMITED, AUCKLAND CRESCENT, ST. HELEN AUCKLAND FOR MR. MORRIS – 21.12.2007

description of site and proposals

1. Planning permission is requested for the erection of a new industrial unit at the Durham Box Co. Ltd site, Auckland Crescent, St Helen Industrial Estate, St. Helen Auckland. The proposed building would measure 30 metres in width by 36 metres in length, giving a footprint of 1080 sq. metres. The proposed building would measure 5.2 metres to the eaves and 15.2 metres to the highest point, and would have a pitched roof. The plans show that the building would be constructed from coloured profiled metal sheeting and would be coloured “Goosewing Grey” with “Ocean Blue” coloured doors, trims, guttering and downpipes to match the existing unit.
2. It is also proposed to provide 8 No. additional car parking spaces to the unit, which would be positioned to the east of the proposed unit. This would increase the car parking provision on site to 33 spaces.
3. The proposed building would be used for cardboard storage, and would be positioned approximately 21 metres north from the existing reception area of the existing factory. The existing factory has a floor area measuring 3514 sq. metres, with 122 sq. metres of offices. The applicant manufactures corrugated boxes (Use Class B2), and the extension would occupy an existing grassed area within the curtilage. To the south of the site is the West Auckland bypass, with further general industrial units to the north, east and west of the application site. The proposal lies within an area designated under policy I5 ‘General Industrial Sites’ of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007. At present the site is bounded by a 1.8 metre high steel palisade fence.

planning history

4. The following history is relevant to the consideration of this application:
 - 3/2001/0343 Factory Warehouse Extension Approved 21.08.2001

planning policies

5. The following policies of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007 are relevant in the consideration of this application:

- GD1 General Development Criteria
- I5 General Industrial Sites
- H3 Distribution of Development
- T1 Highways - General Policy

consultations

6. Architectural Liaison Officer: No objection.

7. Public Rights of Way: Footpath 27 runs adjacent to the application site. The developer should be aware that:

- No building materials must be stored on the right of way.
- Vehicle movements must be arranged so as not to interfere with the public's use of the right of way.
- The safety of members of the public must be ensured at all times.
- No additional barriers must be placed across the right of way.
- There must be no reduction in width of the right of way available for use by members of the public.
- No damage or alteration must be caused to the surface of the right of way.

8. Northumbrian Water: No objection.

9. CDE&TS (Highways): No objection.

officer analysis

10. The main issues for consideration are:

- Principle of Development
- Visual Impact
- Highway and Parking Issues

principle of development

11. Planning permission is sought for the construction of an extension to an existing factory within the settlement limits of development for Bishop Auckland as shown on the Proposals Maps of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007. The application site lies within an area allocated as an industrial site which falls under proposal I5 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007. Proposal I5 states that proposals for offices and business uses (Class B1) and general industry

(Class B2) will be permitted provided that they fulfil the criteria set out in policy GD1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007. As the proposal is an extension of an existing industrial unit, it is considered that the proposal accords with policy H3 and proposal I5 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

visual impact

12. It is noted that the proposed extension is of a large scale. However, the proposed extension has been designed to match the existing main unit on the site. Therefore the proposal would be in keeping with the host building and the surrounding area in terms of design, scale, position and materials. It is considered that the proposed extension would not be detrimental to the appearance of the surrounding area nor would it adversely affect the setting of the neighbouring buildings. The proposed car parking area to the east of the proposed extension would be seen as an extension to the existing access road which supplies the host site. The paved area would be screened from the main highway to the south by the proposed extension and would therefore not be detrimental to the visual appearance of the immediate surrounding area. The proposal satisfies policy GD1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

highway and parking issues

13. Access to the site would be taken from the existing access which currently supplies the application site and 8 additional parking spaces would be provided. The Durham County Highways Officer has been consulted on this application. The Highways Officer has carefully considered the application and has commented that he has no objections to the access and parking proposals. It is therefore considered that the development would not be detrimental to the safety of motorists or pedestrians and it would not create an unacceptable level of traffic. The proposal is in accordance with policies GD1 and T1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

objections/observations

14. Occupiers of surrounding properties have been notified in writing and a site notice was also posted. The application was also advertised in the press.
15. No letters of objection/ observation have been received.

conclusion and reasons for approval

1. The application site lies within the settlement limits for Bishop Auckland as identified under policy H3 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007, and the application site is also identified for industrial use under proposal I5 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007. As such the erection of a building for a Class B2 use on the site is considered acceptable, and in accordance with policy H3 and proposal I5 of the Wear

Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

2. The proposed extension has been designed to match the existing factory unit on the site. Therefore the proposal would be in keeping with the host building and the surrounding area in terms of design, scale, position, colour and materials. It is considered that the proposed extension would not be detrimental to the appearance of the surrounding area and would not constitute an overdevelopment of the site. The proposal accords with policy GD1 and proposal I5 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
3. The proposed extension would utilise the existing access to the site and an adequate number of additional parking spaces would be provided . It is therefore considered that the development would not be detrimental to the safety of motorists or pedestrians and the proposed extension would not create an unacceptable level of traffic. The proposal is in accordance with policies GD1 and T1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

RECOMMENDED

That planning permission be **GRANTED** subject to the following condition and reason;

condition

1. Before the development hereby approved is commenced samples of all materials to be used in the construction of the external surfaces of the building shall be submitted to and approved in writing by the local planning authority, and the external surfaces shall be constructed in accordance with the approved details.

reason

1. To ensure the satisfactory appearance of the completed development. In accordance with policy GD1 and proposal I5 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

background information

Application files, WVDLP Plan as amended by the Saved and Expired Policies September 2007.

PS code

5

number of days to Committee

84

target achieved

√

explanation

Officer responsible for the report

Robert Hope

Strategic Director for Environment and Regeneration

Ext 264

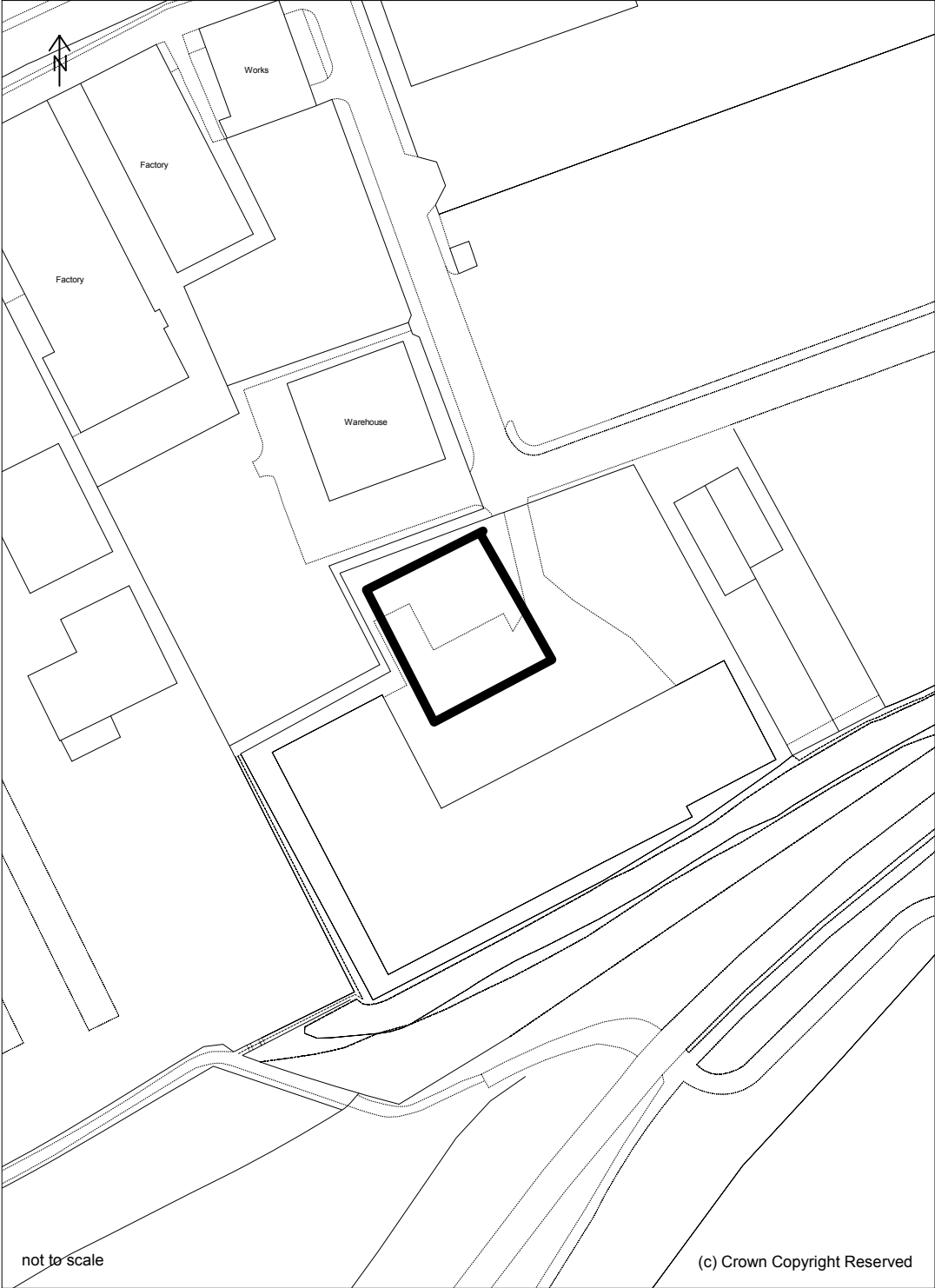
Author of the report

Adam Williamson

Planning Officer

Ext 495

**3/2007/0905 - ERECTION OF NEW INDUSTRIAL UNIT AT THE DURHAM BOX
COOMPANY LIMITED, AUCKLAND CRESCENT, ST HELEN AUCKLAND FOR
MR. MORRIS – 21.12.2007**



DEVELOPMENT CONTROL COMMITTEE

13TH MARCH 2008

Report of the Strategic Director for Environment and Regeneration

PART 1 – APPLICATION FOR DECISION

3/2008/0063 - REPLACEMENT OF EXISTING WINDOWS AND DOORS WITH UPVC DOUBLE GLAZED WINDOWS AND DOORS (FIRST FLOOR FLAT) AT 65 PROUDFOOT DRIVE, BISHOP AUCKLAND FOR WEAR VALLEY DISTRICT COUNCIL - 01.02.2008

description of site and proposals

1. Planning permission is sought for the replacement of existing windows and doors with U.P.V.C double glazed windows and U.P.V.C doors at the first floor flat at 65 Proudfoot Drive, Bishop Auckland. The property is managed by Dale and Valley Homes.
2. The existing windows and doors are currently in poor condition and in need of replacement.

planning history

3. There has been no recent relevant planning history.

planning policies

4. The following policies of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007 are relevant in the consideration of this application:
 - GD1 General Development Criteria
 - FPG5 Alteration and Extensions Guidelines

consultations

5. None.

officer analysis

6. The key issues for consideration are:
 - Impact on the Appearance of the Properties and Surrounding Area
 - Residential Amenity

impact on the appearance of the properties and surrounding area

7. It is considered that the proposed replacement windows and doors would be in keeping with the character of the existing flat in terms of mass, scale, design and materials. The proposed replacement windows and doors would improve the appearance of the property and the surrounding area as the existing windows and doors are currently in need of replacement due to their poor condition and appearance. The proposal conforms to policy GD1 and FPG5 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

residential amenity

8. As there are no new openings proposed at the property nor the enlargement of existing openings it is considered that the proposed development would not adversely affect the privacy or amenity of neighbouring properties in accordance with policy GD1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

objections/observations

9. Occupiers of the surrounding properties have been notified in writing and a site notice was also posted.
10. At the time of writing this report the consultation period had not yet ended. Any observations received will be reported to Committee.

conclusion and reasons for approval

1. The proposal is acceptable in relation to policy GD1 and FPG5 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007 as the new windows and doors:
 1. Are in keeping with the host property in terms of design, scale, mass and materials and would improve the appearance of the property and surrounding area.
 2. Would not result in loss of privacy or amenity for occupiers of neighbouring properties

RECOMMENDED

That planning permission be **GRANTED**.

background information

Application files, WVDLP as amended by the Saved and Expired Policies September 2007.

