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Gary Ridley Chief Executive

7th May 2008

Dear Councillor,

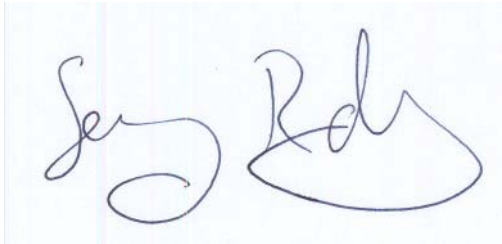
I hereby give you Notice that a Meeting of the **DEVELOPMENT CONTROL COMMITTEE** will be held in the **COUNCIL CHAMBER, CIVIC CENTRE, CROOK** on **THURSDAY 15th MAY 2008** at **6.00 P.M.**

AGENDA

	Page No.
1. Apologies for absence	
2 & 3. To consider development control applications 3/2008/0211 and 3/2008/0215LBC – Conversion to form 8 apartments at Fortune Court, 23 – 25 Market Place, Bishop Auckland for Mo Mousarifar.	1 - 12
4. To consider development control application 3/2007/0610 – Tennis court and 3 metres high fence enclosure at Witton Hall, High Street, Witton Le Wear, Bishop Auckland for Mr. Morgan.	13 - 23
5. To consider development control application 3/2007/0687 – Conversion of adjacent barn, gable extension into two bedroom dwelling and office at barn adjacent to Pasture House Farm, Rookhope for Mr. and Mrs. Martin.	24 - 30
6. To consider development control application 3/2007/0508 – Extension to main building at Tow Law Sports Centre at Tow Law Recreation Facility, Ironworks Road, Tow Law for Tow Law Community Partnership.	31 - 34
7. To consider development control application 3/2008/0064 – Proposed sun lounge to the rear at Park House Farm, Oakenshaw for Mr. James.	35 - 38
8. To consider development control application 3/2008/0124 – Formation of a five-a-side football pitch area with perimeter fencing at land adjacent to 1 Main Street, South Church, Bishop Auckland for Dene Valley Parish Council.	39 - 43

9. To consider development control application 3/2008/0083 – 44 - 52
Proposed development of 1 no. dwelling attached garage and parking at plot 3 Holdforth Stables, South Church Road, Bishop Auckland for Mr. and Mrs. Henderson.
10. To consider development control application 3/2008/0208 – 53 - 62
Proposed three bedroomed house at land west of Park Street, Wilington for Mr. Blackburn.
11. To consider development control application 3/2008/0088 – 63 - 69
Construction of 4 adjoining industrial units at land at Henson Close, South Church Enterprise Park, Bishop Auckland for G. F. Interiors Limited.
12. To consider development control application 3/2008/0188 – 70 - 73
Sunroom to rear and pitched roof extended over garage at 3 Balmoral Grove, Bishop Auckland for Mr. Yorke.
13. To consider development control application 3/2008/0132 – 74 - 78
Amendments to access track at Broomhill Plantation, Sunnyside for EDF Energy.
14. To consider development control application 3/2008/0098 – 79 - 82
Pigeon loft at plot 5 Woodhouse Close Allotment Site, Murphy Crescent, Bishop Auckland for R. Latcham and S. Howe (retrospective)
15. To consider development control application 3/2008/0163 – 1 no. 83 - 90
dormer bungalow at land adjacent to Meadows End, South Acre, Oakenshaw for Mr. Chester.
16. To consider development control application 3/2008/0229 – 91 - 100
Business Park comprising B1, B2, B8 and A3 uses at land south of Dovecot Hill, South Church Enterprise Park, Bishop Auckland for Mr. Glass, Gustoni Developments.
17. To consider a proposal by BT to realign payphone provision to meet customer demand. 101 -102
18. 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

A handwritten signature in blue ink, appearing to read 'Sey Rd', is centered on a light blue background.

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, Perkins, Taylor, Des Wilson and Zair.

To be confirmed at the Annual General Meeting –
7th May 2008

Chair and Deputy Chair of the Council – ex officio,
non voting capacity

Chair: To be appointed

Deputy Chair: To be appointed

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

DEVELOPMENT CONTROL COMMITTEE

15TH MAY 2008

Report of the Strategic Director for Environment and Regeneration

PART 1 – APPLICATION FOR DECISION

3/2008/0211 AND 3/2008/0215LBC - CONVERSION TO FORM 8 APARTMENTS AT FORTUNE COURT, 23-25 MARKET PLACE, BISHOP AUCKLAND FOR MO MOUSARIFAR – 21.03.2008

description of site and proposals

1. These applications are reported to Committee as they represent a departure and are contrary to guidance contained in policy S4 'Market Place' of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007. Members may recall that there has been a previous planning application to convert the ground and first floors of the building to residential and the erection of an extension to the rear of the property to form 4 No. Apartments, which was approved by Members at Development Control Committee on the 5th July 2007.
2. Planning permission and listed building consent are requested for the change of use of the ground floor and first floor from a restaurant to 8 residential apartments. The physical external alterations to the property consist of the erection of an extension to the rear of the property. The proposed extension would measure 7 metres in length, 7.2 metres in width, 3.7 metres to the eaves, and 7.1 metres to the highest point. The roof of the proposed extension would be hipped, with 2 No. rooflights to the northern elevation. A dormer window is proposed to the western elevation.
3. The application site consists of a Grade II listed building which has been fire damaged and is currently vacant and in a bad state of repair. The building dates from the 17th century and is located within the Bishop Auckland Conservation Area, as well as being located within the Market Place Shopping Area as identified under policy S4 of the Wear Valley District Local Plan. The neighbouring properties to the application site are predominantly residential, with adjoining dwellings to the north and south. Adjacent to the site to the west are nos. 49- 52 Market Place, which are Grade II listed dwellings. To the east of the site is Auckland Castle Park, which is Grade II listed, with the Grade I listed Auckland Castle beyond. The host building has been rendered; whilst to the rear are a number of unsympathetic extensions. The rear of the site is accessed via an entrance off Silver Street to the north of the site. The rear yard of the property measures approximately 180 sq. metres in area. The building has been vacant for over 3 years.

planning history

4. The following applications relate to the site:

- | | | |
|---------------|---|---------------------|
| • 3/2002/0533 | Change of Use to Flats, Extensions and New Frontage | Withdrawn |
| • 3/2002/0534 | Change of Use to Flats, Extensions and New Frontage | Withdrawn |
| • 3/2003/0539 | Change of Use to Flats, Extensions and New Frontage | Approved 01/12/2003 |
| • 3/2003/0927 | Change of Use to Flats, Single Store Extension, New Shopfront | Approved 0/01/2004 |
| • 3/2004/0896 | Conversion of Ground and First Floor to Residential | Refused 09/02/2004 |
| • 3/2007/0359 | Conversion of Form 4 Apartments | Approved 05/07/2007 |

planning policies

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

- GD1 General Development Criteria
- BE1 Protection of Historic Heritage
- BE5 Conservation Areas
- BE6 New Development and Alterations in Conservation Areas
- BE17 Areas of Archaeological Interest
- H3 Distribution of Development
- H24 Residential Design Criteria
- S1 Town Centres
- S4 Market Place

Also relevant are the North East Regional Spatial Strategy (RSS) (The Secretary of State's Proposed Changes to the draft revision submitted by the North East Assembly), PPS6 'Planning for Town Centres', and PPG15 'Planning and the Historic Environment.'

consultations

6. Conservation and Environment Manager: No objection. Recommends conditions. Full report on file.
7. CDE&TS (Highways): The side road leading to Silver Street, and Silver Street itself, are private roads. The C188 Market Place is subject to waiting restrictions. The site is within the town centre. In this case in order to retain some use of a listed building, I will not object to the application because of the lack of availability of off street parking. Any purchasers should be aware that they will be unable to park within the site, and that there are no free parking facilities in the area.
8. Northumbrian Water: No response received.

officer analysis

9. The key issues for consideration are;

- Principle of Development
- Residential Amenity
- Design and Character
- Impact on Archaeology

principle of development

10. The application site lies within the settlement limits for Bishop Auckland, is within the Bishop Auckland Town Centre as allocated in policy S1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007, and is within the Bishop Auckland Conservation Area. The site is designated under policy S4, which seeks to limit uses to offices, hotels, small scale shops, tourist uses, small scale food and drink outlets and restaurants. The policy seeks to prevent changes of use to residential and nursing homes, industry and large scale retailing and warehousing. All proposals must be designed so as to be compatible with the architectural and historic character of the Market Place and contribute to the potential of the town to attract tourists.
11. The proposal is contrary to policy S4 as it seeks to introduce a residential use into a protected frontage. A previous planning application for the conversion of the building to 4 no. apartments was refused in February 2005 because the proposal would be contrary to policy S4 and would not contribute to the vitality and viability of the Market Place. This proposal also included a significant new build element that was considered to be unacceptable.
12. The application site is clearly situated on the periphery of the commercial area of the Market Place. This area can be best described as one of mixed use and predominantly residential to the north and south. The building is currently vacant.
13. It is considered that the policy position in this case is difficult to sustain, given the location of the application site and the nature of the listed building itself, that does not easily lend itself to conversion to other commercial uses. This area of the Market Place is clearly not in commercial terms, essential to the vitality and viability of the area, unlike the significant frontages to the south and north of the Town Hall. Therefore, the proposals are not considered contrary to PPS6 "Planning for Town Centres". In this respect, I consider the application to be an acceptable departure from the local plan.
14. On 2 April 2007, at a Special Regeneration Committee, the Council approved and adopted a sequential search against which all proposals and applications for new housing, regardless of site, scale, and size must be assessed. The approved sequential search expresses in local terms the requirements of Policy 3 of the North East Regional Spatial Strategy ((RSS) (The Secretary of State's Proposed Changes to the draft revision submitted by the North East Assembly)).

15. The application site lies within the main urban area of Bishop Auckland, and is classified as brownfield land. As such it meets the description of a Priority 1 site as set out in Policy 3 of the North East RSS;

“Suitable previously- developed sites and buildings within urban areas, particularly around public transport nodes”.

16. As such it is considered that the proposal is acceptable in relation to policy H3 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007, and policy 3 of the North East Regional Spatial Strategy.

residential amenity

17. To the north of the application site are 2 dwellings located on Silver Street. To the ground floor, the rear yard of the application site is bounded by a 2 metres high wall. As such the insertion of windows to the ground floor of the proposed extension would not be detrimental to the level of privacy currently enjoyed to 21 Silver Street, as the existing boundary treatment would act as a screen between the proposed and existing windows.
18. There would be 2 no. high level rooflights inserted to the northern elevation of the proposed extension. As such it is considered that the proposal would not have a detrimental impact on the residential amenity of the properties on Silver Street to the north of the application site. There are no openings proposed to the southern elevation of the extension. It is considered that given the orientation of the proposed extension, occupiers of neighbouring properties would not be affected in terms of any overbearing or overshadowing effects as a result of the proposed extension.
19. Policy H24 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007 states that a useable amenity area of 25 sq. metres per unit of accommodation should be sought for flat developments. Following the erection of the rear extension, approximately 131 square metres of amenity space would be retained as garden to the rear of the building. Working on 25 square metres per unit, 200 sq. metres of garden area should be provided by the development. Given the type of units proposed, it is considered that the occupants of these apartments would be less likely to require formal amenity space. In addition, it is noted that the proposed development is within walking distance of the Town Centre to the west. It is considered that the level of amenity space is therefore acceptable in these circumstances.
20. It is considered that the proposal accords with policies GD1 and H24 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

design and character

21. The proposals involve physical alterations to the fenestration of the building, internal alterations, the demolition of an existing flat roofed extension to the rear, and the erection of a new extension to the rear. Rooflights are also proposed to the northern elevation. I consider that the proposed development would not harm the appearance or integrity of the listed building to which this application relates, subject to appropriate conditions.
22. The proposed alterations to the fenestration of the building would represent an overall improvement to the appearance of the building. Subject to conditions relating to details, the proposed development accords with policies GD1, BE1, BE5 and BE6 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007. The rooflights would be located on the north elevation of the building, and although they would be visible from public viewpoints they would not be highly prominent or visible from critical locations within the Conservation Area.
23. The extension to the rear as existing is in a dilapidated condition, with a flat, felt roof. The windows to the extension are non-traditional in their design. The render to the building is in a poor state of repair. I consider that the replacement of this extension would have a beneficial impact on the listed building, improving its overall appearance and the efficient use of the building. The proposed extension that would replace it is considered to be in keeping with the host building in terms of design, position and scale. The development would protect the appearance of the listed building and due to its location would not be overly prominent in the street scene. The development accords with guidance contained within PPG15, and policies GD1, BE1, BE5 and BE6 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
24. There are few original architectural features remaining within the building. The proposals would not significantly adversely affect the appearance or integrity of the listed building, or its cellular character. The proposed alterations respect the integral features of the building such as windows and doors. The development accords with policy GD1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

impact on archaeology

25. The application site lies within an archeologically sensitive location, as identified under policy BE17 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007. As such a condition is recommended so that the developer shall afford the archaeologist access to the site at all reasonable times and shall allow him to observe excavations and record items of interest and finds.

objections/observations

26. The application has been advertised on site, in the press and neighbouring properties have been notified individually in writing about the proposal.

No letters of objection/ observations have been received.

conclusion and reasons for approval

27. The proposal is acceptable in relation to policies GD1, BE1, BE5, BE6, H24, S1 and S4 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007 and PPG15 as;
1. The application site is situated in the settlement limits for Bishop Auckland and in Bishop Auckland Town Centre where policy S4 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007 applies. The location of the application site and the nature of the listed building itself, does not easily lend itself to conversion to other commercial uses. This area of the Market Place is clearly not in commercial terms, essential to the vitality and viability of the area, unlike the significant frontages to the south and north of the Town Hall. The proposals are considered to be an acceptable departure from policy S4 as they would not compromise the vitality and viability of this part of the Market Place, and would bring a listed building back into use. The proposals are not contrary to PPS6 'Planning for Town Centres'.
 2. It is considered that the proposals are in keeping with the surrounding area and would not adversely affect the architectural and historic character of the host listed building and the Conservation Area. Indeed, the proposals would secure the long term preservation of the building in accordance with guidance in PPG15, Planning and the Historic Environment. The proposals satisfy the requirements of policies GD1, BE1, BE5 and BE6 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
 3. The conversion and extension would not be detrimental to the residential amenity of neighbouring residents in terms of overbearing, overshadowing impacts, or in terms of loss of privacy, and sufficient amenity space would be provided to the rear of the development given the Town Centre location of the application site, in accordance with policies GD1, BE6 and H24 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

RECOMMENDED

A) 3/2008/0211 That planning permission be **APPROVED** subject to the following conditions and reasons;

conditions

1. Notwithstanding the details included on the approved plans, the following design requirements shall be incorporated into the proposed scheme:-
 - a) All windows shall be timber, with a painted finish, double hung vertically sliding sash; the exact specifications for which shall be submitted to and approved in writing by the local planning authority before works commence. The development shall be carried out in accordance with the approved specifications.

- b) All windows shall be recessed 100 mm from the face of the building; the exact specifications for which shall be submitted to and approved in writing by the local planning authority before works commence. The development shall be carried out in accordance with the approved specifications.
 - c) Exposed stone cills and lintels shall be used below and above all window openings.
 - d) All external doors shall be natural timber doors; the exact specifications for which shall be submitted to and approved in writing by the local planning authority before works commence. The development shall be carried out in accordance with the approved specifications.
 - e) Exposed stone lintels shall be used above all external door openings.
 - f) The roof covering shall be natural slate; the exact specifications for which shall be submitted to and approved in writing by the local planning authority before works commence. The development shall be carried out in accordance with the approved specifications.
 - g) All rainwater goods shall be black and made of cast iron of a profile to be agreed in writing by the local planning authority before attachment to the building.
 - h) All rooflights shall be conservation flush-fit lights finished in black with a central glazing bar.
2. Before the development hereby approved is commenced, details of the materials to be used for the external surfaces of the rear extension and dormer window hereby approved 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
 3. Details of all external colours shall be submitted to and approved in writing by the local planning authority before the commencement of any works and the development shall be implemented in accordance with the approved details.
 4. No development shall take place until the applicant has secured the implementation of an agreed programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the planning authority.
 5. Wherever possible the existing historic timber roof structure is to be retained in situ, if necessary, to be augmented by the use of the approved additional new work. If it is found that the findings of the submitted Structural Survey (2003) do not address the current condition of the roof as revealed upon current inspection then further investigation and research by qualified persons must be carried out and submitted as evidence for consideration. The final proposed Methodology for the retention of timbers and addition of new structural roof work must be agreed in writing by the local planning authority before the development hereby approved commences.
 6. Before the development hereby approved is commenced, large scale details at 1:10 scale of the proposed new dormer window and new windows shall be submitted to and approved in writing by the local planning authority, and thereafter be implemented before the apartments are first occupied.