PS code

10

number of days to Committee

42

target achieved

√

explanation

Officer responsible for the report

Robert Hope

Strategic Director for Environment and Regeneration

Ext 264

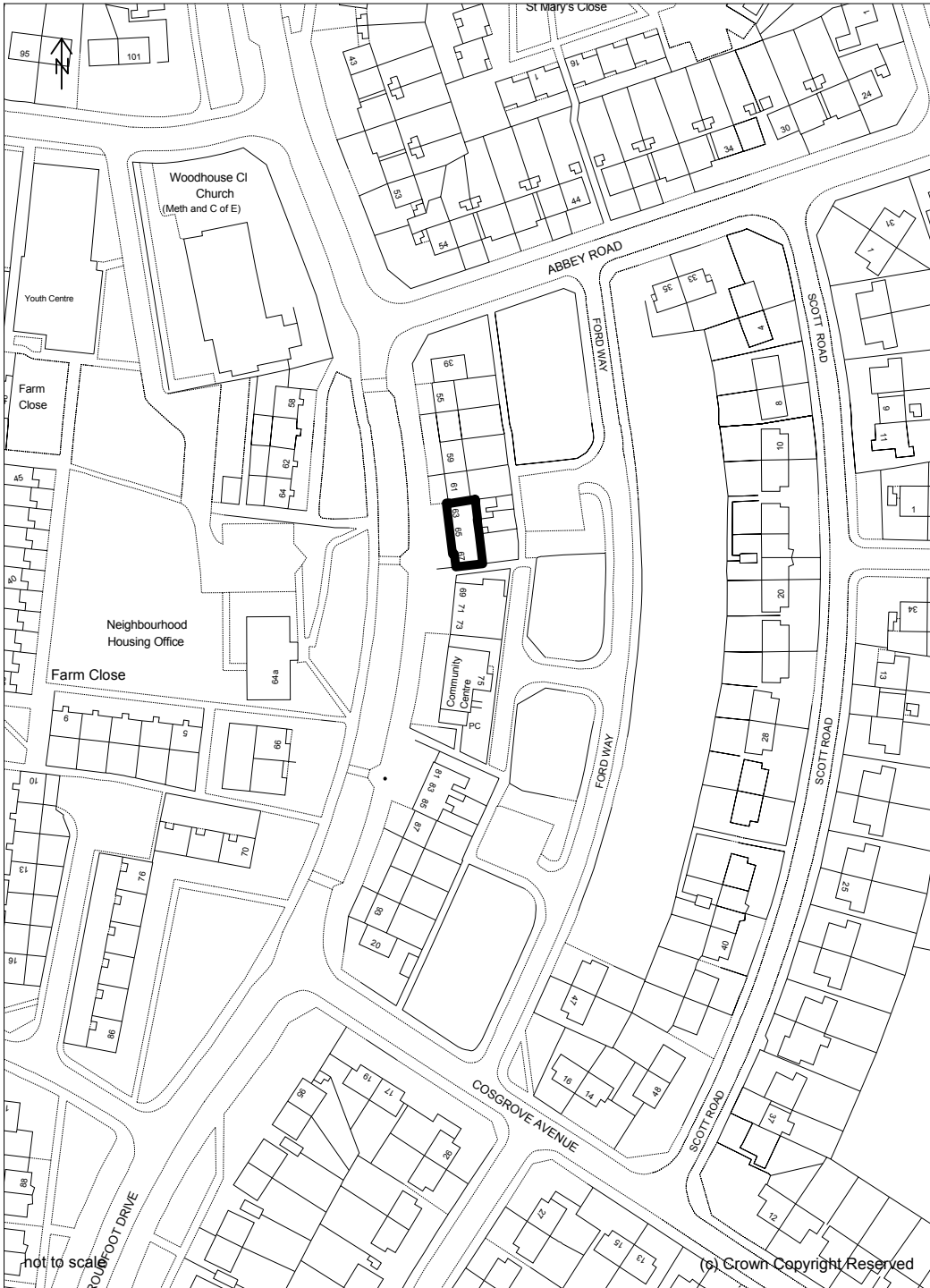
Author of the report

Sinead Folan

Planning Officer

Ext. 272

3/2008/0063 - REPLACEMENT OF EXISTING WINDOWS AND DOORS WITH UPVC DOUBLE GLAZED WINDOWS AND DOORS (FIRST FLOOR FLAT) AT 65 PROUDFOOT DRIVE, BISHOP AUCKLAND FOR WEAR VALLEY DISTRICT COUNCIL – 01.02.2008



DEVELOPMENT CONTROL COMMITTEE

13TH MARCH 2008

Report of the Strategic Director for Environment and Regeneration

PART 1 – APPLICATION FOR DECISION

3/2008/0067- REPLACEMENT OF EXISTING WINDOWS AND DOORS WITH UPVC DOUBLE GLAZED WINDOWS AND UPVC DOORS ALL TO THE SAME SIZE AND STYLE AT FLAT 25A HALL LANE ESTATE AND FLATS 5, 6, 7, 8, 19, 20, 21, 22 CHESTER DRIVE, WILLINGTON FOR WEAR VALLEY DISTRICT COUNCIL – 01.02.2008

description of site and proposals

1. Planning permission is sought for the replacement of existing windows and doors with U.P.V.C double glazed windows and U.P.V.C doors at 25A Hall Lane Estate and flats 5, 6, 7, 8, 19, 20, 21, 22 Chester Drive, Willington. The properties are managed by Dale and Valley Homes.
2. The existing windows and doors are currently in poor condition and in need of replacement.

planning history

3. There has been no recent relevant planning history.

planning policies

4. The following policies of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007 are relevant in the consideration of this application:
 - GD1 General Development Criteria
 - FPG5 Alteration and Extensions Guidelines

consultations

5. Willington Parish Council: No response.

officer analysis

6. The key issues for consideration are:
 - Impact on the Appearance of the Properties and Surrounding Area
 - Residential Amenity

impact on the appearance of the properties and surrounding area

7. It is considered that the proposed replacement windows and doors would be in keeping with the character of the existing dwellings in terms of mass, scale, design and materials. The proposed replacement windows and doors would improve the appearance of the properties and the surrounding area as the existing windows and doors are currently in need of replacement due to their poor condition and appearance. The proposal conforms to policy GD1 and FPG5 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

residential amenity

8. As there are no new openings proposed at the properties nor the enlargement of existing openings it is considered that the proposed development would not adversely affect the privacy or amenity of neighbouring properties in accordance with policy GD1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

objections/observations

9. Occupiers of the surrounding properties have been notified in writing and a site notice was also posted.
10. At the time of writing this report the consultation period had not yet ended. Any observations received will be reported to Committee.

conclusion and reasons for approval

1. The proposal is acceptable in relation to policy GD1 and FPG5 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007 as the new windows and doors:
 3. Are in keeping with the host properties in terms of design, scale, mass and materials and would improve the appearance of the properties and surrounding area.
 4. Would not result in loss of privacy or amenity for occupiers of neighbouring properties.

RECOMMENDED

That planning permission be **GRANTED**.

background information

Application files, WVDLP as amended by the Saved and Expired Policies September 2007.