7. Before the development hereby approved is commenced, details of any extract/ventilation systems shall be submitted to and approved in writing by the local planning authority. The works shall be implemented in accordance with the approved details before the apartments are occupied.
8. Before any part of the development hereby approved is commenced a scheme of sound proofing showing measures to deal with sound insulation of walls and floors between the separate and adjoining occupiers shall be submitted to and approved in writing by the local planning authority and shall be implemented to the satisfaction of the local planning authority prior to the occupation of any part of the development.
9. No activities shall be carried out on the site on any Sunday or Bank Holiday and outside the hours of 8:00 a.m. and 6:00 p.m. on any other day.

reasons

1. For the avoidance of doubt and to maintain the character of the building. In accordance with policies GD1, BE5, and BE6 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
2. To ensure that the external appearance of the development will not be detrimental to the visual amenities of the area. In accordance with policies GD1, BE5 and BE6 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
3. To safeguard the appearance of the building. In accordance with policies, GD1, BE5 and BE6 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
4. The site is in an area of high archaeological interest. In accordance with policies GD1 and BE17 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
5. In the interests of protecting the integrity of the listed building, and the appearance of the Conservation Area, in accordance with policies BE5, BE6 and GD1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
6. To safeguard the special architectural and historic character of the building. In accordance with policy BE1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
7. To safeguard the special architectural and historic character of the building. In accordance with policy BE1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
8. To safeguard the proposed and adjoining residents from noise nuisance. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
9. To safeguard the occupiers of adjacent premises from undue noise or other associated disturbance. In accordance with policy GD1 of the Wear Valley

B) 3/2008/0215LB That Listed Building Consent be **GRANTED** subject to the following conditions and reasons;

conditions

1. Notwithstanding the details included on the approved plans, the following design requirements shall be incorporated into the proposed scheme:-
 - a) All windows shall be timber, with a painted finish, double hung vertically sliding sash; the exact specifications for which shall be submitted to and approved in writing by the local planning authority before works commence. The development shall be carried out in accordance with the approved specifications.
 - b) All windows shall be recessed 100 mm from the face of the building; the exact specifications for which shall be submitted to and approved in writing by the local planning authority before works commence. The development shall be carried out in accordance with the approved specifications.
 - c) Exposed stone cills and lintels shall be used below and above all window openings.
 - d) All external doors shall be natural timber doors; the exact specifications for which shall be submitted to and approved in writing by the local planning authority before works commence. The development shall be carried out in accordance with the approved specifications.
 - e) Exposed stone lintels shall be used above all external door openings.
 - f) The roof covering shall be natural slate; the exact specifications for which shall be submitted to and approved in writing by the local planning authority before works commence. The development shall be carried out in accordance with the approved specifications.
 - g) All rainwater goods shall be black and made of cast iron of a profile to be agreed in writing by the local planning authority before attachment to the building.
 - h) All rooflights shall be conservation flush-fit lights finished in black with a central glazing bar.
2. Before the development hereby approved is commenced, details of the materials to be used for the external surfaces of the development 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.
3. Details of all external colours shall be submitted to and approved in writing by the local planning authority before the commencement of any works and the development shall be implemented in accordance with the approved details.
4. No development shall take place until the applicant has secured the implementation of an agreed programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority.

5. Wherever possible the existing historic timber roof structure is to be retained in situ, if necessary, to be augmented by the use of the approved additional new work. If it is found that the findings of the submitted Structural Survey (2003) do not address the current condition of the roof as revealed upon current inspection then further investigation and research by qualified persons must be carried out and submitted as evidence for consideration. The final proposed Methodology for the retention of timbers and addition of new structural roof work must be agreed in writing by the local planning authority before the development hereby approved commences.
6. Before the development hereby approved is commenced, large scale details at 1:10 scale of the proposed new dormer window and new windows shall be submitted to and approved in writing by the local planning authority, and thereafter be implemented before the apartments are first occupied.
7. Before the development hereby approved is commenced, details of any extract/ventilation systems shall be submitted to and approved in writing by the local planning authority. The works shall be implemented in accordance with the approved details before the apartments are occupied.
8. Before any part of the development hereby approved is commenced a scheme of sound proofing showing measures to deal with sound insulation of walls and floors between the separate and adjoining occupiers shall be submitted to and approved in writing by the local planning authority and shall be implemented to the satisfaction of the local planning authority prior to the occupation of any part of the development.

reasons

1. For the avoidance of doubt and to maintain the character of the building. In accordance with policies GD1, BE5, and BE6 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
2. To ensure that the external appearance of the development will not be detrimental to the visual amenities of the area. In accordance with policies GD1, BE5, and BE6 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
3. To safeguard the appearance of the building. In accordance with policies, GD1, BE5 and BE6 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
4. The site is in an area of high archaeological interest. In accordance with policies GD1 and BE17 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
5. In the interests of protecting the integrity of the listed building, and the appearance of the Conservation Area, in accordance with policies BE5, BE6 and GD1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

6. In the interests of protecting the integrity of the listed building, in accordance with policy GD1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
7. To safeguard the special architectural and historic character of the building. In accordance with policy BE1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
8. To safeguard the special architectural and historic character of the building. In accordance with policy BE1 of the Wear Valley District Local Plan 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, RSS policies 3 and 5, PPS6: 'Town Centres', PPG15: 'Planning and the Historic Environment'.

PS codes	6 & 15		
number of days to Committee	57	target achieved	No
explanation			
First available Committee			

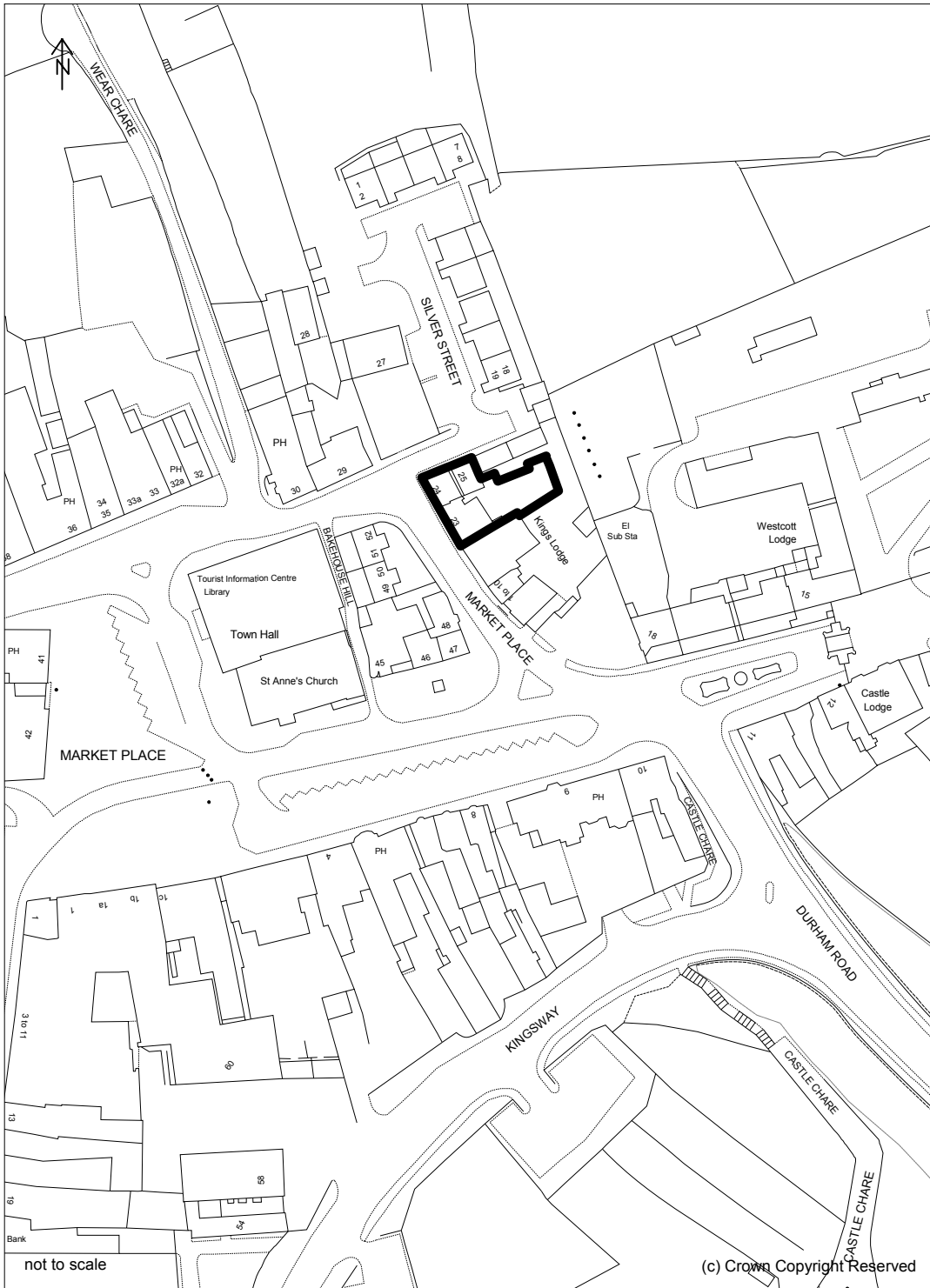
Officer responsible for the report

Robert Hope
 Strategic Director for Environment and Regeneration
 Ext 264

Author of the report

Adam Williamson
 Planning Officer
 Ext 495

3/2008/0211 AND 3/2008/0215LBC - CONVERSION TO FORM 8 APARTMENTS AT FORTUNE COURT, 23-25 MARKET PLACE, BISHOP AUCKLAND FOR MO MOUSARIFAR – 21.03.2008



DEVELOPMENT CONTROL COMMITTEE

15TH MAY 2008

Report of the Strategic Director for Environment and Regeneration

PART 1 – APPLICATION FOR DECISION

3/2007/0610 - TENNIS COURT AND 3 METRES HIGH FENCE ENCLOSURE AT WITTON HALL, HIGH STREET, WITTON LE WEAR, BISHOP AUCKLAND FOR MR. MORGAN -18.08.2007

description of site and proposals

1. Retrospective planning permission is requested for the erection of a tennis court at the above address.
2. The tennis court measures 13.5 metres in width by 27 metres in length. Due to the land on which the tennis court is positioned sloping to the south, the land to the southwestern corner of the court has been increased by approximately 2.6 metres, whilst to the southeastern corner of the court, the land has been increased by approximately 1.6 metres in order to create a level playing surface. The tennis court is enclosed by a 3 metres high metal chain link fence perimeter fence coloured dark green with mesh screening. The tennis court is topped with a 'Playrite Allweather Surface'.
3. The application site consists of a grand stone built detached dwelling with various outbuildings set in substantial grounds. The application site is bounded to the east by Cemetery Road, with a stone wall measuring approximately 2.3 metres in height marking this boundary. Along this boundary are a number of mature trees which are protected by a Tree Preservation Order. To the south of the site are nos. 1 to 9 Cemetery Road, the closest of which is 9 Cemetery Road which lies directly south of the application site, and approximately 9 metres from the southern end of the tennis court. No 9 Cemetery Road is set at a lower level than the tennis court (approximately 2.5 metres) due to the slope of Cemetery Road. To the north of the application site is The Copse, a collection of 1970's detached dwellings, whilst to the east of the site are 2 no. detached dwellings. The application site lies within the Witton le Wear Conservation Area.

planning history

4. The following planning history is considered relevant to this planning application:
 - 3/2007/0353 Tennis Court Withdrawn 20.07.2007

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
 - BE5 Conservation Areas
 - BE6 New Development and Alterations in Conservation Areas
 - BE8 Setting of a Conservation Area
 - H3 Distribution of Development
 - H25 Residential Extensions
 - FPG5 Alteration and Extension Guidelines

consultations

6. CDE&TS (Highways): No objection.
7. Environment Agency: No comment.
8. Design and Conservation Officer: No objection. Full report on file.
9. Witton le Wear Parish Council: The Parish Council is unable to support this application because of a number of serious concerns.
 - The court has been constructed on land which has been built on a steep slope. This has the effect of raising the base of the court higher than the perimeter wall, particularly at the south end of the site. This severely impacts upon the conservation area.
 - The raising of the court above the natural slope of the land seriously impacts upon the dwellings to the east and south of the site. The properties are subjected to removal of privacy, particularly the property to the south of the site since players and spectators standing on the court can easily look into the garden and windows of habitable rooms.
 - The banking up of the earth to the east and south sides of the site turns the perimeter walls into retaining walls.
 - In addition, a 3 metres high mesh fence impacts further upon the conservation area and the streetscape. There is no guarantee that the fence will stop tennis balls being hit onto the adjacent road.
10. DCC Arboroculturalist: Full report on file. Offers the following comments;
 - Site works have taken place to install the base for a tennis court. Instead of normal cut and fill operations this service has been created mainly by importing infill to level the area.

- The only excavations to take place being minimal soil removal to create a pad for the wall foundations. Soil has been raised to the west of three tree boiles (not serious) trees 9- 10 and 11.
- I have been informed that the development is totally semi- permeable and constructed in sympathy with the trees.
- The construction has encroached substantially into the RPA (Root Protection Areas).
- Provided root severance has not occurred the construction will not be detrimental to tree stability. The construction may actually increase root stability providing:
 - a) The integrity of the root plates are still intact.
 - b) The construction is permeable/ semi- permeable
- There is evidence of cracks within the curtilage of the site and to the outer side of the retaining wall. The wall is cracked in at least 11 places, mainly adjacent to the trees. The cracks pre date the recent construction, and the construction activities are not the reasons for the cracks. The cracks are being caused by the size and pressure exerted by the trees.
- Eventually 10/15 years all trees may have to be removed in order to dismantle and rebuild the retaining wall. Removal of the construction may be detrimental to the trees' stability as the ground has been disturbed. The trees in question are becoming senescent, they already have terminal die back and dead wood which need to be attended to, the trees are in decline with a limited SULE (safe useful life expectancy).

recommendations

1. Retain the structure.
2. Carry out planting works to enhance the site.
3. Carry out pruning works highlighted with the DCC 1999 report.
4. Remove the soil from the west side of trees 9- 10- 11.
5. Monitor the trees for root plate movement, especially tree no. 8 the Norway Maple.
6. Monitor wall movement, tree pressure and cracking.
7. Although when eventually this problem is addressed, the trees are exempt from legislation because they are deemed as causing an actionable nuisance.

8. Consideration should be given to phasing out the trees, replanting in a different location and treating the stumps. This would allow the stumps and roots to dissipate, possibly avoiding the need for major civil engineering works.

officer analysis

11. The key issues for consideration are:

- Principle of Development
- Impact on the Conservation Area
- Impact of Residential Amenity
- Impact on Protected Trees

principle of development

12. The application seeks retrospective planning permission for a tennis court within a residential curtilage. Normally, the creation of a tennis court would not require planning permission as it would fall under Schedule 2 Part 1 Class F of the Town and Country Planning (General Permitted Development) Order 1995 as a hard surface for any purpose incidental to the dwelling house. In this instance, the applicant wrote to the local planning authority asking whether planning permission was required for the construction of a tennis court. The local planning authority responded stating that planning permission would not be required. This advice was given without the knowledge that substantial changes would have to be made to site levels in order to construct the tennis court. Following an enforcement complaint, an application was invited as planning permission was required for the engineering works required to install the base of the tennis court.

13. The construction of a tennis court and the associated fencing is not considered to be unusual within a domestic curtilage. As such it is considered that the principle of development is acceptable and accords with policy GD1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies 2007.

impact on the conservation area

14. The main impact the tennis court has upon the conservation area is from views along Cemetery Road and views north from Post Office Street as the base of the tennis court sits above the boundary wall of the property due to the increase in land levels to create a level playing surface. Without a landscaping scheme the base of the court appears incongruous within the conservation area and has a substantial impact on views into the conservation area from Cemetery Road and Post Office Street, especially from the eastern corner of 9 Cemetery Road. Whilst travelling south down Cemetery Road, given the slope of the land, the court and its fencing is not unduly prominent within the street scene, and is to a certain degree already screened by the existing protected trees. Whilst travelling north however, the southeastern corner of the court is very prominent due to the base of the court being approximately 1.4 metres above the top of the boundary wall.

15. However, with a degree of screening the visual impact of the base of the court would be significantly reduced and its appearance softened, especially to the southeastern corner of the base of the court. This could be controlled by a condition on a grant of planning permission. As such, it is considered that with a landscaping scheme in place, the proposal would not have a detrimental impact upon the setting or appearance of the conservation area, and would not appear unduly prominent in views from Cemetery Road and Post Office Street. As such it is considered that the proposal accords with policies GD1, BE5, BE6 and BE8 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

impact on residential amenity

16. Normally if someone wishes to change the levels of the land in the curtilage of a dwelling house then planning permission would not be required. In this instance, planning permission is required as in Newbury BC 2/11/94 an Inspector found that a tennis court was not permitted development as engineering operations had been carried out involving the raising of the level of land near the boundary with adjacent cottages. The sole issue was the amenity of the neighbouring property and an Inspector concluded that with landscaping, loss of privacy objections could be overcome. This case is similar to this instance and as such an application was invited.
17. The dwellings which are impacted the most by the tennis court are nos. 9, 10 and 11 Cemetery Road, which lie to the south and east of the tennis court.
18. The rear garden of 9 Cemetery Road is set down by approximately 2.5 metres from the playing surface of the tennis court, and is approximately 9 metres away. The rear of 9 Cemetery Road is north facing and contains 4 windows, with a bedroom to the first floor, and a large sunroom. As the rear of 9 Cemetery Road is north facing the base of the tennis court does not create any loss of light to this property.
19. The dwellings to the east of the tennis court, nos. 10 and 11 Cemetery Road, are located approximately 13 metres from the easternmost edge of the court, with the court level with the first floor level of these properties.
20. The 3 metre high chain link fence around the tennis court has a fine green mesh attached to it which limits views both into and out of the tennis court. This mesh allows the neighbouring dwellings greater privacy. As such it is recommended that a condition be attached to any grant of planning permission so that the mesh must be maintained and retained in order to protect the privacy of neighbouring residents of nos. 9, 10 and 11 Cemetery Road.
21. With this condition in place, along with a landscaping condition, it is considered that the occupiers of neighbouring properties would not suffer any loss of privacy as a result of the proposal. It is reiterated that planning permission is not normally required to alter the land levels in a domestic garden, but in this instance an engineering operation has taken place, and as such the change in land levels requires planning permission.

22. The proposal accords with guidance contained within policies GD1, H25 and FPG5 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
23. The noise element and the nuisance created by tennis balls landing in the garden of the neighbouring property are not matters that can be addressed by the planning system. The planning consideration is to ensure that no commercial/wider public use takes place. The applicant proposes that the tennis court is used for domestic purposes by a single household (including visitors).

impact on protected trees
24. The County Arboroculturalist has been consulted on the application and states that the construction has encroached substantially into the RPA (Root Protection Areas). Providing root severance has not occurred the construction will not be detrimental to tree stability. The construction may actually increase root stability providing:
 - a) The integrity of the root plates are still intact.
 - b) The construction is permeable/ semi- permeable.
25. The County Arboroculturalist also states that there is evidence of cracks within the curtilage of the site and to the outer side of the retaining wall. The wall is cracked in at least 11 places, mainly adjacent to the trees. The cracks pre date the recent construction, and the construction activities are not the reasons for the cracks. The cracks are being caused by the size and pressure exerted by the trees.
26. Eventually 10/15 years all trees may have to be removed in order to dismantle and rebuild the retaining wall. Removal of the construction may be detrimental to the trees' stability as the ground has been disturbed. The trees in question are becoming senescent, they already have terminal die back and dead wood which need to be attended to, the trees are in decline with a limited SULE (safe useful life expectancy).
27. The County Arboroculturalist has offered a number of recommendations to be attached to any grant of planning permission. Conditions are recommended accordingly. 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

28. Occupiers of neighbouring properties were notified in writing and a site notice was also posted. The application was also advertised in the press.
29. 4 letters of objection/ observation have been received, along with a petition containing 19 signatures. The petition contains the names of the people who have also written a letter of objection.

30. The contents of the letters are summarised below;
- a) The tennis court destroys the character and visual amenity of the conservation area.
 - b) The erection of the court will mean that tennis can be played much more frequently on the elevated surface than would otherwise be the case, causing loss of privacy to our property.
 - c) At no point were we consulted by the applicant about his wishes to build a tennis court immediately opposite our dwelling.
 - d) The tennis court does not fit in with the surrounding area and looks like a zoo or prison.
 - e) The noise of the people playing tennis is greatly magnified by the adjacent stone walls.
 - f) There is a danger of tennis balls leaving the court and striking someone.

response to objections

31. The following comments are made in response to the points raised;
- a) It is accepted that at the present moment the tennis court appears somewhat incongruous within the conservation area. However, it is considered that with landscaping the impact of the court will be significantly lessened to an acceptable level.
 - b) A tennis court does not normally require planning permission. In this instance planning permission is required for the engineering works required to form a level playing surface. The 3 metres high chain link fence around the tennis court has a fine green mesh attached to it which limits views both into and out of the tennis court. This mesh allows the neighbouring dwellings greater privacy. As such it is considered that a condition be attached to any grant of planning permission so that the mesh must be maintained/retained to protect the privacy of neighbouring residents.
 - c) This is not a material consideration in the determination of this application.
 - d) It is granted that at the present moment the tennis court appears somewhat incongruous within the conservation area. However, it is considered that with landscaping, the impact of the court will be significantly lessened to an acceptable level.
 - e) The noise element and the nuisance created by tennis balls landing in the garden of the neighbouring property are not matters that can be addressed by the planning system.
 - f) This cannot be controlled through the planning process.

conclusion and reasons for approval

1. The application site consists of a domestic garden located within the settlement limits for Witton le Wear. The creation of a tennis court within a domestic garden is not unusual and as such it is considered that the principle of development is acceptable and accords with policy GD1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies 2007.

2. Subject to a landscaping condition, the proposal would not have a detrimental impact upon the setting or appearance of the conservation area, and would not appear unduly prominent in views from Cemetery Road and Post Office Street. As such it is considered that the proposal accords with policies GD1, BE5, BE6 and BE8 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
3. With the mesh screen attached to the chain link fence, the privacy of neighbouring residents would not be unduly affected by the tennis court. In order to protect the privacy of neighbouring occupiers in the future, a condition is recommended requiring the mesh screen to be maintained/retained to the satisfaction of the local planning authority. With this condition the proposal accords with policies GD1, H24 and FPG5 the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

RECOMMENDED

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

conditions

1. Within 56 days of the grant of planning permission a scheme of landscaping shall be submitted to and approved in writing by the local planning authority (which shall include indications of all existing trees on the land, which shall be retained).
2. All planting, seeding, or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the granting of planning permission, and any trees or plants which within a 5 year period from the completion of the development die, are removed, are severely damaged or become seriously diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.
3. Within 14 days of the date of the granting of planning permission, details of a mesh screen to be attached to the chain link fence shall be submitted to and approved in writing by the local planning authority. The mesh screen shall be placed on site within 14 days of the approval in writing from the local planning authority and thereafter the screen mesh shall be permanently retained and maintained to the satisfaction of the local planning authority.
4. Within 21 days of the date of the granting of planning permission the soil from the west side of the trees numbered 9-10-11 in the Durham County Council Arboricultural Report dated 29th January 1999 shall be removed.
5. Within 24 months from the date of the granting planning permission the tree works recommended in the Durham County Council Arboricultural Report dated 29th January 1999 shall be carried out unless the local planning authority gives written consent to any variation.

6. The tennis court hereby approved shall be used for the private usage of the owners/occupiers of Witton Hall only and shall not be used for any business or recreational/tennis club purposes nor for any other use without the prior written approval of the local planning authority.
7. No lights or floodlights shall be erected to illuminate the tennis court hereby approved without the prior written approval of the local planning authority.

reasons

1. To ensure the satisfactory appearance of the completed development. In accordance with policies GD1, BE5, BE6, H25 and FPG5 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
2. To ensure the implementation of the approved landscape scheme within a reasonable time. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
3. To ensure that a satisfactory development is obtained, in the interests of privacy. In accordance with policies GD1, H25 and FPG5 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
4. To achieve a satisfactory form of development. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
5. In the interests of the visual appearance of the area. In accordance with policy GD1 of the Wear Valley District Local Plan. as amended by the Saved and Expired Policies 2007.
6. The commercial use of the tennis court would be detrimental to the residential amenities of surrounding occupiers. In accordance with policies GD1, H25 and FPG5 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
7. In the interests of visual amenity and to avoid a nuisance to residents in the surrounding area. In accordance with policies GD1, H25 and FPG5 of the Wear Valley District Local Plan 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

13

number of days to Committee

272

target achieved

NO

explanation

Protracted discussions with the objectors and the applicant.

Officer responsible for the report

Robert Hope

Strategic Director for Environment and Regeneration

Ext 264

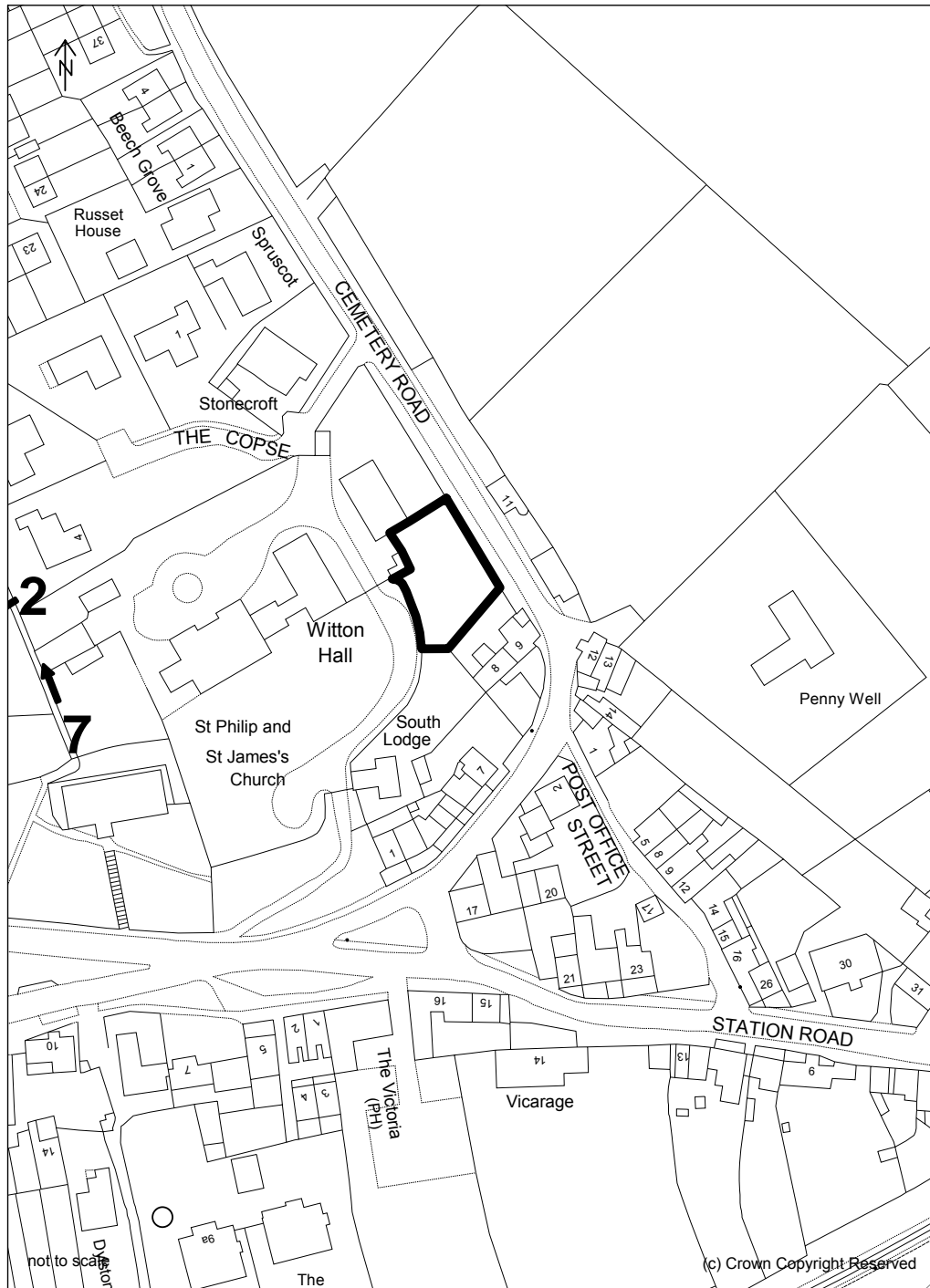
Author of the report

Adam Williamson

Planning Officer

Ext 495

3/2007/0610 - TENNIS COURT AND 3 METRES HIGH FENCE ENCLOSURE AT WITTON HALL, HIGH STREET, WITTON LE WEAR, BISHOP AUCKLAND FOR MR. MORGAN -18.08.2007



DEVELOPMENT CONTROL COMMITTEE

15TH MAY 2008

Report of the Strategic Director for Environment and Regeneration

PART 1 – APPLICATION FOR DECISION

3/2007/0687 - CONVERSION OF ADJACENT BARN, GABLE EXTENSION INTO TWO BEDROOM DWELLING AND OFFICE AT BARN ADJACENT TO PASTURE HOUSE FARM, ROOKHOPE FOR MR. AND MRS. MARTIN – 08.09.2007

description of site and proposals

1. A Councillor has asked for this application to be reported to Committee.
2. Planning permission is requested for the conversion of a barn to form live/work accommodation at the above address.
3. The barn measures 11 metres in length, 6 metres in width, and 5.4 metres to the highest point.
4. The proposed conversion consists of an extension to the western elevation, which at present is single storey. The proposed extension would measure 4 metres in length, 5.5 metres in width, and would increase the height from 3 metres to 6.1 metres, as the land slopes away. Internally, to the ground floor the barn would contain a bathroom, an office, a bedroom and a utility room, whilst to the first floor the proposal would incorporate a bedroom, lounge and a kitchen/ dining room. The application site is accessed via a 80 metres long driveway from the main road.
5. The application site consists of an existing barn located on Pasture House Farm, Rookhope. The barn is located approximately 4 metres east of the existing dwelling on the site, and is adjoined to an existing vehicle store. The application site lies outside the limits of development for Rookhope as identified under policy H3 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007, and is also located within the North Pennines Area of Outstanding Natural Beauty.

planning history

6. The following history relates to the site:
 - 3/2006/0406 Conversion to Form Holiday Accommodation Approved 11.08.2006

- 3/2007/0520 Conversion of Barn to Form 2 Bedroom Dwelling and Gable Extension Withdrawn 16.08.2007

planning policies

7. 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
- ENV1 Protection of the Countryside
- ENV2 The North Pennines Area of Outstanding Natural Beauty
- BE20 Conversion of Buildings in the Countryside
- H3 Distribution of Development
- H24 Residential Design Criteria
- H25 Residential Extensions

Also relevant are: PPS7: Sustainable Development in Rural Areas and North East Regional Spatial Strategy Policies 3 and 5.

consultations

8. Public Rights of Way Officer: Public Footpaths 26 and 28 run between Pasture House Farm and the Barn. However, there are no known problems with access here. As long as the footpaths remain open and useable throughout the period of the proposed development/works and thereafter, no objections are made to the proposal.
10. CDE&TS (Highways): No objection

officer analysis

11. The key issues for consideration are:

- Principle of Development
- Suitability for Conversion
- Residential Amenity

principle of development

12. The site is relatively isolated, and is located outside the limits of development for Rookhope as identified under policy H3 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007. As the application site lies in the open countryside, the application must be assessed against PPS7: Annex A of Sustainable Development in Rural Areas.