PS code

10

number of days to Committee

42

target achieved

√

explanation

Officer responsible for the report

Robert Hope

Strategic Director for Environment and Regeneration

Ext 264

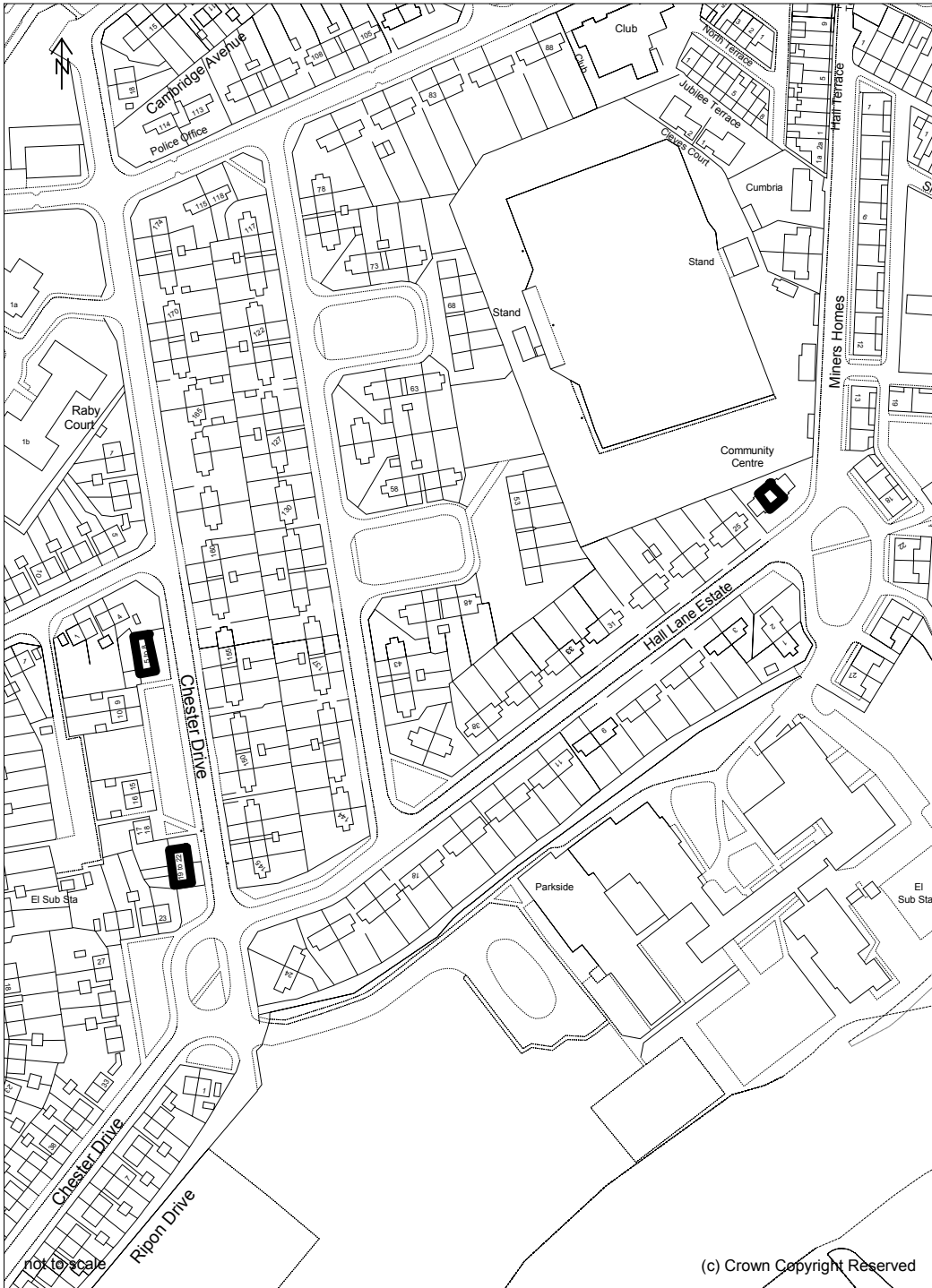
Author of the report

Sinead Folan

Planning Officer

Ext 272

3/2008/0067 - REPLACEMENT OF EXISTING WINDOWS AND DOORS WITH UPVC DOUBLE GLAZED WINDOWS AND UPVC DOORS ALL TO THE SAME SIZE AND STYLE AT FLAT 25A HALL LANE ESTATE AND FLATS 5, 6, 7, 8, 19, 20, 21, 22 CHESTER DRIVE, WILLINGTON FOR WEAR VALLEY DISTRICT COUNCIL – 01.022008



DEVELOPMENT CONTROL COMMITTEE

13TH MARCH 2008

Report of the Strategic Director for Environment and Regeneration

PART 1 – APPLICATION FOR DECISION

3/2008/0070 - REPLACEMENT OF EXISTING WINDOWS AND DOORS WITH UPVC DOUBLE GLAZED WINDOWS AND UPVC DOORS ALL TO THE SAME SIZE AND STYLE AT 1- 12 EDEN COURT, BISHOP AUCKLAND FOR WEAR VALLEY DISTRICT COUNCIL-31/01/2008.

description of site and proposals

1. Planning permission is sought for the replacement of existing windows and doors with U.P.V.C double glazed windows and U.P.V.C doors at 1-12 Eden Court, Bishop Auckland. The properties are managed by Dale and Valley Homes.
2. The existing windows and doors are currently in poor condition and in need of replacement.

planning history

3. None relevant.

planning policies

4. The following policies of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007 are relevant in the consideration of this application:
 - GD1 General Development Criteria
 - FPG5 Alteration and Extensions Guidelines

consultations

5. Bishop Auckland Town Council: No reponse.

officer analysis

6. The key issues for consideration are:
 - Impact on the Appearance of the Properties and Surrounding Area
 - Residential Amenity

impact on the appearance of the properties and surrounding area

7. It is considered that the proposed replacement windows and doors would be in keeping with the character of the existing dwellings in terms of mass, scale, design and materials. The proposed replacement windows and doors would improve the appearance of the properties and the surrounding area as the existing windows and doors are currently in need of replacement due to their poor condition and appearance. The proposal conforms to policy GD1 and FPG5 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

residential amenity

8. As there are no new openings proposed at the properties nor the enlargement of existing openings it is considered that the proposed development would not adversely affect the privacy or amenity of neighbouring properties in accordance with policy GD1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

objections/observations

9. Occupiers of the surrounding properties have been notified in writing and a site notice was also posted.
10. At the time of writing this report the consultation period had not yet ended. Any observations received will be reported to Committee.

conclusion and reasons for approval

1. The proposal is acceptable in relation to policy GD1 and FPG5 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007 as the new windows and doors:
 1. Are in keeping with the host properties in terms of design, scale, mass and materials and would improve the appearance of the properties and surrounding area.
 2. Would not result in loss of privacy or amenity for occupiers of neighbouring properties.

RECOMMENDED

That planning permission be **GRANTED** as amended by the Saved and Expired Policies September 2007.

background information

Application files, WVDLP as amended by the Saved and Expired Policies September 2007.

PS code

10

number of days to Committee

42

target achieved

√

explanation

Officer responsible for the report

Robert Hope

Strategic Director for Environment and Regeneration

Ext 264

Author of the report

Sinead Folan

Planning Officer

Ext. 272

3/2008/0070 - REPLACEMENT OF EXISTING WINDOWS AND DOORS WITH UPVC DOUBLE GLAZED WINDOWS AND UPVC DOORS ALL TO THE SAME SIZE AND STYLE AT 1- 12 EDEN COURT, BISHOP AUCKLAND FOR WEAR VALLEY DISTRICT COUNCIL – 31.01.2008



DEVELOPMENT CONTROL COMMITTEE

13TH MARCH 2008

Report of the Strategic Director for Environment and Regeneration

PART 1 – APPLICATION FOR DECISION

3/2008/0071- REPLACEMENT OF EXISTING WINDOWS WITH UPVC DOUBLE GLAZED WINDOWS ALL TO THE SAME SIZE AND STYLE AT FLAT 1 CORNWALL PLACE AND 1- 24 DEVON PLACE , HENKNOWLE, BISHOP AUCKLAND FOR WEAR VALLEY DISTRICT COUNCIL – 01.02.2008

description of site and proposals

1. Planning permission is sought for the replacement of existing windows and doors with U.P.V.C double glazed windows and UPVC doors at Flat 1 Cornwall Place and 1-24 Devon Place, Henknowle, Bishop Auckland. The properties are managed by Dale and Valley Homes.
2. The existing windows and doors are currently in poor condition and in need of replacement.

planning history

3. There has been no recent relevant planning history.

planning policies

4. The following policies of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007 are relevant in the consideration of this application:
 - GD1 General Development Criteria
 - FPG5 Alteration and Extensions Guidelines

consultations

5. Bishop Auckland town Council: No response.

officer analysis

6. The key issues for consideration are:
 - Impact on the Appearance of the Properties and Surrounding Area
 - Residential Amenity

impact on the appearance of the properties and surrounding area

7. It is considered that the proposed replacement windows and doors would be in keeping with the character of the existing dwellings in terms of mass, scale, design and materials. The proposed replacement windows and doors would improve the appearance of the properties and the surrounding area as the existing windows and doors are currently in need of replacement due to their poor condition and appearance. The proposal conforms to policy GD1 and FPG5 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

residential amenity

8. As there are no new openings proposed at the properties nor the enlargement of existing openings it is considered that the proposed development would not adversely affect the privacy or amenity of neighbouring properties in accordance with policy GD1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

objections/observations

9. Occupiers of the surrounding properties have been notified in writing and a site notice was also posted.
10. At the time of writing this report the consultation period had not yet ended. Any observations received will be reported to Committee.

conclusion and reasons for approval

1. The proposal is acceptable in relation to policy GD1 and FPG5 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007 as the new windows and doors:
 5. Are in keeping with the host properties in terms of design, scale, mass and materials and would improve the appearance of the properties and surrounding area.
 6. Would not result in loss of privacy or amenity for occupiers of neighbouring properties

RECOMMENDED

That planning permission be **GRANTED**.

background information

Application files, WVDLP as amended by the Saved and Expired Policies September 2007.

PS code

10

number of days to Committee

42

target achieved

√

explanation

Officer responsible for the report

Robert Hope

Strategic Director for Environment and Regeneration

Ext 264

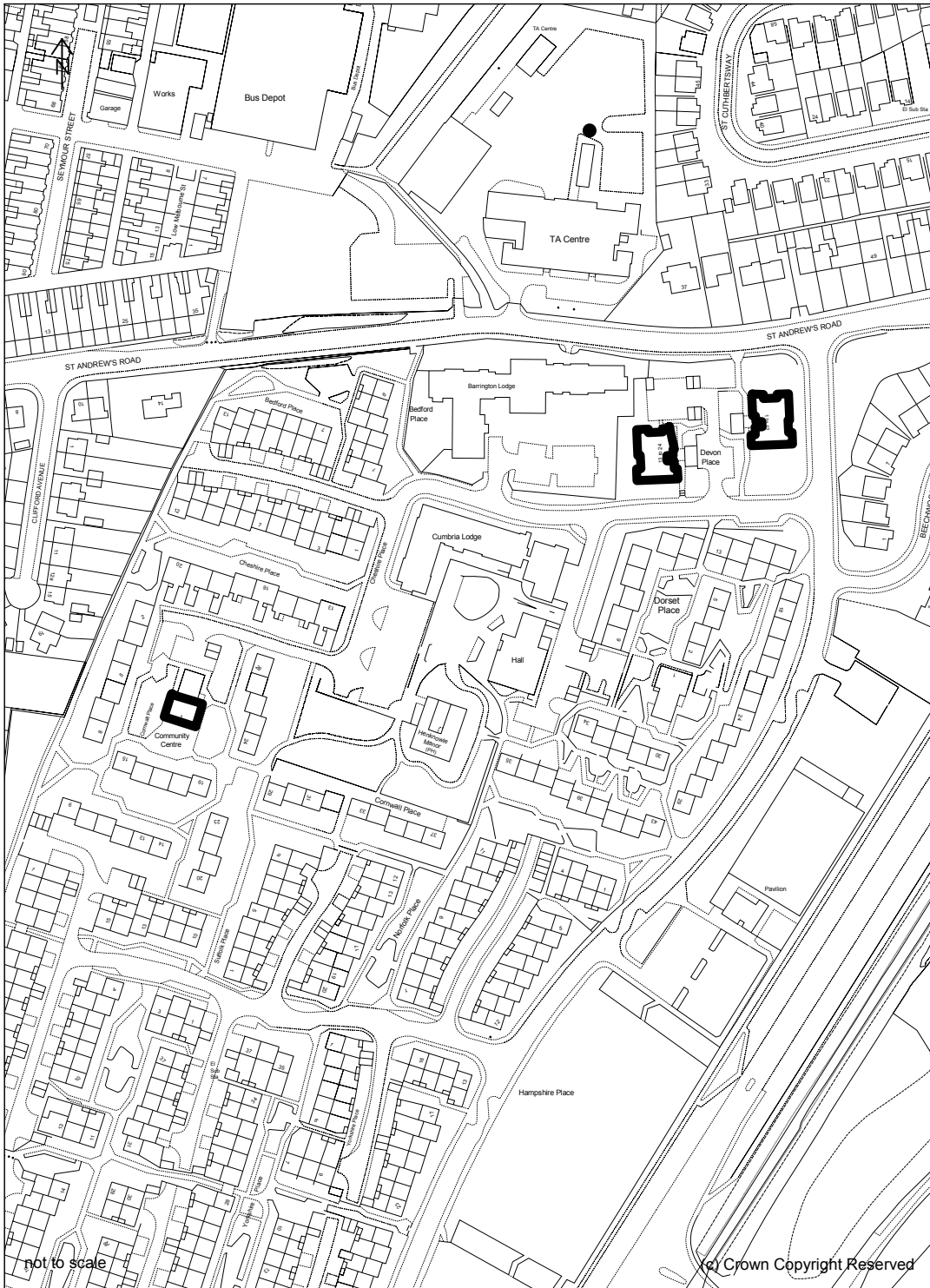
Author of the report

Sinead Folan

Planning Officer

Ext 272

3/2008/0071 - REPLACEMENT OF EXISTING WINDOWS WITH UPVC DOUBLE GLAZED WINDOWS ALL TO THE SAME SIZE AND STYLE AT FLAT 1 CORNWALL PLACE AND 1-24 DEVON PLACE, HENKNOWLE, BISHOP AUCKLAND FOR WEAR VALLEY DISTRICT COUNCIL – 01.02.2008