13. Annex A (of PPS7) outlines that one of the few circumstances under which residential development in the countryside may be justified is to “*enable agricultural, forestry and certain other full-time workers to live at, or in the immediate vicinity of, their place of work.*” where the nature and demands of the work concerned make it essential for one or more people to live at, or close to the site of their work. Whether this is essential in any particular case

will depend on the needs of the enterprise concerned and not on the personal preferences or circumstances of the individuals involved. Annex A further goes on to give guidance in respect of occupational dwellings:

- a. there is a clearly established existing functional need,
 - b. the need relates to a full-time worker, or one who is primarily employed in agriculture and does not relate to a part-time requirement,
 - c. the unit and the agricultural activity concerned have been established for at least 3 years, have been profitable for at least one of them, are currently financially sound and have clear prospects of remaining so
 - d. the functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area, and
 - e. other planning requirements are satisfied.
14. Therefore, both a “functional” and a “financial” need must be demonstrated for an application for a new dwelling in the countryside to be considered acceptable under PPS7 Annex A.
 15. The supporting statement accompanying the application states that the applicants’ son will be taking over the family building business and *“it would make sense- not just from convenience, but also having regard to operational efficiency- for his son and fiancée to live on site.”*
 16. The statement goes further to state that the “propinquity gained by being able to live and work on the site will meet local plan sustainability objectives” and “that the dwelling created will fulfil a functional need of being physically and operationally related to an existing and established business in the countryside, and one which is financially viable, and likely to remain so.”
 17. Mr. Martin runs a successful builders business with the majority of work being carried out in Weardale and the surrounding area. He wishes to retire and pass the running of the business to his son. This is the main reason why the applicants are proposing a new dwelling on the site.
 18. There is an existing dwelling on the site, and it is not clear from the submitted statement why Mr. Martin’s son has to live on the site in a new build dwelling as there is an existing building on the site. Any issues of security cannot be argued as there is existing accommodation on the site providing surveillance.
 19. The submitted statement states that *“Adam may take over superintendance of the business directly- and without having to journey in... some distance from an outlying village.”* Clearly the issue of commuting to work does not constitute the functional need for an extra dwelling on the site. It is considered that the needs of Mr. Martin’s son when he takes over the business does not constitute the functional need for a new dwelling on the site. It is unclear why the needs of the business could not be carried out from the existing dwelling on the site, or by a separate office located on the site, with Mr. Martin’s son commuting to the office from his place of residence.

20. As such it is considered that the functional need for a new dwelling on the site has not been justified and the principle of development on the site cannot be supported. It is noted that even though evidence has been submitted to show that the business has been profitable for over 3 years and will continue to operate at a profit in the foreseeable future however, this does not include the requirement to also meet the functional test. The proposal is contrary to guidance contained within PPS7: Sustainable Development in Rural Areas, and to guidance contained in policy H3 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
21. Rookhope is not classified as an urban area, therefore under the points stated above the proposal is classified as low priority. There are sequentially preferable brownfield sites within the urban areas of Wear Valley district. As such it is considered that the release of this land would prejudice the development of those other sequentially preferable sites and cannot be justified at this stage.
22. Having given consideration to the principle of development in the light of the adopted Local Plan and all other material considerations, it is considered that the proposed development is contrary to policy 3 of the Submission Draft Regional Spatial Strategy (RSS).

suitability for conversion

23. The proposed conversion would not require a significant level of extension or alteration, is structurally sound, and forms part of a group of buildings which includes at least one dwelling. As such it is considered that the proposal accords with policy BE20 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

residential amenity

24. The barn which the applicants' propose to convert lies approximately 4 metres to the east of the dwelling on the site. The submitted plans show that windows to the eastern elevation would be to bedroom 2 on the ground floor. Clearly the separation distance of 15 metres window to gable cannot be achieved. The proposal does not fully accord with guidance contained within policy H24 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
25. The submitted block plan shows that the proposed conversion would have a rear garden depth of 10 metres to the eastern elevation. This accords with guidance set out in policy H24 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

objections/observations

26. Occupiers of neighbouring properties were notified in writing and a site notice was also posted. The application was also advertised in the press.
27. No letters of objection/ observation have been received.

conclusion

1. The application site lies outside the limits for development for Rookhope as identified under policy H3 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007. The applicants have submitted a supporting statement to accompany the application. It is considered that the preferences of the applicants' son when he takes over the family business do not constitute the functional need for a new dwelling on the site. It is unclear why the needs of the business could not be carried out from the existing dwelling on the site, or by a separate office located on the site, with the applicants' son commuting to the office from his place of residence. The proposal does not accord with guidance contained within Annex A of PPS7, and as such the principle of new residential development on the site cannot be supported.
2. The proposed development would achieve a window to gable distance of 4 metres. Policy H24 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007 recommends that a window to gable distance of 15 metres be achieved for new residential development. The proposed development does not meet this standard and as such the proposal does not fully accord with guidance contained within policy H24 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

RECOMMENDED

That planning permission be **REFUSED** for the following reasons;

1. The proposal would introduce a new dwelling into the countryside. Insufficient justification has been made to demonstrate a functional need for a further dwelling on the site. The proposed development conflicts with the guidance in Annex A to PPS7 Sustainable Development in Rural Areas, and Policies GD1 and H3 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
2. The proposal would not provide a 15 metres window to gable distance between the existing dwelling and proposed dwelling on the site. As such the proposal does not fully accord with policy H24 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

background information

Application files, Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007, RSS, PPS7.

PS code

6

number of days to Committee

250

target achieved

No

explanation

Awaiting applicant to submit justification in accordance with guidance contained within PPS7 Sustainable Development in Rural Areas.

Officer responsible for the report

Robert Hope

Strategic Director for Environment and Regeneration

Ext 264

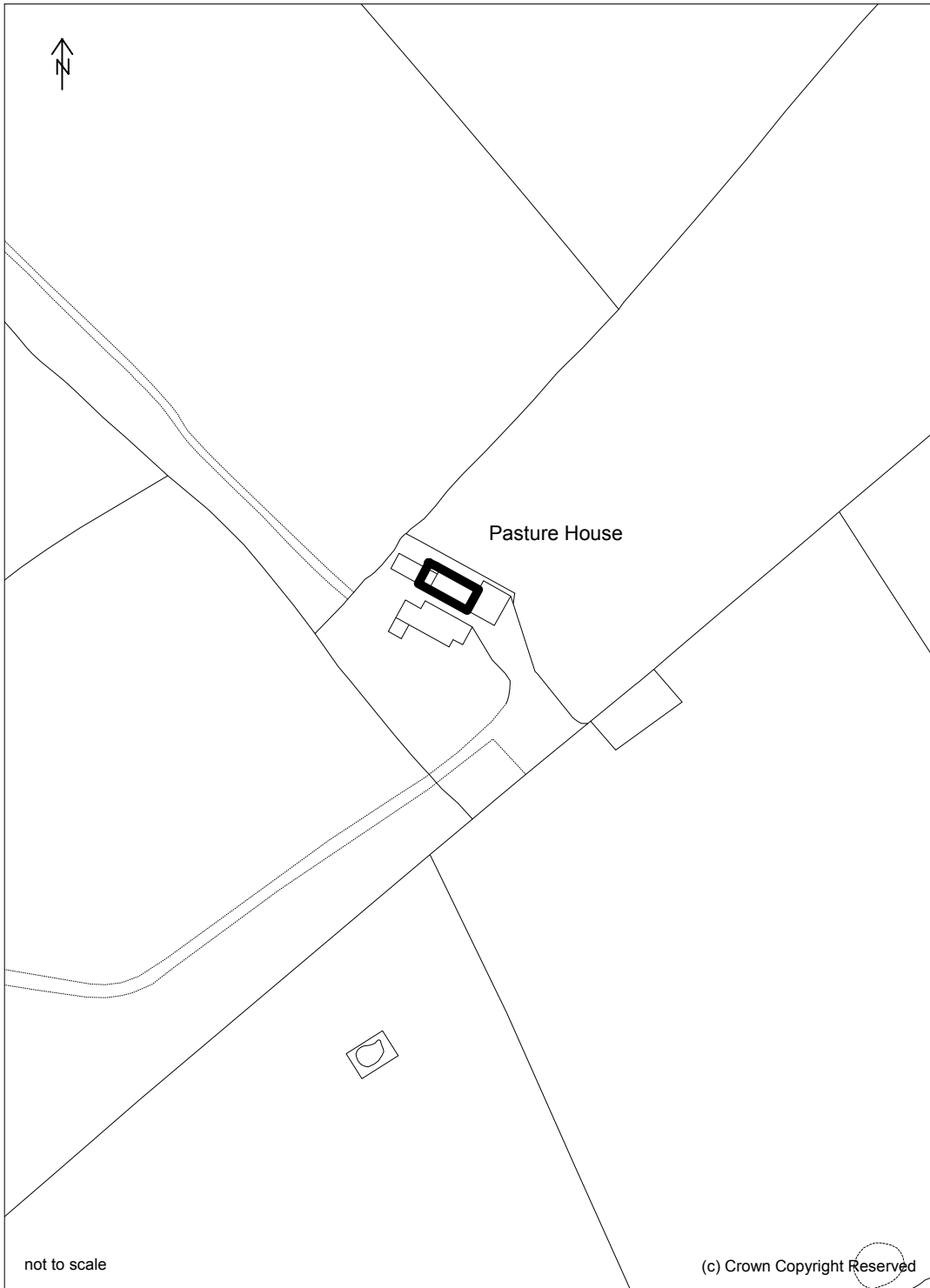
Author of the report

Adam Williamson

Planning Officer

Ext 495

3/2007/0687 - CONVERSION OF ADJACENT BARN, GABLE EXTENSION INTO TWO BEDROOM DWELLING AND OFFICE AT BARN ADJACENT TO PASTURE HOUSE FARM, ROOKHOPE FOR MR. AND MRS. MARTIN - 08.09.2007



DEVELOPMENT CONTROL COMMITTEE

15TH MAY 2008

Report of the Strategic Director for Environment and Regeneration

PART 1 – APPLICATION FOR DECISION

3/2007/0508- EXTENSION TO MAIN BUILDING AT TOW LAW SPORTS CENTRE AT TOW LAW RECREATION FACILITY, IRONWORKS ROAD, TOW LAW FOR TOW LAW COMMUNITY PARTNERSHIP – 24.07.2007

description of site and proposals

1. This application has been reported to Committee as the application site is owned by the Council.
2. Planning permission is requested for the erection of an extension at the above address. The proposed extension would measure 9.5 metres in width, 5 metres in length and 5.4 metres to the highest point. The proposed extension would create a larger internal exercise area, and would increase the footprint of the building from 144 sq. metres to approximately 191 sq. metres. The plans indicate that the extension would be constructed from materials which would match the host building, with the windows having steel security shutters and the emergency exit would have a steel door and frame.
3. The application site consists of a sports facility located just off Naismith Grove. The site is a well established leisure unit which contains two five-a-side football pitches and a full size football pitch to the south. To the north of the application site are a collection of new dwellings which form Naismith Mews which are located approximately 16 metres away.

planning history

4. The following planning history is considered relevant to this planning application:
 - 3/1996/0140 Soccer Pitch, Sports Court, Pavilion, Car Park and Floodlighting Approved

planning policies

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

- GD1 General Development Criteria
- RL1 Recreation- New Provision (General Policy)

consultations

6. CDE&TS (Highways): No objection

officer analysis

7. The key issues for consideration are:

- Design/Effect on Open Space
- Residential Amenity

design/effect on open space

8. It is considered that the design of the proposed extension would be in keeping with the host building in terms of design, scale, mass and materials. It is considered that the new exercise area would complement the existing facilities and would broaden the range of activities available to users of the centre. The proposed extension would not result in the loss of open space, and would not conflict with adjoining uses. The proposal accords with policies GD1 and RL1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

residential amenity

9. It is noted that the extension would be within 16 metres of the dwellings located on Naismith Mews to the north. However, only an emergency exit will be positioned on this elevation. As such it is considered that the proposal would not result in any loss of privacy to occupiers of these dwellings. Due to the position of the proposed extension, occupiers of neighbouring dwellings would not be unduly affected in terms of any overbearing or overshadowing impacts as a result of the proposal. The proposal accords with policies GD1 and RL1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

objections/observations

10. Occupiers of the surrounding properties have been notified in writing and a site notice was also posted.
11. No observations have been received.

reasons for approval

12. The proposal accords with policies GD1 and RL1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007 as it;

1. Would be in keeping with the host building in terms of design, scale, mass and materials.
2. Would not result in the loss of open space, and would not conflict with adjoining uses.
3. Would not result in any loss of amenities to occupiers of neighbouring dwellings.

RECOMMENDED

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

conditions

1. The external surfaces of the extension hereby approved shall be formed using materials which closely match in colour and texture those used on the existing building on which the extension will form part.
2. Before the development hereby approved is commenced details of the colour treatment of the security shutters and new door shall be submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details.

reasons

1. To ensure that the external appearance of the development will not be detrimental to the visual amenities of the area. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
2. To achieve a satisfactory and acceptable form of development. In accordance with policy GD1 of the Wear Valley District Local Plan 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

296

target achieved

No

explanation

The application was wrongly categorised as a delegated item. The application must be decided by Committee

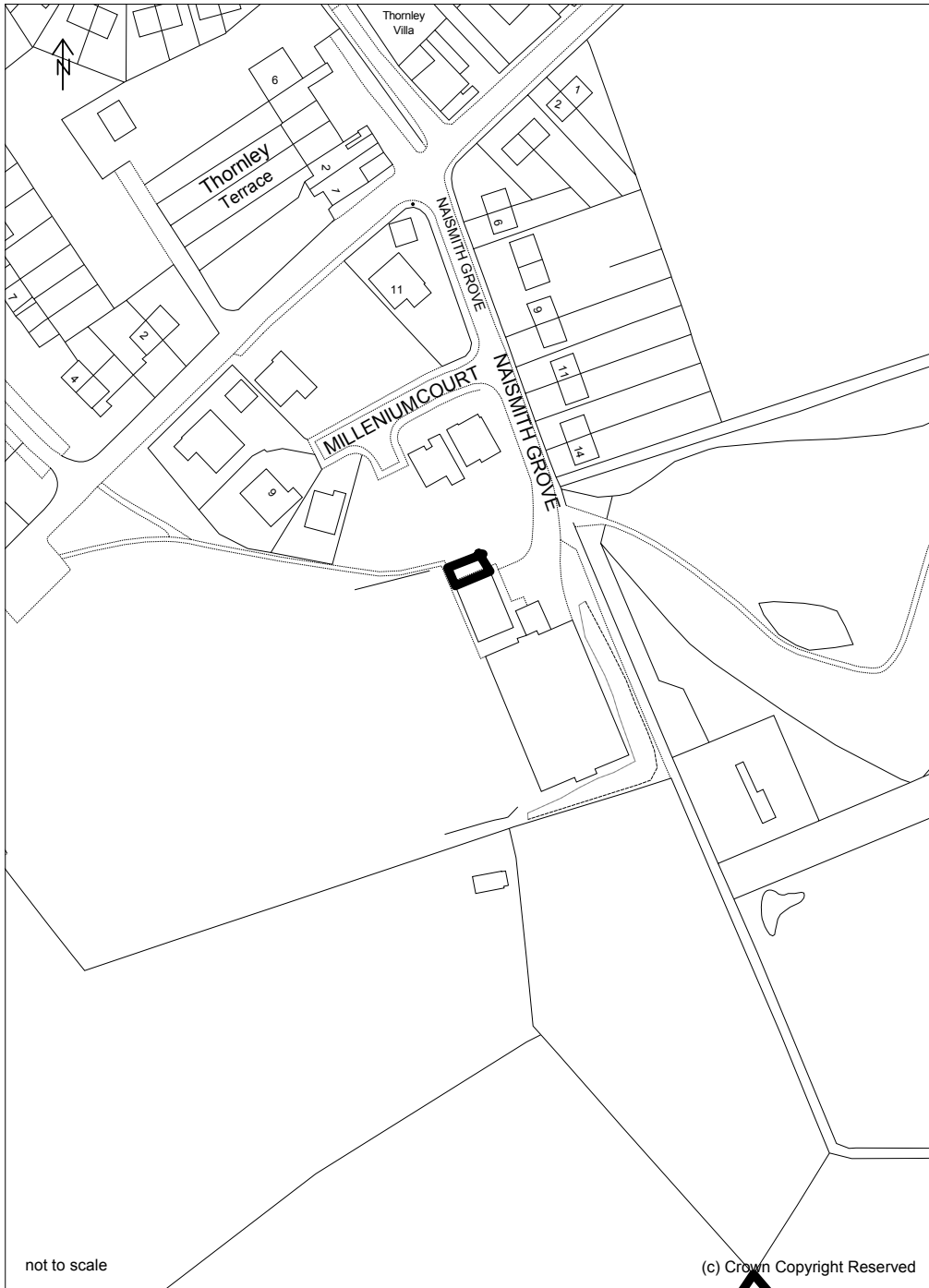
Officer responsible for the report

Robert Hope
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Author of the report

Adam Williamson
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3/2007/0508 - EXTENSION TO MAIN BUILDING AT TOW LAW SPORTS CENTRE AT TOW LAW RECREATION FACILITY, IRONWORKS ROAD, TOW LAW FOR TOW LAW COMMUNITY PARTNERSHIP – 24.07.2007



DEVELOPMENT CONTROL COMMITTEE

15TH MAY 2008

Report of the Strategic Director for Environment and Regeneration

PART 1 – APPLICATION FOR DECISION

3/2008/0064 - PROPOSED SUN LOUNGE TO THE REAR AT PARK HOUSE FARM, OAKENSHAW FOR MR. JAMES – 12.02.2008

description of site and proposals

1. This application is reported to Committee because the applicant is a close friend of a member of staff of the Environment and Regeneration Department.
2. Planning permission is sought for the erection of a sun lounge to the rear of Park House Farm, Oakenshaw. The sun lounge would measure 5.9 x 4.2m and would adjoin the north elevation of the property. It would be constructed of brick to match the existing house and would have a hipped roof with a height to ridge of 3.9m.
3. The farmhouse is a modern brick built detached house located to the north of the site. The property has a garden to the side and rear with the farm buildings and new dwellings to the south. The property is accessed by a farm track leading from the main road leading through Oakenshaw from Willington.

planning history

4. There has been no recent relevant planning history.

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:
 - FPG5 Alteration and Extensions Guidelines
 - GD1 General Development Criteria
 - H25 Residential Extensions

consultations

5. None.

officer analysis

6. The key issues for consideration are:

- Impact on the Appearance of the Property and Surrounding Area
- Residential Amenity

impact on the appearance of the property and surrounding area

7. The dwelling is located on a farm within open countryside and is not prominent from the road. Furthermore the rear garden in which the extension would be located is screened by an approximately 1.5m high hedge to the north and east. The extension would be screened by the farm buildings to the west. As such it is considered that the sun room would not harm the character of the surrounding countryside. The sun room would be single storey and to the rear of the dwelling where an extension such as this could be expected. There would still be sufficient amenity space following the completion of the development and as such the proposal would not harm the character or appearance of the dwelling. The proposal complies with policies GD1, H25 and FPG 5 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

residential amenity

8. The proposed extension would be located to the rear of the property and would be sited away from the closest neighbouring properties to the south of the site. Consequently there would be no overlooking and as such the proposal would not harm neighbour amenity. The proposal complies with policies GD1, H25 and FPG 5 of the Wear Valley District Local Plan as amended by 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. No observations have been received.

conclusion and reasons for approval

1. The proposal is acceptable in relation to policies GD1, H25 and FPG5 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007 as the sun room:

1. Is in keeping with the host property in terms of design, scale, mass and materials.
2. Would not result in loss of privacy or amenity for occupiers of neighbouring properties.
3. Would not harm the character of the surrounding countryside.

RECOMMENDED

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

condition

1. The external surfaces of the sun room hereby approved shall be formed using materials which closely match in colour and texture those used on the existing building on which the sun room will form part.

reason

1. To ensure that the external appearance of the development will not be detrimental to the visual amenities of the area. In accordance with policies GD1, H25, and FPG5 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.

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number of days to Committee	<input type="text" value="94"/>	target achieved	<input type="text" value="NO"/>
explanation	First available Committee		

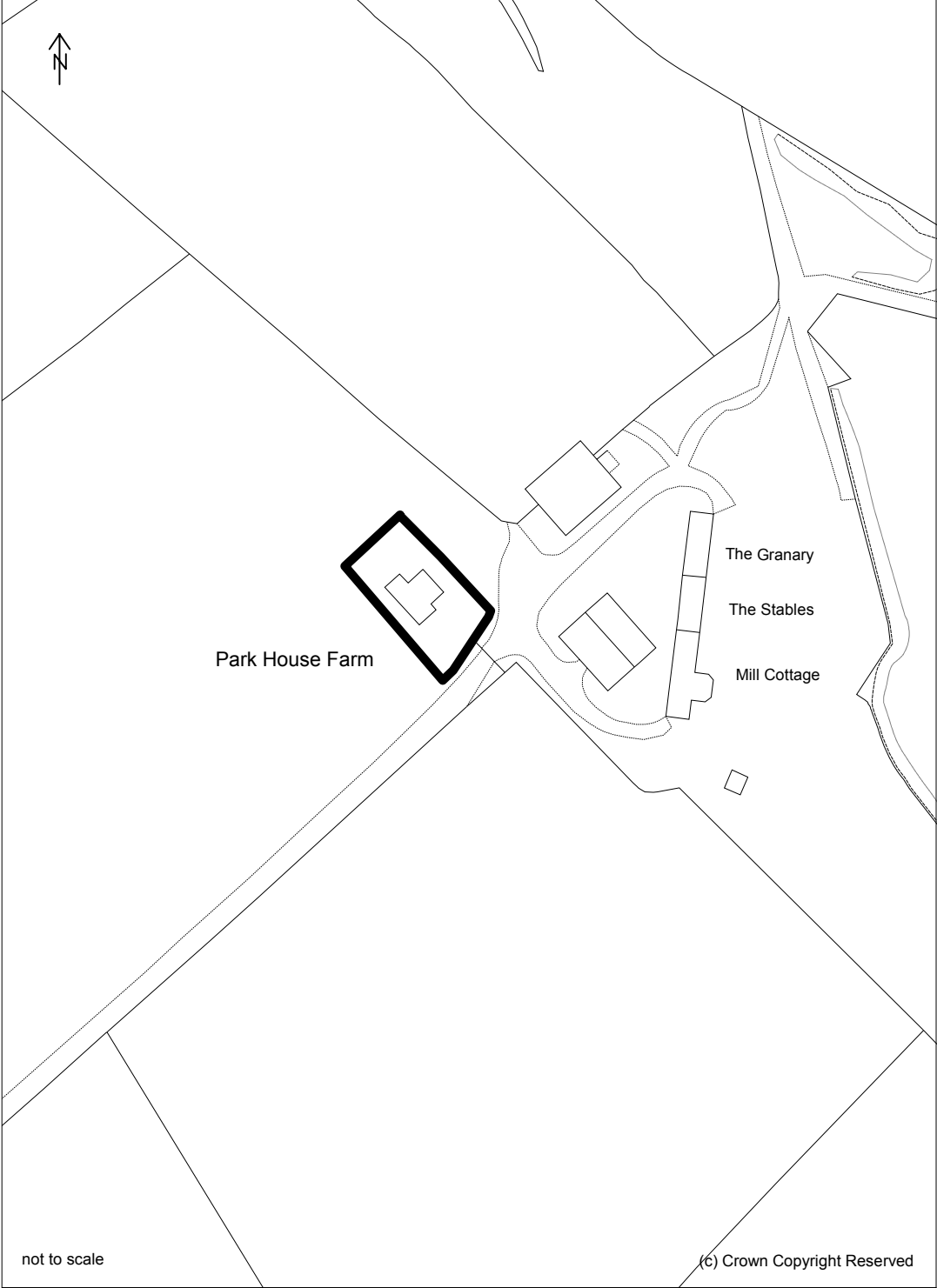
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3/2008/0064 - PROPOSED SUN LOUNGE TO THE REAR AT PARK HOUSE FARM, OAKENSHAW FOR MR. JAMES - 12.02.2008



DEVELOPMENT CONTROL COMMITTEE

15TH MAY 2008

Report of the Strategic Director for Environment and Regeneration

PART 1 – APPLICATION FOR DECISION

3/2008/0124 - FORMATION OF A FIVE - A - SIDE FOOTBALL PITCH AREA WITH PERIMETER FENCING AT LAND ADJACENT TO 1 MAIN STREET, SOUTH CHURCH, BISHOP AUCKLAND FOR DENE VALLEY PARISH COUNCIL - 11.03.2008

description of site and proposals

1. Planning permission is sought for the siting of a single Multi Use Games Area (MUGA) comprising of a sports playing court surrounded by 2 metres high perimeter fencing. The MUGA would be located centrally within the site which is currently a level grassed area of open space. The application land is owned by Wear Valley District District Council.
2. The site is located within a predominantly residential area with terraced housing to the NW and SW, and a care home to the SE. The land to the NE across Main Street is more open space.

planning history

3. The planning history relating to the site is set out below:
 - 3/2002/0658 Temporary Site Compound Approved 28.11.2002

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:
 - BE17 Areas of Archaeological Interest
 - GD1 General Development Criteria
 - RL7 Dual Use of Existing Recreational Areas
 - RL8 Improvement to Existing Open SpacesAlso relevant is PPG16 "Planning and Archaeology".

consultations

5. **Sport England:** Object to the proposal. It is not clear whether the MUGA is intended to be a formal sports facility or a play and recreation facility. If for formal sports activities it fails to meet Sport England's design guidance in terms of dimensions, surfacing, enclosure and line markings. The lack of floodlighting means it cannot be used during the evening. If it is intended for a more informal play and recreation facility then there are still concerns over the lack of floodlighting. It is also unlikely that floodlighting would be acceptable because of the close proximity of residential properties and there are amenity concerns since sporting play can be robust and noisy.
6. **Durham County Highways:** No objections if the facility is for local residents. If it is for organised activities then some off street parking should be provided.

officer analysis

7. The main issues to be considered are:
 - Impact on the Character and Appearance of the Surrounding Area
 - Impact on the Amenity of Surrounding Residents
 - Archaeology

impact on the character and appearance of the surrounding area
8. The site has no special designation (such as Conservation Area) and the surrounding area is largely residential and is surrounded by built development on 3 sides, against which the MUGA would be viewed. The MUGA would be sited centrally within the site and being just a single court with 2 metres high fencing, it would not be an overly dominant feature. It is therefore considered that the MUGA would not detract from the character and appearance of the surrounding area.
9. The proposed facility would provide "equipment" that would allow better use to be made of an existing recreation area, thereby improving the quality and range of recreation facilities in the local area. This in itself would bring significant social benefits and contribute to the sustainable communities agenda.
10. The proposal therefore accords with policies GD1, RL7 and RL8 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007

impact on the amenity of surrounding residents
11. The site is located within a residential area where it is surrounded by residents on 3 sides and therefore consideration has to be given to the function of the facility in terms of potential noise effects.

12. It is understood that the intended use of the MUGA is for informal play and recreation, not to hold formal sports activities and therefore the Sport England requirements are not applicable. The resultant use would therefore be a continuation of the recreation activity that could possibly take place on the site, albeit that the MUGA could encourage greater use of the site than at present. Nevertheless, it is not anticipated that the level of use of such a small facility would lead to unacceptable levels of noise and activity if used on an informal basis. The lack of floodlighting would further ensure that there is limited use in the late evenings when residents can expect to be undisturbed. For this reason it would be undesirable to require the provision of floodlighting.
13. Pre-application consultation was carried out prior to submitting the application and signatures of support from the surrounding residents have been obtained. No further negative observations have been received. This adds significant weight to the acceptability of the proposal in this respect.
14. Subject to a condition restricting the use to informal recreation, the proposal accords with policies GD1, RL7 and RL8 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007 in terms of impact on surrounding residents.

archaeology

15. The site falls within an Area of Archaeological Interest where there is high potential for archaeological remains. The construction required is unlikely to create a great level of disturbance in terms of depth of excavation; however, in accordance with policy BE17 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007 and PPG16 it would be appropriate to ensure a programme of archaeological works is agreed prior to the start of the development.

objections/observations

16. A site notice was posted and surrounding residents have been notified in writing. No observations have been received

conclusion and reasons for approval

1. The proposal is considered to be acceptable and in accordance with policies GD1, RL7 and RL8 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007 as it:
 1. Would not cause harm to the character and appearance of the surrounding area.
 2. Would not have an unacceptable effect on the amenity of surrounding residents.

RECOMMENDED

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

conditions

1. No development shall take place until the applicant has secured the implementation of an agreed programme of archaeological works in accordance with a written scheme of investigation which has been submitted to and approved in writing by the local planning authority.
2. The development hereby approved shall be used on an informal basis only. No organised activities shall take place unless otherwise agreed in writing by the local planning authority.

reasons

1. The site is in an area of high archaeological potential. In accordance with policy BE17 of the Wear Valley District Local Plan as amended by Saved and Expired policies September 2007.
2. In the interests of amenity. In accordance with policies GD1 and RL8 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

10

number of days to Committee

66

target achieved

No

explanation

The application has been taken to the first available Committee following receipt of consultation responses.

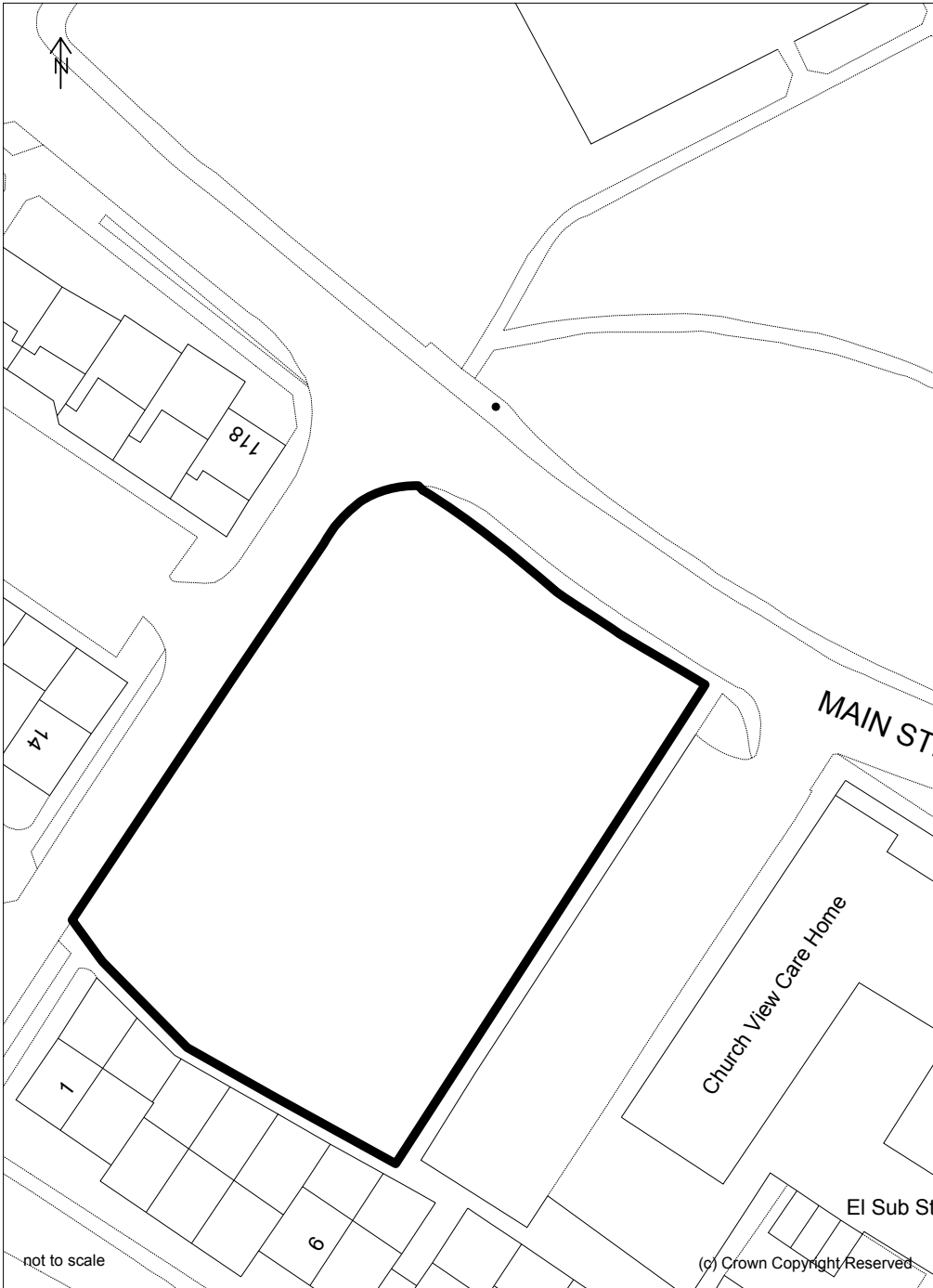
Officer responsible for the report

Robert Hope
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Author of the report