DEVELOPMENT CONTROL COMMITTEE

13TH MARCH 2008

Report of the Strategic Director for Environment and Regeneration

PART 1 – APPLICATION FOR DECISION

3/2008/0072- REPLACEMENT OF EXISTING WINDOWS WITH UPVC DOUBLE GLAZED WINDOWS ALL TO THE SAME SIZE AND STYLE AT 7 - 31 PARK AVENUE CLOSE, CROOK FOR WEAR VALLEY DISTRICT COUNCIL - 01.02.2008

description of site and proposals

1. Planning permission is sought for the replacement of existing windows and doors with U.P.V.C double glazed windows and U.P.V.C doors at 7-31 Park Avenue Close within the town of Crook. The properties are managed by Dale and Valley Homes.
2. The existing windows and doors are currently in poor condition and in need of replacement.

planning history

3. There has been no recent relevant planning history.

planning policies

4. The following policies of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007 are relevant in the consideration of this application:
 - GD1 General Development Criteria
 - FPG5 Alteration and Extensions Guidelines

consultations

5. None.

officer analysis

6. The key issues for consideration are:
 - Impact on the Appearance of the Properties and Surrounding Area
 - Residential Amenity

impact on the appearance of the properties and surrounding area

7. It is considered that the proposed replacement windows and doors would be in keeping with the character of the existing dwellings in terms of mass, scale, design and materials. The proposed replacement windows and doors would improve the appearance of the properties and the surrounding area as the existing windows and doors are currently in need of replacement due to their poor condition and appearance. The proposal conforms to policy GD1 and FPG5 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

residential amenity

8. As there are no new openings proposed at the properties nor the enlargement of existing openings it is considered that the proposed development would not adversely affect the privacy or amenity of neighbouring properties in accordance with policy GD1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

objections/observations

9. Occupiers of the surrounding properties have been notified in writing and a site notice was also posted.
10. At the time of writing this report the consultation period had not yet ended. Any observations received will be reported to Committee.

conclusion and reasons for approval

1. The proposal is acceptable in relation to policy GD1 and FPG5 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007 as the new windows and doors:
 7. Are in keeping with the host properties in terms of design, scale, mass and materials and would improve the appearance of the properties and surrounding area.
 8. Would not result in loss of privacy or amenity for occupiers of neighbouring properties

RECOMMENDED

That planning permission be **GRANTED**.

background information

Application files, WVDLP as amended by the Saved and Expired Policies September 2007.

PS code

10

number of days to Committee

42

target achieved

√

explanation

Officer responsible for the report

Robert Hope

Strategic Director for Environment and Regeneration

Ext 264

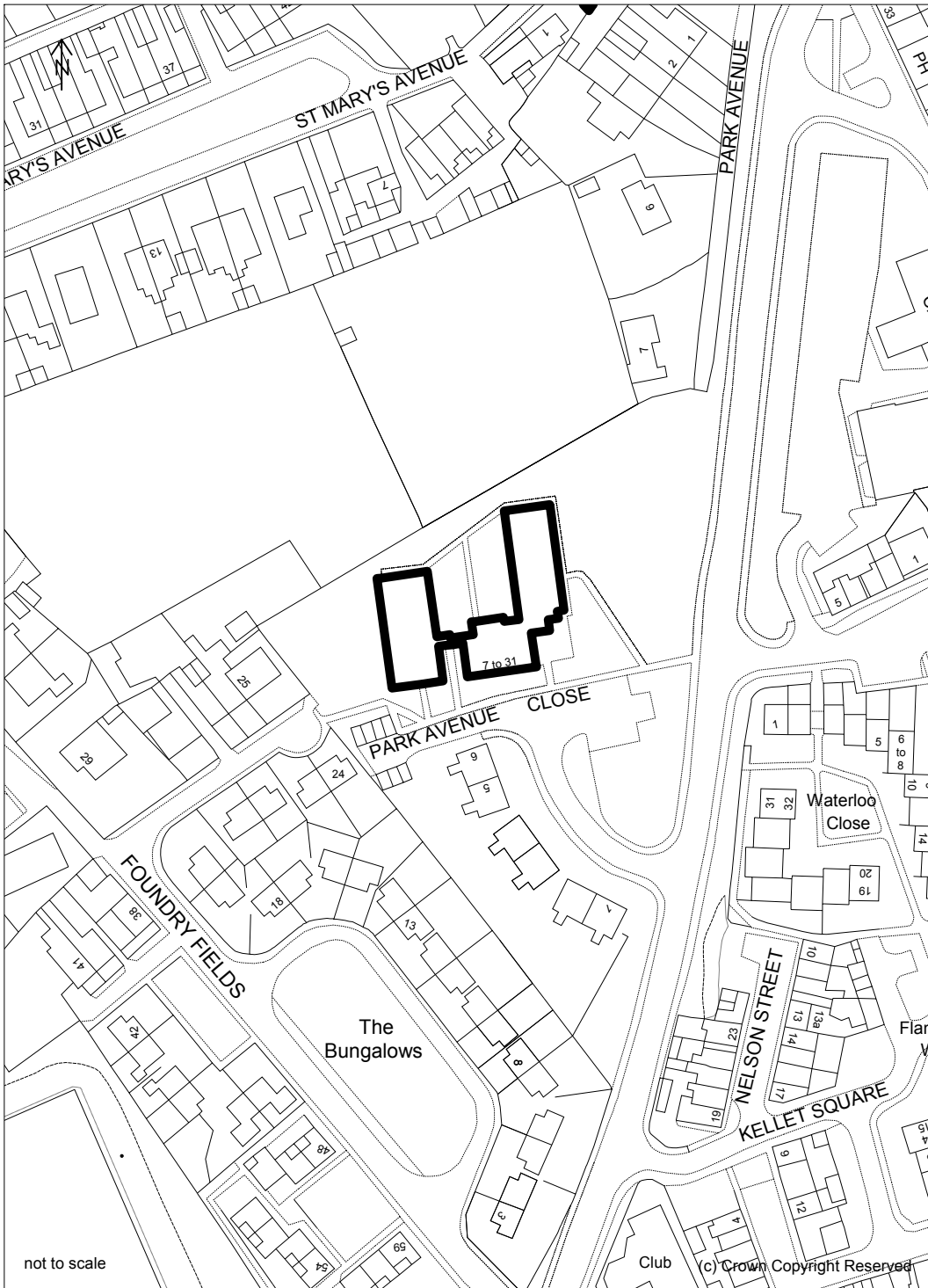
Author of the report

Sinead Folan

Planning Officer

Ext 272

3/2008/0072 - REPLACEMENT OF EXISTING WINDOWS WITH UPVC DOUBLE GLAZED WINDOWS ALL TO THE SAME SIZE AND STYLE AT 7 – 31 PARK AVENUE CLOSE, CROOK FOR WEAR VALLEY DISTRICT COUNCIL - 01.02.2008



DEVELOPMENT CONTROL COMMITTEE

13TH MARCH 2008

Report of the Strategic Director for Environment and Regeneration

PART 1 – APPLICATION FOR DECISION

3/2008/0073- REPLACEMENT OF EXISTING WINDOWS WITH UPVC DOUBLE GLAZED WINDOWS ALL TO THE SAME SIZE AND STYLE AT 1-25 GREENSIDE PLACE, WATERGATE, CROOK FOR WEAR VALLEY DISTRICT COUNCIL - 19.02.2008

description of site and proposals

1. Planning permission is sought for the replacement of existing windows and doors with U.P.V.C double glazed windows and U.P.V.C doors at 1-25 Greenside Place, Watergate, Crook. The properties are managed by Dale and Valley Homes.
2. The existing windows and doors are currently in poor condition and in need of replacement.

planning history

3. There has been no recent relevant planning history.

planning policies

4. The following policies of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007 are relevant in the consideration of this application:
 - GD1 General Development Criteria
 - FPG5 Alteration and Extensions Guidelines

consultations

5. None.

officer analysis

6. The key issues for consideration are:
 - Impact on the Appearance of the Properties and Surrounding Area
 - Residential Amenity

impact on the appearance of the properties and surrounding area

7. It is considered that the proposed replacement windows and doors would be in keeping with the character of the existing dwellings in terms of mass, scale, design and materials. The proposed replacement windows and doors would improve the appearance of the properties and the surrounding area as the existing windows and doors are currently in need of replacement due to their poor condition and appearance. The proposal conforms to policy GD1 and FPG5 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

residential amenity

8. As there are no new openings proposed at the properties nor the enlargement of existing openings it is considered that the proposed development would not adversely affect the privacy or amenity of neighbouring properties in accordance with policy GD1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

objections/observations

9. Occupiers of the surrounding properties have been notified in writing and a site notice was also posted.
10. At the time of writing this report the consultation period had not yet ended. Any observations received will be reported to Committee.

conclusion and reasons for approval

1. The proposal is acceptable in relation to policy GD1 and FPG5 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007 as the new windows and doors:
 1. Are in keeping with the host properties in terms of design, scale, mass and materials and would improve the appearance of the properties and surrounding area.
 2. Would not result in loss of privacy or amenity for occupiers of neighbouring properties.

RECOMMENDED

That planning permission be **GRANTED**.

background information

Application files, WVDLP as amended by the Saved and Expired Policies September 2007.