Adrian Caines
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Ext 369

3/2008/0124 - FORMATION OF A FIVE - A - SIDE FOOTBALL PITCH AREA WITH PERIMETER FENCING AT LAND ADJACENT TO 1 MAIN STREET, SOUTH CHURCH, BISHOP AUCKLAND FOR DENE VALLEY PARISH COUNCIL - 11.03.2008



DEVELOPMENT CONTROL COMMITTEE

15TH MAY 2008

Report of the Strategic Director for Environment and Regeneration

PART 1 – APPLICATION FOR DECISION

3/2008/0083 - PROPOSED DEVELOPMENT OF 1 NO. DWELLING ATTACHED GARAGE AND PARKING AT PLOT 3 HOLDFORTH STABLES, SOUTH CHURCH ROAD, BISHOP AUCKLAND FOR MR AND MRS HENDERSON – 04.03.2008

description of site and proposals

1. Full planning permission is sought for a revised scheme to erect a 4-bedroom, detached dwelling on plot 3 at Holdforth Farm, Bishop Auckland. This is the third revised application for a dwelling on the site.
2. The application site is part of a larger site adjacent to the River Gaunless where outline planning permission was granted for 4 No. dwellings in 2003 ref 3/2003/0567. Full planning permission was granted in 2006 ref 3/2006/0669 for the erection of 2 No. dwellings on plots 3 and 4. Full planning permission was again granted in 2007 for two 5-bedroom dwellings on plots 2 and plot 3, ref 3/2007/0244, and the dwelling on plot 2 is now under construction.
3. The application site is contained within the defined settlement limits to the east of Bishop Auckland town centre (Policy H3), but lies within the valley landscape of the River Gaunless and is designated as an area of Open Space within a Built-up Area (Policy BE14), as defined in the Proposals Map of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007. Accordingly this proposal is to be considered as a departure to Policy BE14. However, despite being located within a designated Open Space Area, the site is considered to be a brownfield (previously developed) site as it used to contain a number of agricultural buildings and stables associated with the previous use of the land for racehorse training. In addition, the former Auction Mart site is located across the river to the south and has planning permission for the erection of 23 No. dwellings, which are under construction.
4. The site has been cleared and there are no trees. The land towards the north east rises steeply away from the river with a wooded embankment above.
5. The site is accessed from a road shared with the new housing development on the auction mart site and the plots at Holdforth Farm.
6. A small part of the site lies within Flood Zones 2 and 3. A flood risk assessment (FRA) has been submitted with the application.

planning history

7. The following planning history for the site (and the Auction Mart Site) is considered relevant to determination of this application:

- 3/2007/0244 2 No. Detached Dwellings Plots 2 and 3 Approved 03.08.2007
- 3/2007/0042 2 No. Dwellings Withdrawn
- 3/2006/0685 Detached Garage to Serve Main Farm House Approved 26.10.2006
- 3/2006/0669 2 No. Dwellings and Detached Garage for Plots 3 and 4 Approved 06.10.2006
- 3/2003/0567 Outline for 4 No. Dwellings Approved 07.10.2003

Auction Mart Site

- 3/2006/0243 23 No. Dwellings Approved 25.05/2006

planning policies

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

- BE14 Open Spaces within Built-up Areas
- GD1 General Development Criteria
- H24 Residential Design Criteria
- H3 Distribution of Development
- T1 Highways – General Policy

Also relevant is policy 3 of the Regional Spatial Strategy (RSS) and national planning guidance in PPS1, PPS3, PPS22 and PPS25.

consultations

9. Environment Agency: No objection subject to conditions regarding ground levels, floor levels and surface water discharge rates.
10. Durham County Highways: No highway objection.
11. Northumbrian Water: No objection.
12. Woodland Trust: No objection.

officer analysis

13. The key issues for consideration are:

- Principle of Development
- Design and Siting
- Sustainability

- Access
- Residential Amenity
- Flood Risk

principle of development

14. The principle of housing development on the site has already been established under the outline planning permission for 4 No. dwellings and the previous full planning permissions. This is a material consideration when assessing this application. Circumstances have not changed and the site is a previously developed site located within the settlement limits of Bishop Auckland, which is one of the main urban areas of the district and therefore appropriate for new housing (Priority 1 site). This meets the criteria of Policy H3 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007, Policy 3 of the RSS and national guidance in PPS3 Housing.
15. However, the site is also located within an area designated as an Open Space within a Built-Up Area (Policy BE14), which seeks to protect Open Space Areas from development. The new development however is to be confined to the extent of the previously developed area of the site without intruding into the Open Space Area. Therefore, despite being a departure to Policy BE14 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007, it is considered that agreeing to the principle of housing development on this site will not prejudice the aims of this policy.
16. The principle of housing development is therefore considered to be acceptable as the proposal is not considered to be contrary to the aims of policies H3 and BE14 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

design and siting

17. All previously approved dwellings have been large detached dwellings and the current proposal is again of similar character and on a similar footprint to the previously approved dwelling on the plot. The proposed dwelling would be constructed of brick with art stone cills and lintels and an interlocking tile roof. There would be an attached garage to the front where there would also be space available for parking and manoeuvring. There would be a large private garden to the rear.
18. The design of the dwelling is considered to reflect the style and character of modern development in the district and is considered appropriate to the character of the setting of the site. The low density of development is appropriate in this case to maintain the character of the Open Space Area and will offer some variety in house type and size in connection with the adjacent Auction Mart housing development, thereby contributing to the sustainable communities agenda.

19. The site may be visually prominent at present within the valley when viewed from South Church Road; however this will change when the new dwellings are completed on the Auction Mart site, which will give the area more of a residential character. In addition the proposed dwelling would be viewed against the large embankment to the rear of the site, which would give the impression of a reduced scale to the dwelling. The proposal is therefore considered to be in accordance with policies GD1 and H24 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007 in this respect.

sustainability

20. The Code for Sustainable Homes becomes mandatory for all new housing developments from 1 May 2008 when all new houses have to meet a minimum of code level 3. The application was received before 1 May 2008 and therefore an assessment certificate under the code is not specifically required, however; in accordance with policy GD1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007 and national planning guidance in PPS1, PPS1 Climate Change Supplement and PPS22, new development should be designed to be energy efficient. No supporting information has been provided to demonstrate how the proposed dwelling would be energy efficient so it is considered appropriate to condition these details in the interests of achieving sustainable development.

access

21. As previously approved, the plot would be accessed from the south easterly access point from South Church Road, through the new housing development on the Auction Mart site and across the existing bridge. The approved access details for the Auction Mart site includes a road to an adoptable standard extending to the bridge over the river to allow the connection to be made. The access arrangement within the site connecting the new dwelling would be very similar to that previously approved.
22. Accordingly there are no objections to the access arrangements and this aspect of the proposal is considered to be in accordance with policies GD1 and T1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

residential amenity

23. The proposed dwelling would include gardens to the front and rear with a private rear garden being largely over 10 metres in length thereby providing suitable amenity space for occupants.

24. The siting and design of the dwelling would prevent any direct loss of privacy to neighbouring habitable rooms and would not result in unacceptable overshadowing of neighbours. The new dwellings on the Auction Mart site are a sufficient distance away, being located over 21 metres away, to ensure there are no privacy concerns in that respect. There would be windows in the side elevations, which can be conditioned to be obscured.
25. This accords with policies GD1 and H24 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

flood risk

26. The majority of the site falls outside Flood Zones 2 and 3; however, to prevent adding to risk of flooding in those areas that do fall in Zones 2 and 3, it will be necessary to set floor levels at 83.95m AOD. This level includes an allowance for climate change effects. Detailed drawings to show this integrated into the design of the dwellings will be required by condition. Further details will also be required to demonstrate how a drainage system can be designed to reduce the discharge rate to the River Gaunless to no more than 15 litres per second. Additionally, to ensure that flood routing is maintained there should be no raising of external ground levels.
27. Subject to the identified mitigation measures the proposal should not increase the risk of flooding to people and property on the site and in the surrounding area. This accords with advice in PPS25.

objections/observations

28. Occupiers of the properties in the immediate surrounding area have been notified in writing, a site notice was posted and the application was advertised in the local press. No representations have been received.

conclusion and reasons for approval

1. The proposal is considered acceptable in relation to policies GD1, H3, H24, BE14 and T1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007, as well as PPS1, PPS3, PPS22 and PPS25 as it:
 1. Involves residential development on a brownfield site located within the settlement limits of Bishop Auckland and within close proximity to the facilities contained within Bishop Auckland town centre.
 2. Would not jeopardize the aims of policy BE14 in terms of protecting the character and amenity of a designated area of Open Space within a Built-Up Area.
 3. Is acceptable in terms of design, scale and siting and would not cause harm to the character and appearance of the area.
 4. Would be served by an acceptable access arrangement.
 5. Would not cause harm to the living conditions of neighbours and would offer an acceptable level of amenity.

6. Would not increase the risk of flooding to people and property on the site and in the surrounding area.

RECOMMENDED

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

conditions

1. No development shall take place until samples of the bricks and roof tiles to be used in the construction of the external surfaces of the dwelling hereby approved 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 dwelling shall not be occupied until that work has been carried out in accordance with the approved details.
3. Development shall not begin until details of the existing and proposed site levels have been submitted to and approved in writing by the local planning authority. This shall include longitudinal and horizontal cross sections through the site. Thereafter the works shall be completed in accordance with the approved details.
4. Development shall not begin until full plans and elevations have been submitted to and approved in writing by the local planning authority to demonstrate how the finished floor level set at 83.95m AOD has been incorporated into the design of the development hereby approved.
5. Development shall not begin until details of surface water attenuation, to ensure the surface water discharge rate to the River Gaunless does not exceed 15 litres per second, have been submitted to and approved in writing by the local planning authority. Thereafter the development shall be implemented in accordance with and retained in accordance with the approved details.
6. 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 first occupied.
7. Notwithstanding the details shown on the plans hereby approved, the windows labled 6, 7 and 10 on drawing no. MH/01/07/P/001 Revision A shall be glazed in obscure glass of factor 3 or above and shall thereafter be retained as such.

8. Development shall not commence until details demonstrating how energy efficiency is being addressed in the design and construction of the dwelling hereby approved have been submitted to and approved in writing by the local planning authority and thereafter the development shall be implemented and retained in accordance with the approved details. The details shall include an assessment of the predicted energy performance of the approved dwelling against suitable baseline data.

reasons

1. To ensure the satisfactory appearance of the completed development. In accordance with policies GD1 and H24 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 secure a satisfactory standard of development, to protect the adjacent residents from loss of amenity and ensure land levels are not raised. In accordance with policy GD1 of the Wear Valley District Local Plan of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
4. To protect the development from flooding. In accordance with PPS25: Development and Flood Risk.
5. To prevent an increase in flooding in the receiving watercourse. In accordance with PPS25: Development and Flood Risk.
6. 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.
7. In the interests of the amenity of neighbouring properties. In accordance with policies GD1 and H24 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
8. In the interests of securing sustainable development and reducing carbon emissions. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007 and PPS1, PPS1 Climate Change Supplement and PPS22.

background information

Application files, WVDLP as amended by the Saved and Expired Policies September 2007, PPS1, PPS3, PPS22, PPS25.

PS code

6

number of days to Committee

73

target achieved

No

explanation

The application has been taken to the first available Committee.

Officer responsible for the report

Robert Hope

Strategic Director for Environment and Regeneration

Ext 264

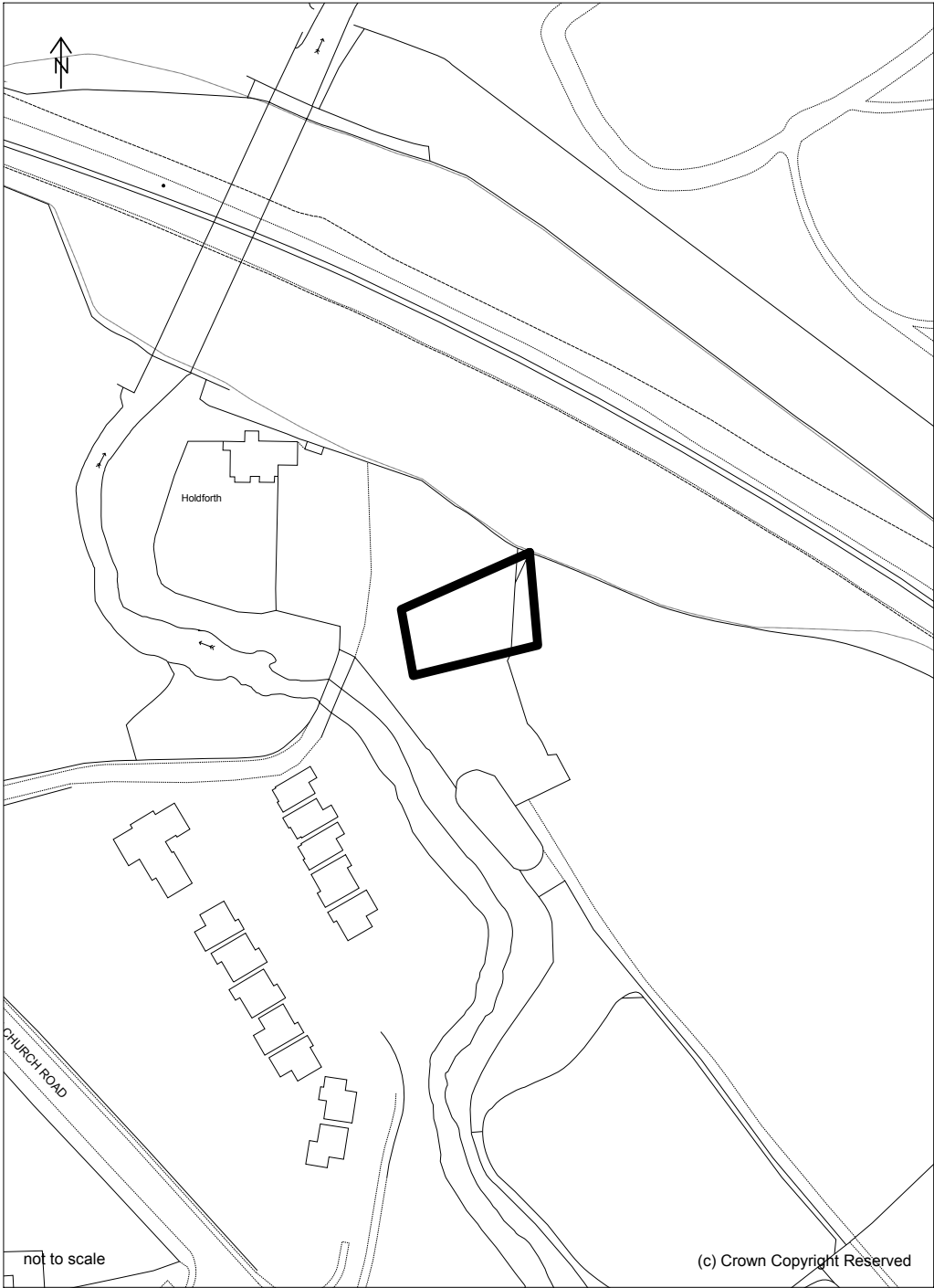
Author of the report

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Senior Planning Officer

Ext 369

3/2008/0083 - PROPOSED DEVELOPMENT OF 1 NO. DWELLING ATTACHED GARAGE AND PARKING AT PLOT 3 HOLDFORTH STABLES SOUTH CHURCH ROAD, BISHOP AUCKLAND FOR MR. AND MRS. HENDERSON - 04.03.2008



DEVELOPMENT CONTROL COMMITTEE

15TH MAY 2008

Report of the Strategic Director for Environment and Regeneration

PART 1 – APPLICATION FOR DECISION

3/2008/0208 - PROPOSED THREE BEDROOMED HOUSE AT LAND WEST OF PARK STREET, WILLINGTON FOR MR. BLACKBURN – 19.03.2008

description of site and proposals

1. This application has been reported to Committee as it has received 14 letters of objection/observation.
2. Planning permission is requested for the erection of a 3 bedroom dwelling on land to the west of Park Street, Willington.
3. The proposed dwelling would measure approximately 12.3 metres in length by 6.3 metres in width, and would be approximately 4 metres high to the eaves and 6.4 metres high to the ridge.
4. The proposal also incorporates an attached garage to the southern end of the plot with a store room above. The garage would measure approximately 6 metres in length, 3.1 metres in width, 3.1 metres to the eaves and 4.6 metres to the ridge.
5. To the highway a 2.5 metres high wall with two garage door style openings, along with the proposed garage also forming part of the boundary treatment, would form the southern boundary of the proposed dwelling.
6. The submitted Design and Access Statement states that the proposed dwelling would be constructed from red/brown bricks with a natural Welsh slate roof.
7. The application site consists of a detached garden in the ownership of the occupier of 16 Park Street, Willington. At present the site has a double garage to the southern end of the site. To the east of the site is a substantial modern bungalow, whilst to the west lie a number of detached garages and the detached gardens for the dwellings on Park Street. The eastern and western boundaries of the application site are defined by mature hedging, along with a 1.8 metres high close boarded timber fence, whilst the northern boundary of the site is defined by mature hedging.

planning history

8. The following planning history is considered relevant to this planning application:

- 3/2006/0635 Proposed Dormer Bungalow Refused 08. 09.2006

planning policies

9. 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
- H3 Distribution of Development
- H24 Residential Design Criteria
- T1 Highways - General Policy

Also relevant are PPS3 Housing, North East Regional Spatial Strategy (RSS) (The Secretary of State's Proposed Changes to the draft revision submitted by the North East Assembly).

consultations

10. CDE&TS (highways): No objection subject to the following: The proposed dwelling must be served by a new vehicular access. The access must be constructed in accordance with Section 184(3) of the Highways Act 1980.

11. Greater Willington Town Council: No objection.

12. Northumbrian Water: No objection.

principle of development

13. The key issues for consideration are;

- Principle of Development
- Residential Amenity
- Design and Character
- Highways
- Sustainability

principle of development

14. The application site lies within the settlement limits for Willington as allocated under policy H3 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

15. On the 2nd April 2007, at a Special Regeneration Committee, the Council approved and adopted a sequential search against which all proposals and applications for new housing, regardless of site, scale, and size must be assessed. The approved sequential search expresses in local terms the requirements of Policy 3 of the North East Regional Spatial Strategy ((RSS) (The Secretary of State's Proposed Changes to the draft revision submitted by the North East Assembly)).
16. The application site lies within one of the identified 'urban areas' and as the application site is garden land, it is classified as 'brownfield' land under the requirements of PPS3 Housing. As such, the proposal meets the description of a Priority 1 site as set out in Policy 3 of the North East RSS:-

"Suitable previously - developed sites and buildings within urban areas, particularly around public transport nodes".
17. As such it is considered that the proposal is acceptable in relation to policy H3 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies 2007, and policy 3 of the North East Regional Spatial Strategy.

residential amenity
18. To the east of the application site is a modern detached bungalow, with bathroom, kitchen and lounge windows to the western elevation which look onto the application site. The siting of the proposed dwelling would be positioned approximately 3.5 metres away from the bathroom and WC windows which are obscurely glazed. The kitchen window to the existing bungalow would remain unobstructed by the proposed dwelling. The only windows to the eastern elevation of the proposed dwelling are shown to be a bathroom and landing window, which would be located adjacent the existing bungalow. As none of the rooms affected are classed as habitable rooms it is considered that there would be no loss of privacy suffered to the occupiers of the bungalow to the east of the application site or to the occupiers of the proposed dwelling as a result of the proposal.
19. There would be a distance of approximately 21.5 metres from the front of the proposed dwelling and the rear of 17 Park Street, which meets the requirements of Policy H24 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
20. As there would be only an en-suite window to the first floor of the western elevation of the proposed dwelling, it is considered that users of the gardens which lie to the west of the application site would remain unaffected in terms of privacy by the proposed dwelling.
21. The submitted plans show that the proposed dwelling would have a rear garden measuring approximately 22.1 metres in length by 8.5 metres in width. This exceeds the recommended rear garden depth of 10 metres set out in policy H24 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

22. The bungalow to the east of the application site is set approximately 0.5 metres higher than the application site given the slope of Park Street. Given that the proposed dwelling would measure 6.4 metres to the ridge, and the orientation of the proposed dwelling, it is considered that the proposal would not appear overbearing to the bungalow to the east, or indeed cause any substantial loss of light to this property.
23. If planning permission is granted for the proposed development, it is recommended that a condition should be applied removing the permitted development rights so any new development on the site would require planning permission, including the insertion of additional windows to the eastern and western elevations, to protect the amenities of the occupiers of neighbouring properties.
24. As such it is considered that the proposed dwelling would not have a detrimental impact on the residential amenities of neighbouring residents and the occupiers of the proposed dwelling would have adequate private amenity space. The proposal accords with policies GD1 and H24 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
25. As the proposed dwelling would be sited within the detached garden of 16 Park Street, this would leave no 16 Park Street with a small yard measuring approximately 8 metres in depth. Whilst this does not meet the 10 metres standard set out in policy H24 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007, it would create a similar situation as for numbers 1 to 8 Park Street, and as such it is considered that an 8 metres garden depth would be in keeping with the character of the area. A relaxation of the 10 metres standard is considered acceptable in this instance.

design and character

26. The proposed dwelling is of a high quality modern design, which uses substantial amounts floor to ceiling glazing giving the impression of a light and airy design. The proposed dwelling would have an enclosed courtyard to the front, with the garage forming part of the boundary treatment to the highway. Whilst it is considered that the design of the proposed dwelling is significantly different from the design of surrounding dwellings, it would not have a detrimental impact on the street scene or upon the character of the surrounding area. The proposed dwelling would be set in from the western and eastern boundaries by approximately 1.1 metres, allowing space for maintenance. As such it is considered that the proposal accords with guidance contained within policies GD1 and H24 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

highways

27. The proposed dwelling would have an attached garage and off street parking for one vehicle in a courtyard, and the County Highways Engineer has not objected to the proposal. Concerns have been raised that as the occupier of 16 Park Street is losing car parking space to the development, congestion caused by parked cars on the street would increase. However, the applicant has submitted a plan showing that he owns another detached garage to the south of the application site, which he can utilise.
28. The County Highways Engineer has stated that the proposal must be served by a new vehicular access. This can be controlled by a condition on the granting of any granting of planning permission. 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.

sustainability

29. Since 1 May 2008 the Code for Sustainable Homes is mandatory for all new housing development, however a registration certificate is not required for this application because it was received before 1 May 2008. Nevertheless, this highlights the importance of sustainable design in the current policy climate and the thrust of planning policy in PPS1 and the Climate Change Supplement, PPS3 and PPS22; as well as policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007. These all require new development to be energy efficient. Given that the site is considered to be in an unsustainable location, it is considered to be even more important to ensure the new development is designed and constructed to be energy efficient to mitigate some harm. It would therefore be appropriate to condition further details to demonstrate how the proposed dwelling would be energy efficient.

objections/ observations

30. Occupiers of the surrounding properties have been notified in writing, and a site notice was also posted.
31. Fourteen letters of objection/ observation have been received, the contents of which are summarised below:-
 - a) There would be an increase in traffic and parking congestion.
 - b) Access to the building would be a concern especially in regard to the safety of residents and children in the area.
 - c) The erection of a house may cause change in the water table and drainage possibly creating problems for nearby residents.
 - d) The house would spoil views of surrounding properties.
 - e) Concern that a precedent would be created.
 - f) The development reduces amenities available to the existing terraced house as it will have no garden.
 - g) The design does not integrate itself into the nearby surroundings.

response to objections/ observations

32. Below are responses to the points raised above:-

- a) The proposed dwelling would have a garage and have off street car parking provided, whilst the applicant also owns a detached garage to the south of the application site. As such it is considered that the proposal incorporates adequate car parking provision.
- b) The proposed dwelling must be served by a new vehicular access in accordance with Section 184(3) of the Highways Act 1980.
- c) This is not a material planning consideration. This would be dealt with under Building Regulations.
- d) Loss of view is not a material planning consideration.
- e) Any future applications would be considered on their individual merit.
- f) Number 16 Park Street would retain a rear yard of approximately 8 metres in depth. Whilst this does not meet with the 10 metres set out in policy H24 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007, it creates a similar situation as for numbers 1 to 8 Park Street, and as such it is considered that an 8 metres garden depth would be in keeping with the character of the area.
- g) Whilst the design of the proposal does not replicate the design of surrounding dwellings, it is a good high quality design that would not be detrimental to the street scene or the character of the surrounding area.

conclusion and reasons for approval

1. The application site is located within the settlement limits for Willington as identified under policy H3 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007, and as the application site is garden land it is classified as brownfield land under the definition offered by PPS3 Housing. As such the application site is considered to be a Priority 1 site under the Council's interpretation of Policy 3 of the North East Regional Spatial Strategy, and the principle of residential development is accepted.
2. The proposed dwelling would not detrimentally affect the residential amenities of neighbouring dwellings, in terms of loss of light, overbearing or overshadowing impacts. The proposal would not reduce the amount of privacy enjoyed by neighbouring dwellings, and provides more than sufficient useable private amenity space. The proposal accords with policies GD1 and H24 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
3. Whilst it is noted that the design of the proposed dwelling does not reflect the design of neighbouring dwellings, it is a high quality modern design that would not have a detrimental impact on the street scene or the character of the surrounding area. The proposal accords with policies GD1 and H24 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

4. The proposed dwelling offers adequate off street car parking and would not cause a hazard to users of the highway 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 conditions and reasons;

conditions

1. Before the development hereby approved is commenced, samples of all materials to be used in the construction of the external surfaces of the dwelling and attached garage 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.
2. Before the development hereby approved is commenced details of the surface treatment of all hardsurfaced areas shall be submitted to and approved in writing by the local planning authority, and the development shall be carried out in accordance with the approved details.
3. Before the development hereby approved is commenced a scheme of landscaping shall be submitted to and approved in writing by the local planning authority.
4. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building or the completion of the development, whichever is sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed, are severely damaged or become seriously diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.
5. The garaging, hardstanding and car parking shown on the approved plans shall be used and maintained in such a manner as to ensure their availability at all times for the standing and garaging of private motor vehicles.
6. Notwithstanding the provisions of Article 3 and Class A of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 et sq. no additional openings shall be formed in the eastern or western elevations of the building hereby approved.
7. Notwithstanding the provisions of Article 3 and Classes A, B, C, D, E and G of Part 1 of the Town and Country Planning (General Permitted Development) Order 1995 et sq. none of the categories of development described therein shall be carried out on the site without an application for planning permission having first been made to and approved in writing by the local planning authority.

8. During the period when the dwelling is being constructed no activities shall be carried out on the site on any Sunday or bank Holiday and outside the hours of 8:00 a.m. and 6:00 p.m. on any other day.
9. Before the development hereby approved is commenced details of the height, siting, appearance and 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 the approved details before the dwelling hereby approved is first occupied.
10. Development shall not commence until details demonstrating how energy efficiency is being addressed in the design and construction of the dwelling hereby approved have been submitted to and approved in writing by the local planning authority and thereafter the development shall be implemented and retained in accordance with the approved details. The details shall include an assessment of the predicted energy performance of the approved dwelling against suitable baseline data.

reasons

1. To ensure the satisfactory appearance of the completed development. In accordance with policies GD1 and H24 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
2. To achieve a satisfactory form of development. In accordance with policies GD1 and H24 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
3. To ensure the satisfactory appearance of the completed development. In accordance with policies GD1 and H24 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
4. To ensure the implementation of the approved landscaping scheme within a reasonable time. In accordance with policies GD1 and H24 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
5. In the interests of road safety; to ensure that an adequate supply of off street car parking is maintained. In accordance with policies GD1 and T1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
6. 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 the Saved and Expired Policies September 2007.
7. The local planning authority wishes to control future development on the site in the interests of safeguarding the amenities of surrounding occupiers. In accordance with policies GD1 and H24 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

8. To safeguard the occupiers of adjacent premises from undue noise or any other associated disturbance. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
9. To achieve a satisfactory form of development. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
10. In the interests of reducing carbon emissions. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007 and PPS1, the PPS1 Climate Change Supplement and PPS22.

informative

The proposed dwelling must be served by a new vehicular access. The access must be constructed in accordance with Section 184(3) of the Highways Act 1980. The applicant should contact the Durham County Council Southern Area Office, Etherley Lane, Bishop Auckland (01388) 602028 to agree access construction details.

background information

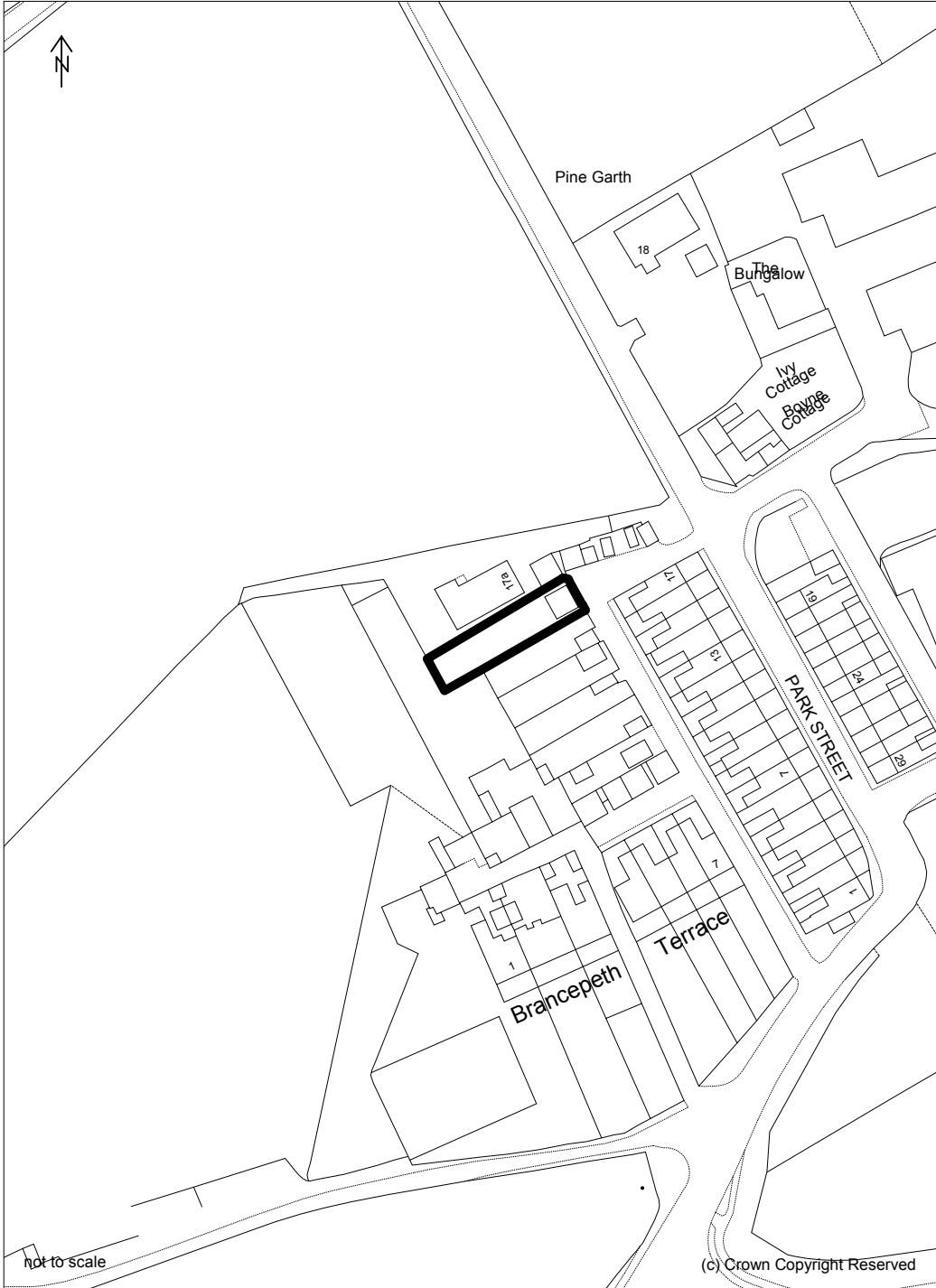
Application files, WVDLP as amended by the Saved and Expired Policies September 2007, PPS3 Housing, North East Regional Spatial Strategy (RSS) (The Secretary of State's Proposed Changes to the draft revision submitted by the North East Assembly).