PS code

10

number of days to Committee

24

target achieved

√

explanation

Officer responsible for the report

Robert Hope

Strategic Director for Environment and Regeneration

Ext 264

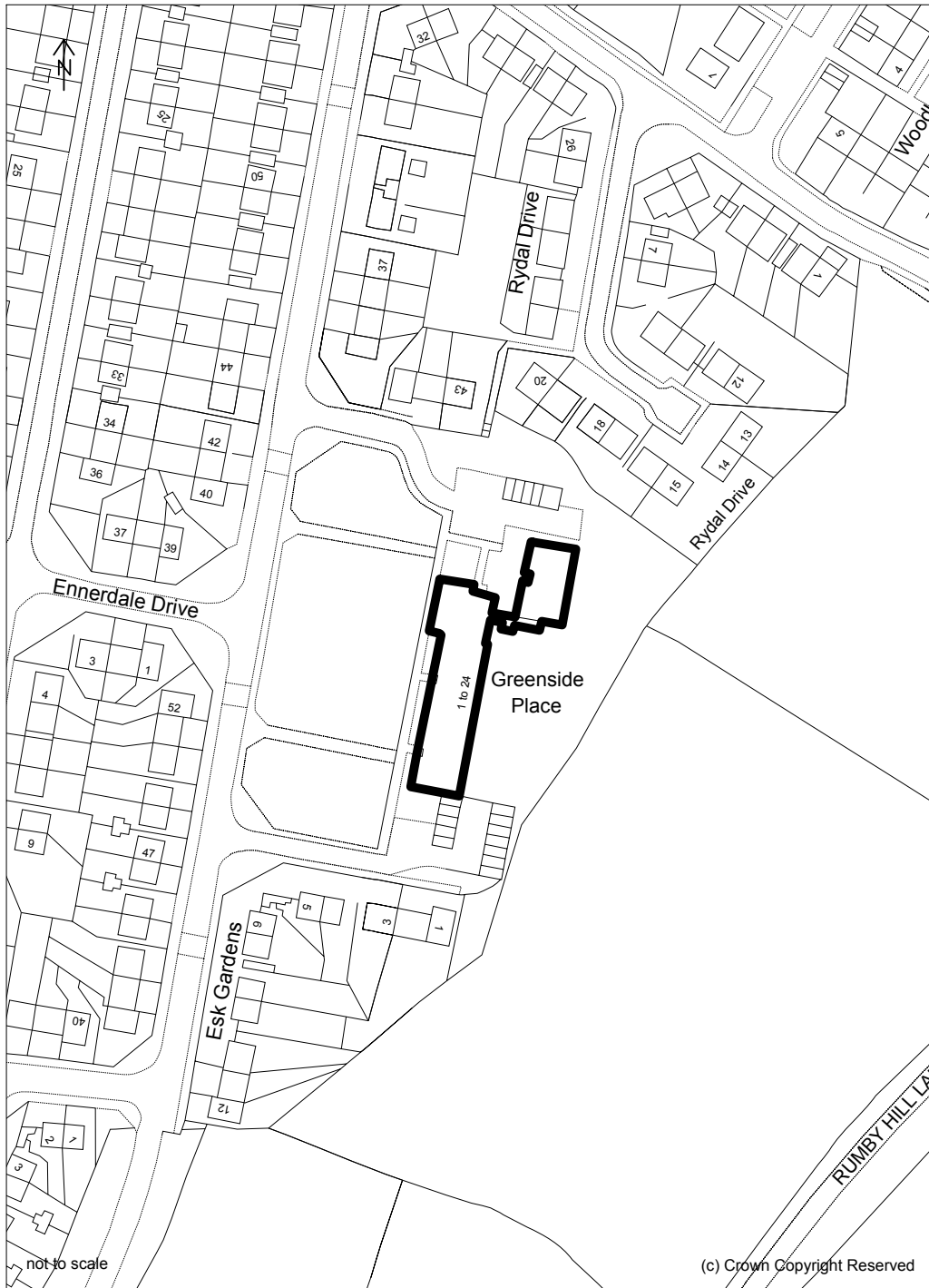
Author of the report

Sinead Folan

Planning Officer

Ext 272

3/2008/0073 - REPLACEMENT OF EXISTING WINDOWS WITH UPVC DOUBLE GLAZED WINDOWS ALL TO THE SAME SIZE AND STYLE AT 1-25 GREENSIDE PLACE, WATERGATE,CROOK FOR WEAR VALLEY DISTRICT COUNCIL – 19.02.2008



DEVELOPMENT CONTROL COMMITTEE

13TH MARCH 2008

Report of the Strategic Director for Environment and Regeneration

PART 1 – APPLICATION FOR DECISION

3/2008/0074- REPLACEMENT OF EXISTING WINDOWS AND DOORS WITH UPVC DOUBLE GLAZED WINDOWS AND UPVC DOORS ALL TO THE SAME SIZE AND STYLE AT FLATS 1-9, 12-15 FLANDERS WAY AND 6-32 WATERLOO CLOSE , CROOK FOR WEAR VALLEY DISTRICT COUNCIL – 01.02.2008

description of site and proposals

1. Planning permission is sought for the replacement of existing windows and doors with U.P.V.C double glazed windows and UPVC doors at 1-9, 12-15 Flanders Way and 6-32 Waterloo Close, Crook. The properties are managed by Dale and Valley Homes.
2. The existing windows and doors are currently in poor condition and in need of replacement.

planning history

3. There has been no recent relevant planning history.

planning policies

4. The following policies of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007 are relevant in the consideration of this application:
 - GD1 General Development Criteria
 - FPG5 Alteration and Extensions Guidelines

consultations

5. None.

officer analysis

6. The key issues for consideration are:
 - Impact on the Appearance of the Properties and Surrounding Area
 - Residential Amenity

impact on the appearance of the properties and surrounding area

7. It is considered that the proposed replacement windows and doors would be in keeping with the character of the existing dwellings in terms of mass, scale, design and materials. The proposed replacement windows and doors would improve the appearance of the properties and the surrounding area as the existing windows and doors are currently in need of replacement due to their poor condition and appearance. The proposal conforms to policies GD1 and FPG5 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

residential amenity

8. As there are no new openings proposed at the properties nor the enlargement of existing openings it is considered that the proposed development would not adversely affect the privacy or amenity of neighbouring properties in accordance with policy GD1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

objections/observations

9. Occupiers of the surrounding properties have been notified in writing and a site notice was also posted.
10. At the time of writing this report the consultation period had not yet ended. Any observations received will be reported to Committee meeting.

conclusion and reasons for approval

1. The proposal is acceptable in relation to policies GD1 and FPG5 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007 as the new windows and doors:
 9. Are in keeping with the host properties in terms of design, scale, mass and materials and would improve the appearance of the properties and surrounding area.
 10. Would not result in loss of privacy or amenity for occupiers of neighbouring properties

RECOMMENDED

That planning permission be **GRANTED**.

background information

Application files, WVDLP as amended by the Saved and Expired Policies September 2007.

PS code

10

number of days to Committee

42

target achieved

✓

explanation

Officer responsible for the report

Robert Hope

Strategic Director for Environment and Regeneration

Ext 264

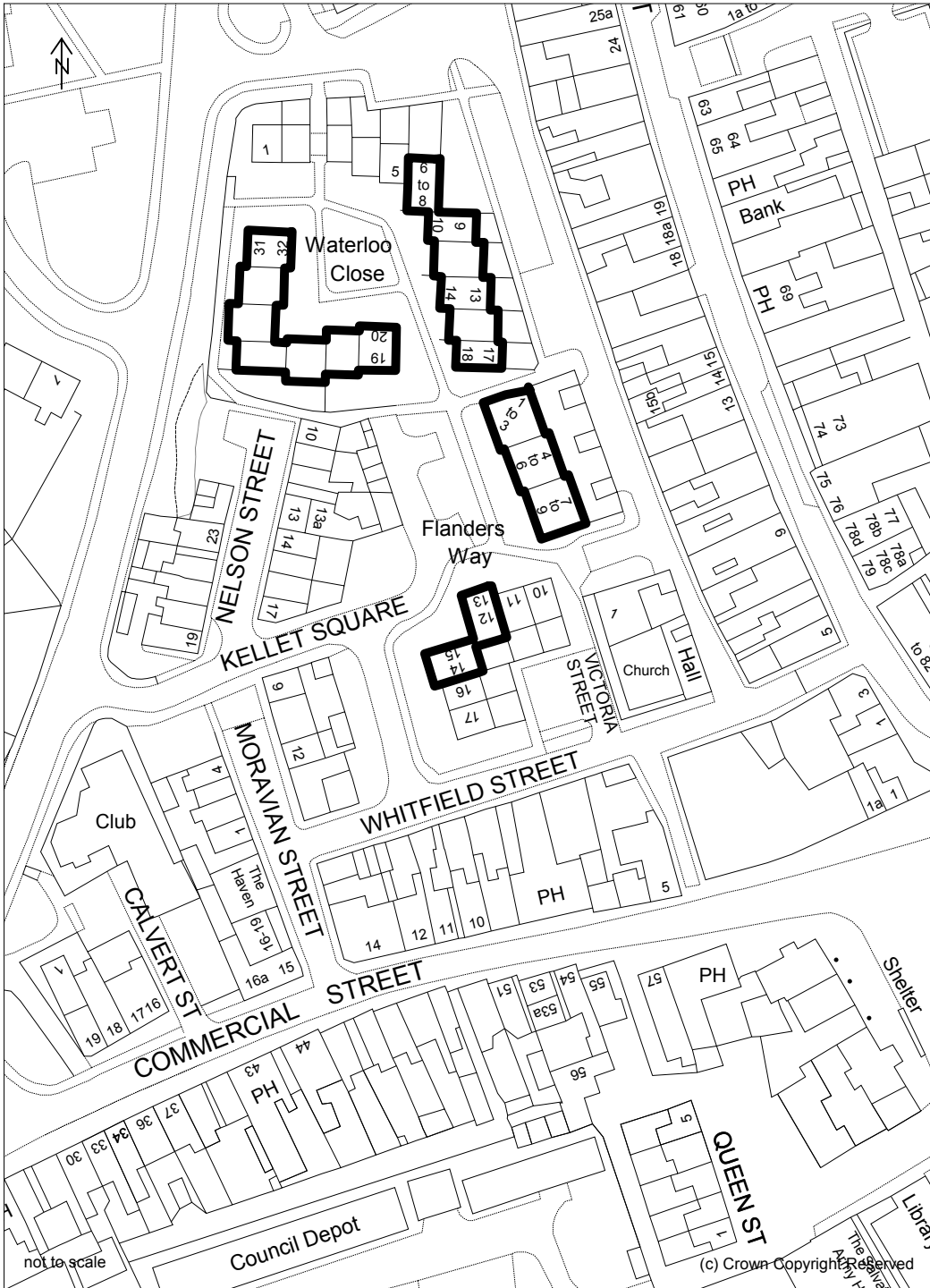
Author of the report

Sinead Folan

Planning Officer

Ext. 272

3/2008/0074 - REPLACEMENT OF EXISTING WINDOWS AND DOORS WITH UPVC DOUBLE GLAZED WINDOWS AND UPVC DOORS ALL TO THE SAME SIZE AND STYLE AT FLATS 1-9, 12-15 FLANDERS WAY AND 6-32 WATERLOO CLOSE, CROOK FOR WEAR VALLEY DISTRICT COUNCIL - 01.02.2008



DEVELOPMENT CONTROL COMMITTEE

13TH MARCH 2008

Report of the Strategic Director for Environment and Regeneration

PART 1 – APPLICATION FOR DECISION

3/2008/0069- REPLACEMENT OF EXISTING WINDOWS AND DOORS WITH UPVC DOUBLE GLAZED WINDOWS AND UPVC DOORS ALL TO THE SAME SIZE AND STYLE AT 7 WARWICK PLACE, WILLINGTON FOR WEAR VALLEY DISTRICT COUNCIL – 31.01.2008

description of site and proposals

1. Planning permission is sought for the replacement of existing windows and doors with U.P.V.C double glazed windows and U.P.V.C doors at 7 Warwick Place, Willington. The property is managed by Dale and Valley Homes.
2. The existing windows and doors are currently in poor condition and in need of replacement.

planning history

3. There has been no recent relevant planning history.

planning policies

4. The following policies of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007 are relevant in the consideration of this application:
 - GD1 General Development Criteria
 - FPG5 Alteration and Extensions Guidelines

consultations

5. Willington Parish Council: No response.

officer analysis

6. The key issues for consideration are:
 - Impact on the Appearance of the Properties and Surrounding Area
 - Residential Amenity

impact on the appearance of the properties and surrounding area

7. It is considered that the proposed replacement windows and doors would be in keeping with the character of the existing dwelling in terms of mass, scale, design and materials. The proposed replacement windows and doors would improve the appearance of the property and the surrounding area as the existing windows and doors are currently in need of replacement due to their poor condition and appearance. The proposal conforms to policy GD1 and FPG5 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

residential amenity

8. As there are no new openings proposed at the property nor the enlargement of existing openings it is considered that the proposed development would not adversely affect the privacy or amenity of neighbouring properties in accordance with policy GD1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

objections/observations

9. Occupiers of the surrounding properties have been notified in writing and a site notice was also posted.
10. At the time of writing this report the consultation period had not yet ended. Any observations received will be reported to Committee.

conclusion and reasons for approval

1. The proposal is acceptable in relation to policy GD1 and FPG5 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007 as the new windows and doors:
 1. Are in keeping with the host property in terms of design, scale, mass and materials and would improve the appearance of the property and surrounding area.
 2. Would not result in loss of privacy or amenity for occupiers of neighbouring properties.

RECOMMENDED

That planning permission be **GRANTED**.

background information

Application files, WVDLP as amended by the Saved and Expired Policies September 2007.

PS code

10

number of days to Committee

43

target achieved

√

explanation

Officer responsible for the report

Robert Hope

Strategic Director for Environment and Regeneration

Ext 264

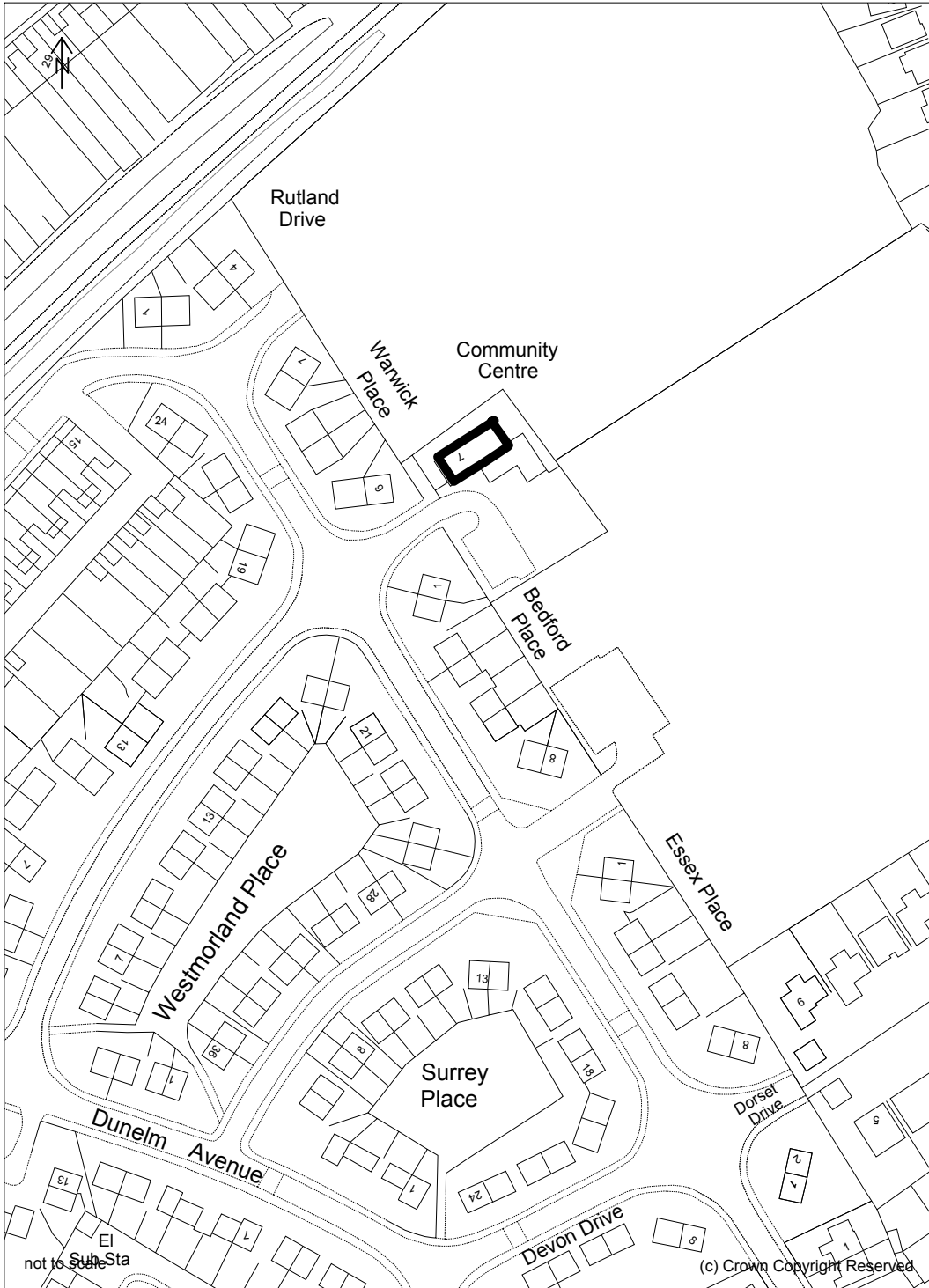
Author of the report

Sinead Folan

Planning Officer

Ext 272

3/2008/0069 - REPLACEMENT OF EXISTING WINDOWS AND DOORS WITH UPVC DOUBLE GLAZED WINDOWS AND UPVC DOORS ALL TO THE SAME SIZE AND STYLE AT 7 WARWICK PLACE, WILLINGTON FOR WEAR VALLEY DISTRICT COUNCIL – 31.01.2008



DEVELOPMENT CONTROL COMMITTEE

13TH MARCH 2008

Report of the Strategic Director for Environment and Regeneration

PART 1 – APPLICATION FOR DECISION

3/2008/0068- REPLACEMENT OF EXISTING WINDOWS WITH UPVC DOUBLE GLAZED WINDOWS ALL TO THE SAME SIZE AND STYLE AT 13 TEES WALK AND 25, 27, 29, 31 EDEN CLOSE, COUNDON FOR WEAR VALLEY DISTRICT COUNCIL – 31.01.2008

description of site and proposals

1. Planning permission is sought for the replacement of existing windows and doors with UPVC double glazed windows and UPVC doors at 13 Tees Walk and 25, 27, 29, 31 Eden Close, Coundon. The properties are managed by Dale and Valley Homes.
2. The existing windows and doors are currently in poor condition and in need of replacement.

planning history

3. There has been no recent relevant planning history.

planning policies

4. The following policies of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007 are relevant in the consideration of this application:
 - GD1 General Development Criteria
 - FPG5 Alteration and Extensions Guidelines

consultations

5. None

officer analysis

6. The key issues for consideration are:
 - Impact on the Appearance of the Properties and Surrounding Area
 - Residential Amenity

impact on the appearance of the properties and surrounding area

7. It is considered that the proposed replacement windows and doors would be in keeping with the character of the existing dwellings in terms of mass, scale, design and materials. The proposed replacement windows and doors would improve the appearance of the properties and the surrounding area as the existing windows and doors are currently in need of replacement due to their poor condition and appearance. The proposal conforms to policy GD1 and FPG5 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

residential amenity

8. As there are no new openings proposed at the properties nor the enlargement of existing openings it is considered that the proposed development would not adversely affect the privacy or amenity of neighbouring properties in accordance with policy GD1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

objections/observations

9. Occupiers of the surrounding properties have been notified in writing and a site notice was also posted.
10. At the time of writing this report the consultation period had not yet ended. Any observations received will be reported to Committee.

conclusion and reasons for approval

1. The proposal is acceptable in relation to policy GD1 and FPG5 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007 as the new windows and doors:
 1. Are in keeping with the host properties in terms of design, scale, mass and materials and would improve the appearance of the properties and surrounding area.
 2. Would not result in loss of privacy or amenity for occupiers of neighbouring properties.

RECOMMENDED

That planning permission be **GRANTED**.

background information

Application files, WVDLP as amended by the Saved and Expired Policies September 2007.

PS code

10

number of days to Committee

43

target achieved

√

explanation

Officer responsible for the report

Robert Hope

Strategic Director for Environment and Regeneration

Ext 264

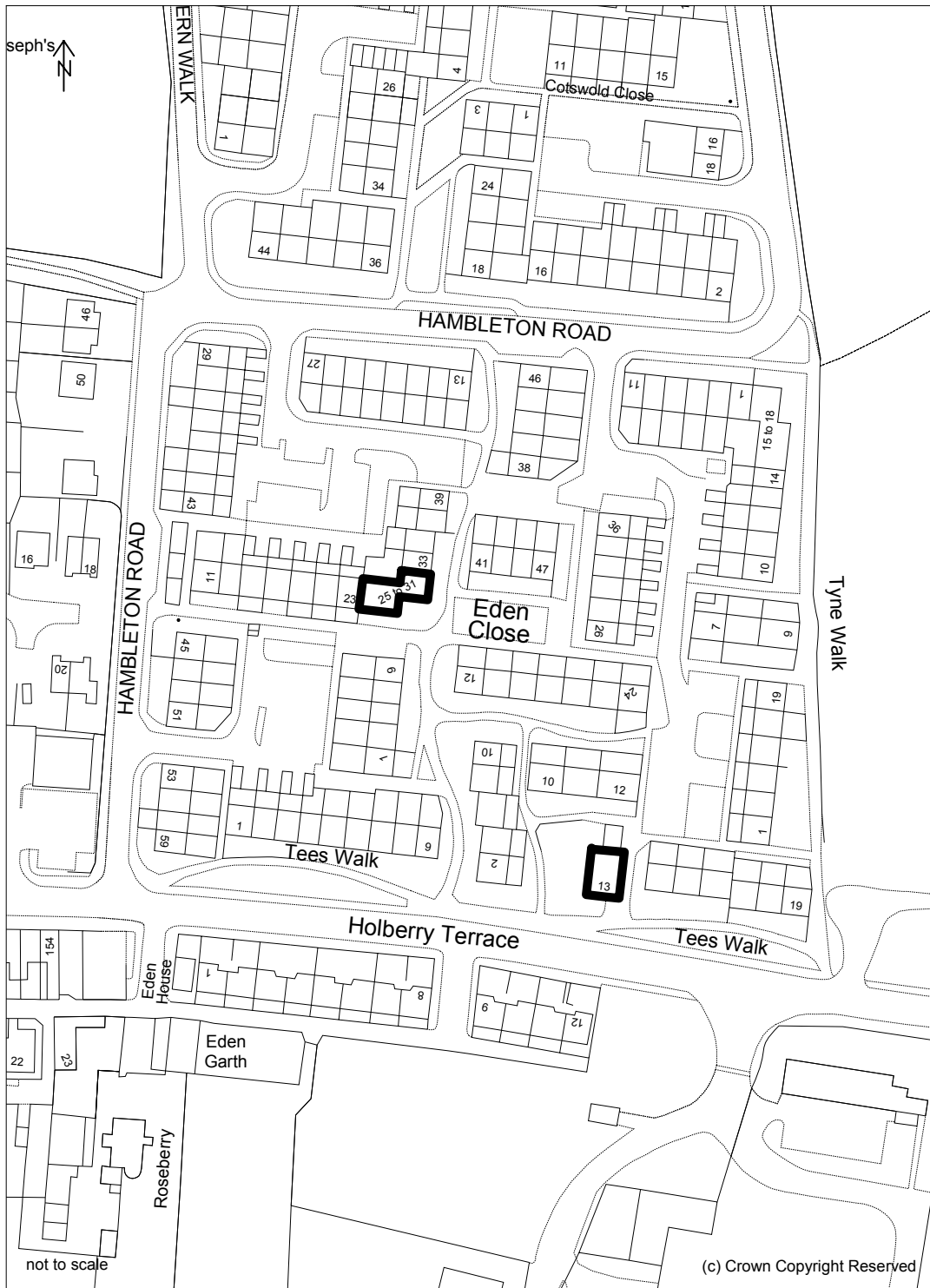
Author of the report

Sinead Folan

Planning Officer

Ext 272

3/2008/0068 - REPLACEMENT OF EXISTING WINDOWS WITH UPVC DOUBLE GLAZED WINDOWS ALL TO THE SAME SIZE AND STYLE AT 13 TEES WALK AND 25, 27, 29, 31 EDEN CLOSE, COUNDON FOR WEAR VALLEY DISTRICT COUNCIL – 31.01.2008



DEVELOPMENT CONTROL COMMITTEE

13TH MARCH 2008

Report of the Strategic Director for Environment and Regeneration

PART 1 – APPLICATION FOR DECISION

3/2008/0075- REPLACEMENT OF EXISTING WINDOWS AND DOORS WITH UPVC DOUBLE GLAZED WINDOWS AND UPVC DOORS ALL TO THE SAME SIZE AND STYLE AT 20 MICKLE GROVE, LEEHOLME FOR WEAR VALLEY DISTRICT COUNCIL – 01.02.2008

description of site and proposals

1. Planning permission is sought for the replacement of existing windows and doors with UPVC double glazed windows and UPVC doors at 20 Mickle Grove, Leeholme. The property is a flat managed by Dale and Valley Homes.
2. The existing windows and doors are currently in poor condition and in need of replacement.

planning history

3. There has been no recent relevant planning history.

planning policies

4. The following policies of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007 are relevant in the consideration of this application:
 - GD1 General Development Criteria
 - FPG5 Alteration and Extensions Guidelines

consultations

5. None.

officer analysis

6. The key issues for consideration are:
 - Impact on the Appearance of the Properties and Surrounding Area
 - Residential Amenity

impact on the appearance of the properties and surrounding area

7. It is considered that the proposed replacement windows and doors would be in keeping with the character of the existing dwelling in terms of mass, scale, design and materials. The proposed replacement windows and doors would improve the appearance of the property and the surrounding area as the existing windows and doors are currently in need of replacement due to their poor condition and appearance. The proposal conforms to policy GD1 and FPG5 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

residential amenity

8. As there are no new openings proposed at the property nor the enlargement of existing openings it is considered that the proposed development would not adversely affect the privacy or amenity of neighbouring properties in accordance with policy GD1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

objections/observations

9. Occupiers of the surrounding properties have been notified in writing and a site notice was also posted.
10. At the time of writing this report the consultation period had not yet ended. Any observations received will be reported to Committee.

conclusion and reasons for approval

1. The proposal is acceptable in relation to policy GD1 and FPG5 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007 as the new windows and doors:
 11. Are in keeping with the host property in terms of design, scale, mass and materials and would improve the appearance of the property and surrounding area.
 12. Would not result in loss of privacy or amenity for occupiers of neighbouring properties

RECOMMENDED

That planning permission be **GRANTED**.

background information

Application files, WVDLP as amended by the Saved and Expired Policies September 2007.

PS code

10

number of days to Committee

43

target achieved

√

explanation

Officer responsible for the report

Robert Hope

Strategic Director for Environment and Regeneration

Ext 264

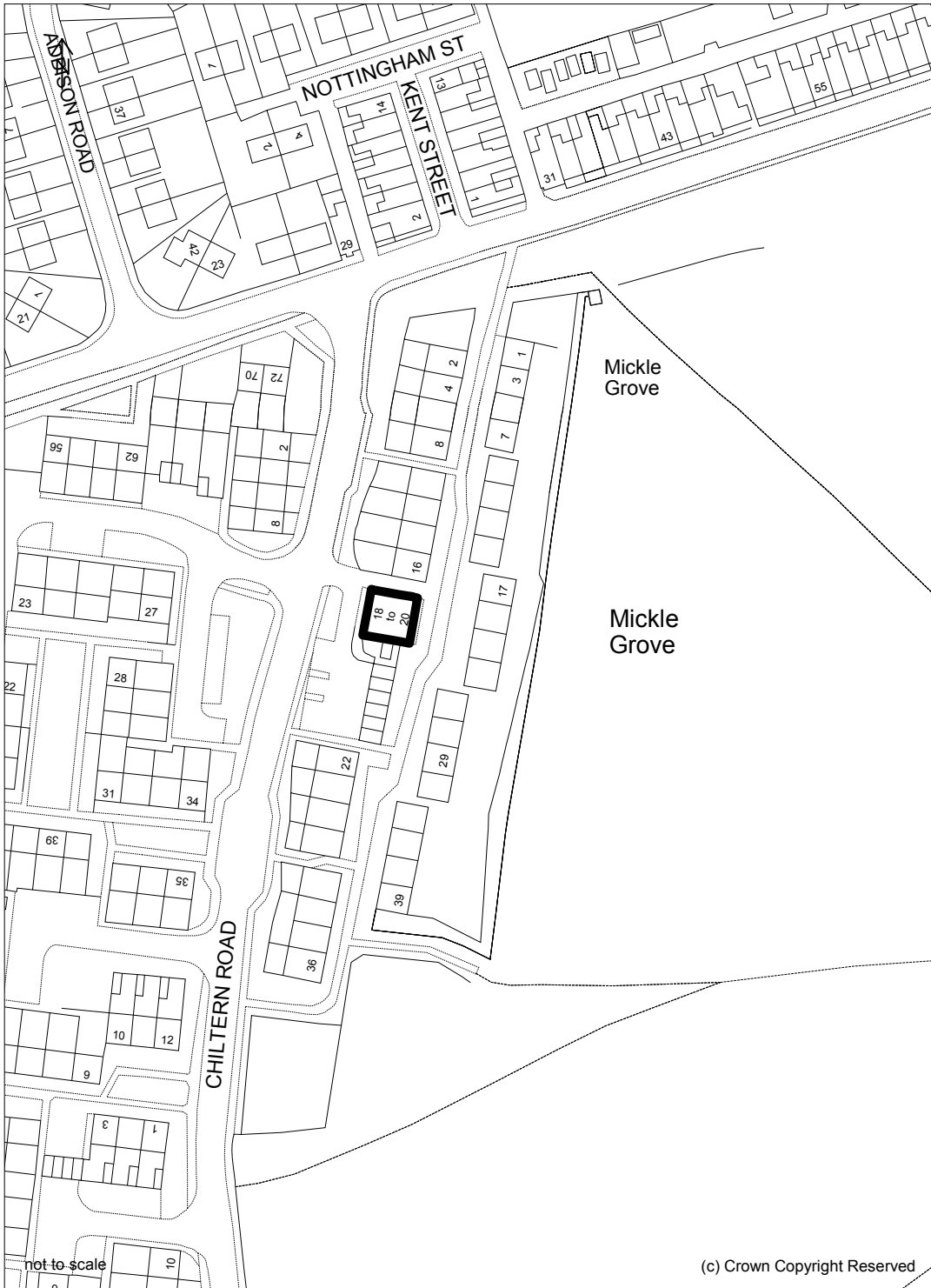
Author of the report

Sinead Folan

Planning Officer

Ext 272

3/2008/0075 - REPLACEMENT OF EXISTING WINDOWS AND DOORS WITH UPVC DOUBLE GLAZED WINDOWS AND UPVC DOORS ALL TO THE SAME SIZE AND STYLE AT 20 MICKLE GROVE, LEEHOLME FOR WEAR VALLEY DISTRICT COUNCIL – 01.02.2008



DEVELOPMENT CONTROL COMMITTEE

13TH MARCH 2008

Report of the Strategic Director for Environment and Regeneration

PART III- OTHER ITEM

APPEAL AGAINST REFUSAL OF PLANNING PERMISSION

**3/2007/0456 – TO REMOVE CONDITION 12 OF PLANNING PERMISSION
3/1998/0329 TO ALLOW UNRESTRICTED OPENING AT ASDA SUPERMARKET
6 SOUTH CHURCH ROAD, BISHOP AUCKLAND FOR ASDA STORES LIMITED
- 08.06.2007**

background

1. Members will recall the decision to refuse the planning application to remove condition 12 of planning permission 3/1998/0329 to allow unrestricted opening at Asda Supermarket in Bishop Auckland.

2. Contrary to officer recommendation, the Development Control Committee refused consent for the removal of the condition on 30th August 2007 for the following reason:

'If the store were to open for trading 24 hours each day the amenities of nearby residents would be adversely affected by reason of noise and disturbance caused by customers going to and coming from the store both on foot and by car late at night and in the early morning. The proposal is in conflict with policy GD1 of the Wear Valley District Local Plan.'

3. An appeal has been lodged by Asda in the form of a Public Inquiry. The Council have subsequently employed Sarah Reid, a barrister from Kings Chambers in Manchester, to establish a case for the Inquiry.

barrister's advice

4. The barrister, Sarah Reid, has produced an advice document for the Council. Advice has been offered on the following two points:

- a) Prospects of success
- b) The potential for costs to be awarded against the Council.

5. The advice she has offered on these two issues is summarised below.

- Prospects of Success

6. It appears to the barrister from reading the Minutes of the Committee meeting that the Members' main concerns relate to the use of the warehouse building within the site. The concerns of the Committee in relation to the warehouse are fully understood however the barrister's view is that the appropriate way to deal with those concerns was not through refusal of the application. It does not appear that any noise disturbance associated with the warehouse results from movements connected with visiting members of the public. Evidence produced by the Appellant indicated that there are no deliveries to the site at night. It is therefore difficult to see how granting the application to allow 24 hour opening could have any material impact on the problems experienced by residents, or indeed help to resolve such issues. The barrister further notes that it would be entirely inappropriate for the Committee to seek to punish Asda, or seek to achieve some ulterior purpose (resolution of unconnected problems with the warehouse) by withholding consent.
7. The barrister has commented further that it does not appear from the Committee Minutes that Members challenged the technical evidence produced by the Applicant with regards to the noise report and highway evidence. The barrister has referred Members to condition 11 of the original planning permission which provides if the noise from the site exceeds a certain acceptable limit, then Asda will be in breach of that condition. The condition applies both at day and at night. In addition, she has commented that the Council has power to act under the Environmental Protection Act to require the abatement of noise nuisance.
8. If Asda breaches the condition attached to its consent or there is noise nuisance, the appropriate way of ensuring that residential amenity is protected would be to require Asda to comply with the condition, or to abate a noise nuisance, through the issue of either a breach of condition notice, an enforcement notice or a noise abatement notice. The Council would continue to have the power to take such enforcement action if the application before it were granted.
9. It is hard to see how the Council could put forward a credible case that this proposal would be harmful to residential amenity. In addition, this proposal is likely to have no effect at all on the issue that seemed to concern Members, namely the use of the warehouse. The Council has alternative enforcement options available to it that could be used to deal with those problems. Alternatively, additional conditions could have been imposed.

- Costs

10. The barrister has advised that the Council should have properly addressed its mind to the effect of the existing conditions on the consent, and the possibility of enforcement of those conditions. Further, if it was considered that those conditions were inadequate, it had the power to impose additional conditions but chose not to do so. The barrister considers that the Council is likely to be unsuccessful in the appeal. She considers the Council could be liable to pay costs if it proceeds to contest the appeal.

- **Conclusions**

11. For all of the reasons stated above, the barrister has concluded;
 - a) The Council is unlikely to be successful in this appeal.
 - b) There is a real possibility that if the Council continues to resist the appeal, a successful award of costs could be made against it. It is noted that the Appellant is likely to call detailed technical evidence to substantiate its case, will probably instruct Counsel, and that any such costs could be substantial.
 - c) If Members agree to the case being withdrawn, the barrister has advised that the Appellant should be contacted as a matter of urgency, and before proofs are prepared, to inform them that the Council will not be resisting the appeal, and to negotiate a deal in respect of costs.
 - d) The barrister has suggested that Asda should be invited to agree conditions which would address the noise concerns and Asda should be asked to give an undertaking not to apply for costs.
 - e) Enforcement and Environmental Health Officers should continue to monitor the situation at the site to ensure that all relevant conditions are complied with, and to ensure that there is no noise nuisance issue.

views of Asda

12. Asda's agent has provisionally agreed to the imposition of the following conditions should the Council withdraw from the appeal:
 1. Deliveries to the site shall be restricted within the following hours 07:00 hrs – 21:00 hrs (Monday to Sunday).
 2. Within three months of the grant of planning permission, details of a scheme to attenuate noise emissions shall be submitted to and approved in writing by the local planning authority. The noise attenuation scheme shall thereafter be implemented in accordance with the approved details within a period of three months following approval in writing of the noise attenuation scheme. Thereafter the apparatus shall be retained and maintained in good working order at all times to ensure effective attenuation of noise emissions.
13. At the time of writing this report Asda's agent is awaiting instructions from Asda on the question of costs.

conclusion

1. The barrister considers that the Council is unlikely to be successful in this appeal and she has advised the Council to withdraw and Asda be informed of the decision as a matter of urgency.

2. It is considered that the inclusion of the conditions to any planning permission granted for 24 hour opening provisionally agreed by Asda's agent would overcome the potential noise emissions from the warehouse and protect the residential amenities of neighbouring properties.

RECOMMENDED: that the Council withdraw from the appeal on the agreement with Asda that the conditions discussed in this report are included within the planning permission, the appellant be informed as a matter of urgency, and officers attempts to negotiate a deal in respect of costs.

background information:

Officer responsible for the report	Author of the report
Robert Hope Strategic Director for Environment and Regeneration Ext 264	Chris Baxter Senior Planning Officer Ext 441

**APPEAL AGAINST REFUSAL OF PLANNING PERMISSION
3/2007/0456 – TO REMOVE CONDITION 12 OF PLANNING PERMISSION
3/1998/0329 TO ALLOW UNRESTRICTED OPENING AT ASDA
SUPERMARKET 6 SOUTH CHURCH ROAD, BISHOP AUCKLAND FOR
ASDA STORES LIMITED - 08.06.2007**



DEVELOPMENT CONTROL COMMITTEE

13TH MARCH 2008

Report of the Strategic Director for Environment and Regeneration

PART III- OTHER ITEM

**APPEAL AGAINST REFUSAL OF PLANNING PERMISSION
3/2007/0434 - CHANGE OF USE FROM BAKERY AND COFFEE SHOP TO
ADULT GAMING CENTRE (SUI GENERIS) AT 58 NEWGATE STREET, BISHOP
AUCKLAND FOR J. NOBLE AND SONS LIMITED – 21.06.2007**

background

1. Members will recall refusing planning permission for the change of use from a bakery and coffee shop to an adult gaming centre at Nobles, 58 Newgate Street, Bishop Auckland.
2. Contrary to officer recommendation, the Development Control Committee refused consent for the change of use from a bakery and coffee shop to an adult gaming centre on the 30th August 2007 for the following reason;

“The premises are located in the primary shopping area of Bishop Auckland town centre. The loss of the existing retail/ café use would be harmful to the vitality and viability of the town centre. The proposal is contrary to policy S2 of the Wear Valley District Local Plan.”

3. An appeal has been lodged by J Noble & Sons in the form of a Public Inquiry. The Council have subsequently employed Sarah Reid, a barrister from Kings Chambers in Manchester, to establish a case for the Inquiry.

barristers advice

4. The barrister, Sarah Reid, has produced an advice document for the Council. Advice has been offered on the following two points:
 - a) Prospects of success
 - b) The potential for costs to be awarded against the Council
5. The advice she has offered on these two issues is summarised below.

- prospects of success.
6. The barrister has noted that the issues, in the context of this specific site and location, have previously been considered by an Inspector.
 7. The 2002 application was refused by the Committee because the Council believed that the proposal would constitute a predominantly non retail use, permission for which would lead to a proliferation of such uses in the primary shopping area of the town, and so contravenes policies S1 and S2 of the adopted local plan. In short, the reasons for refusal were very similar to those advanced by the Council in the present case.
 8. In paragraph 14 of his decision, the Inspector addressed the conflict with policy S2 of the local plan. He found that:

“Of course, the proposal as a whole would not accord with the terms of policy S2. However, the plan itself allows for exceptions to the strict interpretation of that policy and the monitoring report confirms that such an approach has been adopted where the end use would give variety and scope for linked trips and not adversely affect the vitality or viability of retail centres”.
 9. The Inspector assessed the proposed amusement centre use and bakery/café use separately (paragraphs 12 and 13). In respect of the proposed amusement centre use, the Inspector found at paragraph 13,

“There are good reasons for believing that this use would add to the number of shoppers here. Numerous surveys demonstrate that this sort of amusement centre can attract rather more customers than many nearby town centre or A1 uses, and there is also evidence that the vast majority of them (from 65% to over 80%) visit such places as part of a shopping trip. It follows that this element of the scheme would be likely to add to the bustle in this part of the street and serve to complement its predominantly retail role”.
 10. The barrister has observed that in the case officer’s report to Committee for application 3/2007/0434 the Inspector’s decision at the previous appeal was noted including his observation about the appropriateness of these types of uses in retail centres which reflects the Inspectorate’s approach in numerous appeal decisions elsewhere in the country.
 11. Whilst accepting that it is true that previous appeal decisions do not bind the Council, the barrister points out they are a material consideration and should have been taken into account by the Council in reaching its decision. Her principal concern is that she cannot see in the papers in front of her that there was any robust or reasoned explanation for a departure from the previous Inspector’s conclusions as to the appropriateness of an amusement centre use in this specific location. For example, she is not aware that the Council had its own survey information or other objective evidence to challenge the Inspector’s finding that amusement centres can attract more customers than nearby A1 uses, that those uses facilitate linked trips, and that such a use in this location would not harm the vitality and viability of this particular centre. She points out that these considerations are equally pertinent in the present

case as they were in the previous appeal. Further, she is unaware that there has been a material change in circumstances since the last appeal.

12. The barrister has made one final point about vitality and viability. In the previous decision, the Inspector gave weight to the fact that there would be a genuine shop front to the street. Clearly, the present proposal would not maintain that “shop front”.
13. She appreciates that Members may feel that such a display may not compensate for a “real” shop frontage. The problem is that, in her experience (and she has dealt with a number of these cases on behalf of Local Authorities), it is very difficult to establish that such frontages are less attractive than other A1 or “town centre uses”. The Appellant inevitably will produce market research to show that the general public find amusement centre frontages as attractive or more attractive than a number of town centre uses such as card shops, building societies (both of which often have windows obscured by posters, and no proper display), cafes and other shops in the vicinity of the proposal.

- costs

14. The barrister has referred to paragraph 16, Annex 3 of the Costs Circular (Circular 8/93) which provides that,

“A planning authority are likely to be regarded as having acted unreasonably, in the event of a successful appeal against their refusal of planning permission if it is clear from a relevant earlier appeal decision that the Secretary of State or a Planning Inspector would have no objection to a revised application in the form which was ultimately allowed, and circumstances have not changed materially in the meantime”.

15. She considers this advice extremely pertinent in the present case. She has real concerns that, in the absence of further objective evidence or a material change in planning circumstances, not only are the prospects of success extremely limited, but there is a real risk that costs will be awarded against the Authority.

conclusion

- 1) The Council is likely to be unsuccessful on appeal,
- 2) A successful application for costs could be made against the Council. The barrister knows that Nobles Amusements usually instructs a QC and an expert planning witness, and that any such costs could be substantial.

RECOMMENDED

That the Council do not resist the appeal, the appellant be informed as a matter of urgency, and officers attempt to negotiate a deal in respect of costs.

Officer responsible for the report
Robert Hope
Strategic Director for Environment and Regeneration
Ext 264

Author of the report
Adam Williamson
Planning Officer
Ext: 495

**APPEAL AGAINST REFUSAL OF PLANNING PERMISSION
3/2007/0434 - CHANGE OF USE FROM BAKERY AND COFFEE SHOP TO
ADULT GAMING CENTRE (SUI GENERIS) AT 58 NEWGATE STREET, BISHOP
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