PS code	6		
number of days to Committee	58	target achieved	No
explanation			
Next available Committee			

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

3/2008/0208 - PROPOSED THREE BEDROOMED HOUSE AT LAND WEST OF PARK STREET, WILLINGTON CROOK FOR MR BLACKBURN - 19.03.2008



DEVELOPMENT CONTROL COMMITTEE

15th MAY 2008

Report of the Strategic Director for Environment and Regeneration

PART 1 – APPLICATION FOR DECISION

3/2008/0088- CONSTRUCTION OF 4 ADJOINING INDUSTRIAL UNITS AT LAND AT HENSON CLOSE, SOUTH CHURCH ENTERPRISE PARK, BISHOP AUCKLAND FOR G. F. INTERIORS LIMITED – 29.02.2008

description of site and proposals

1. Planning permission is sought for the erection of a commercial building comprising 4 no. shell units of approximately 1200m² on a presently undeveloped site within the Phase 3 area of the South Church Enterprise Park in Bishop Auckland, which is set aside for office and business uses found in Use Class B1 and general industry covered by Class B2. The site to which the application relates forms part of an area of land allocated for '*Prestige*' industrial development in accordance with proposal I4 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007. The largest of the 4 units would be occupied by a light industrial business employing around 20 people. The other 3 units would be left for future end users to fit out.
2. The proposed building would be rectangular in shape with a length of approximately 66.8m and width of approximately 20.3m. It would have a shallow pitched roof of approximately 6.3m in height to the ridge. The building would be located parallel to the western site boundary, perpendicular to the neighbouring building. Car parking would be to the east. The development would be served by an existing vehicular access point. The building would be constructed with brick to the ground floor and cladding above and to the roof.

planning history

3. Planning permission was granted for the South Church Enterprise Park to be used for industrial development back in 1975. Subsequently the land has been allocated for offices and business uses (Class B1) and general Industry (Class B2) within proposal I4 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
4. There is no specific planning history for this site.

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
- I1 Availability of Land for Industry
- I4 Prestige Industrial Sites
- T1 Highways - General Policy

Also relevant are PPS1, PPS4, PPS22, the Regional Spatial Strategy (RSS) and Energy White Paper 2007.

consultations

6. Northumbrian Water: No objections.
7. Environment Agency: No objections subject to a drainage condition.
8. Durham County Rights of Way Section: The applicant should be aware that Bridleway 75 runs adjacent to the south east of the site, but is outside the site. The bridleway should remain unaffected.
9. Durham County Highways: No objections, however the submitted details are unclear. A full site layout plan showing the internal layout, parking and access arrangements needs to be provided.

officer analysis

10. The key issues for consideration are:
- Principle of Development
 - Impact on the Character and Appearance of the Surrounding Area
 - Highways and Parking
 - Sustainability

principle of development

11. In policy terms the proposal is deemed acceptable. The application site lies within the limits to development and is allocated for the type of development which is proposed by the applicants. The proposal is therefore deemed acceptable in relation to policy H3 and proposal I4 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

impact on the character and appearance of the surrounding area

12. It is considered that the design of the proposed building is acceptable and is in keeping with the building style which is found elsewhere on the industrial estate. The road-side elevation would have the appearance of an office building with a large amount of glazing, while the rest of the building within the site would be more industrial in character. The proposal satisfies the requirements of policy GD1 of the Wear Valley District Local Plan as amended

by Saved and Expired Policies September 2007. Details of external materials will need to be agreed. A condition is suggested.

13. The submitted plans indicate soft landscaping around the perimeter of the site. It is felt that given the prominence of the parking area on this prestige industrial estate further details of landscaping should be submitted to and agreed in writing by the local planning authority before the development is commenced. A condition requiring further details of the proposed landscaping arrangements is suggested to ensure the development satisfies policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007 in this respect.
14. The site is considered to be a prestige employment site and proposal I4 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007 states that only proposals for uses Class B1 and B2 will be permitted. Large land users such as Class B8, which provide few jobs, will not be allowed to waste prestige employment land in this location. A condition would therefore be appropriate to limit use of the proposed building to uses in Class B1 and B2 to retain the character of the industrial estate.

highways and parking

15. Vehicular access would be taken from an existing access point off Henson Close, at the end of the turning head. This part of Henson Close is 6.5m wide. The Highways Authority will allow 100m long cul de sacs serving light industrial units at 6.0m wide. The submitted details are unclear and full engineering details of parking and access will be required by condition.
16. 29 parking spaces and an additional 5 disabled spaces would be provided in the site. This level of provision is considered to be adequate for what is likely to be small light industrial uses with fewer employees than general office developments.
17. Subject to the imposition of a condition requiring the submission of full engineering details of parking and access, the proposal accords with the requirements of policies GD1 and T1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

sustainability

18. PPS1, including the Climate Change Supplement, PPS22, policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007 and policies 39 and 40 of the Regional Spatial Strategy (RSS) all place an emphasis on achieving sustainable development and energy efficiency. Climate change is high on the agenda and the Energy White Paper 2007 has given a statutory requirement to reduce carbon emissions and promote renewable energy and energy efficiency measures in all new development. The proposed development is therefore expected to achieve high standards of energy efficiency in construction and operation, as far as is possible and feasible. It is therefore considered appropriate to condition a requirement that further information is provided to demonstrate

that the development would minimise energy consumption in construction and the development would be energy efficient to run.

objections/observations

19. The occupiers of surrounding sites have been notified in writing, a site notice has been posted and an advert was placed in the local press. One observation has been received:
 - a) Concerned about the location of the access into the site and would query whether it is safe/practical for 3 roads from 3 separate development plots to terminate in such close proximity to the adopted roadway.

response to objections

20. The following comment is made in response to the issue raised:
 - a) The Durham County Highway Authority has not objected on this basis and considers the arrangement to be acceptable in principle, however the submission of further detailed plans will be required by condition.

conclusion and reasons for approval

1. Subject to conditions, the proposal is considered to be acceptable and in accordance with policies GD1, I1, I4 and T1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007, as well as with PPS1 as:
 1. The development would be located within the development limits of Bishop Auckland on land allocated for employment purposes.
 2. The development would not cause harm to the character and appearance of the surrounding area or conflict with adjoining land uses.
 3. The development would be served by a suitable vehicular access and have adequate parking provision.

RECOMMENDED

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

conditions

1. No development shall take place until samples of the materials to be used in the external surfaces of the building hereby permitted 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. Before the development hereby approved is commenced a scheme of landscaping shall be submitted to and approved in writing by the local planning authority. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed, are severely damaged or become seriously diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.
3. No development shall take place until a full site layout plan showing the proposed internal layout, parking and access arrangements has been submitted to and approved in writing by the local planning authority. Thereafter the development shall be implemented in accordance with the approved details.
4. Before the development hereby approved is brought into use the proposed vehicular access and car parking provision shall be completed in accordance with the approved details. Thereafter the car parking spaces shall be used and maintained in such a manner as to ensure their availability at all times for the parking of cars.
5. There shall be no storage in the open on the site of goods, materials, equipment, vehicles or waste except in areas which may be first approved in writing by the local planning authority.
6. No development shall commence until details showing how energy efficiency will be addressed in the development are submitted to and improved in writing by the local planning authority. The details shall include information on how the predicted energy use of the approved development compares to suitable benchmark data, as well as details of any on site measures to be taken to reduce the energy requirements of the approved development through use of renewable energy technologies if appropriate.
7. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through trapped gullies installed in accordance with a scheme previously submitted to and approved in writing by the local planning authority.
8. Notwithstanding the provisions of Town and Country Planning Use Classes (Amendment) Order 2005 and General Permitted Development (Amendment) Order 2005 et seq, the development hereby approved shall be used for Use Classes B1 and B2 only.

reasons

1. To ensure that the external appearance of the development will not be detrimental to the visual amenities of the area. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

2. 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.
3. In the interests of road safety and traffic convenience, and the amenities of the locality. In accordance with policies GD1 and T1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
4. In the interests of road safety and traffic convenience, and the amenities of the locality. In accordance with policies GD1, and T1 and proposal I4 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
5. In the interests of visual amenity. In accordance with policy GD1 and proposal I4 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
6. To reduce carbon emissions. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007 and policies 39 and 40 of the Regional Spatial Strategy (RSS).
7. To prevent pollution of the water environment. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
8. To make the most efficient use of prestige industrial land. In accordance with proposal I4 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

background information

Application files, Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007, PPS1, PPS4, PPS22, Regional Spatial Strategy (RSS) and the Energy White Paper 2007.

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number of days to Committee	<input style="width: 40px; height: 20px;" type="text" value="77"/>	target achieved	<input style="width: 40px; height: 20px;" type="text" value="√"/>		
explanation					

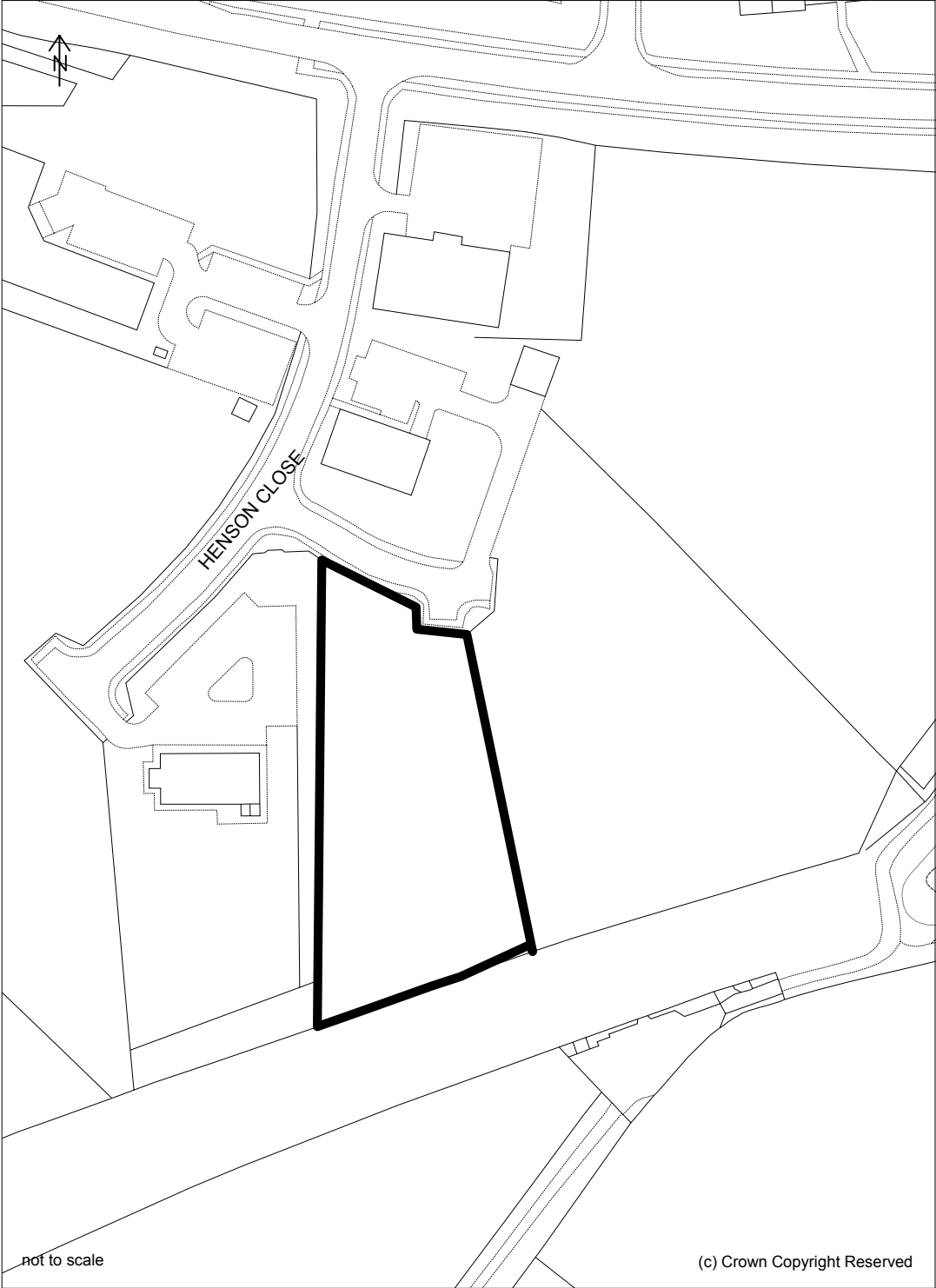
Officer responsible for the report

Robert Hope
 Strategic Director for Environment and Regeneration
 Ext 264

Author of the report

Adrian Caines
 Senior Planning Officer
 Ext 369

3/2008/0088 - CONSTRUCTION OF 4 ADJOINING INDUSTRIAL UNITS AT LAND ATHENSON CLOSE, SOUTH CHURCH ENTERPRISE PARK, BISHOP AUCKLAND FOR G.F. INTERIORS LIMITED – 29.02.2008



DEVELOPMENT CONTROL COMMITTEE

15TH MAY 2008

Report of the Strategic Director for Environment and Regeneration

PART 1 – APPLICATION FOR DECISION

3/2008/0188 - SUNROOM TO REAR & PITCHED ROOF EXTENDED OVER GARAGE AT 3 BALMORAL GROVE, BISHOP AUCKLAND FOR MR. YORKE - 11.03.2008

description of site and proposals

1. The application is reported to Committee because the applicant is a Councillor.
2. Planning permission is sought for the erection of a pitched roof above an existing attached flat roof garage, as well as a sun room and garage extension to the rear.
3. The property comprises a detached bungalow located towards the end of a cul de sac in Balmoral Grove, Bishop Auckland. The neighbouring dwellings in Balmoral Grove are all bungalows. The property has gardens to the side and rear. The rear garden is well enclosed by timber fencing.

planning history

4. None.

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:
 - FPG5 Alteration and Extensions Guidelines
 - GD1 General Development Criteria
 - H25 Residential Extensions

consultations

6. Durham County Highways: No objection.

officer analysis

7. The key issues for consideration are:
- Impact on the Character and Appearance of the Dwelling and Surrounding Area
 - Impact on the Living Conditions of Neighbours
 - Impact on the Character and Appearance of the Dwelling and Surrounding Area

impact on the character and appearance of the dwelling and surrounding area

8. The host dwelling is located at the end of a cul-de-sac containing similar bungalows. Only the proposed pitched roof would be visible from the highway and it is considered that this would not harm the appearance of the dwelling nor the street scene. The extensions to the rear would be small in scale and otherwise acceptable in their appearance. The proposal therefore accords with policies GD1, H25 and FPG5 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

impact of the living conditions and neighbours

9. The proposed pitched roof would be on the eastern end of the dwelling where the neighbouring dwelling No.2 has its garage. The proposal would be unlikely to cause harm to the living conditions of that neighbour in terms of being overbearing or causing overshadowing.

impact on the character and appearance of the dwelling and surrounding area

10. The rear extensions would be small in scale and located off the eastern boundary where they too would be unlikely to have any overbearing or overshadowing effects on neighbouring properties. The rear garden is also well enclosed by boundary fencing and therefore it is unlikely that there would be any loss of privacy to neighbours.

objections/observations

11. Occupiers of the surrounding properties have been notified in writing and a site notice was also posted.
12. No observations have been received.

conclusion and reasons for approval

1. The proposal is considered to be acceptable and in accordance with policies GD1, H25 and FPG5 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007 as it:
1. Would not cause harm to the character and appearance of the dwelling and surrounding area.
 2. Would not cause harm to the living conditions of neighbours.

RECOMMENDED

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

condition

1. The external surfaces of the extensions hereby approved shall be formed using materials which closely match in colour and texture those used on the existing building on which the extensions will form part.

reason

1. To ensure that the external appearance of the development will not be detrimental to the visual amenities of the area. 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

13

number of days to Committee

66

target achieved

No

explanation

The application has been taken to the first available Committee.

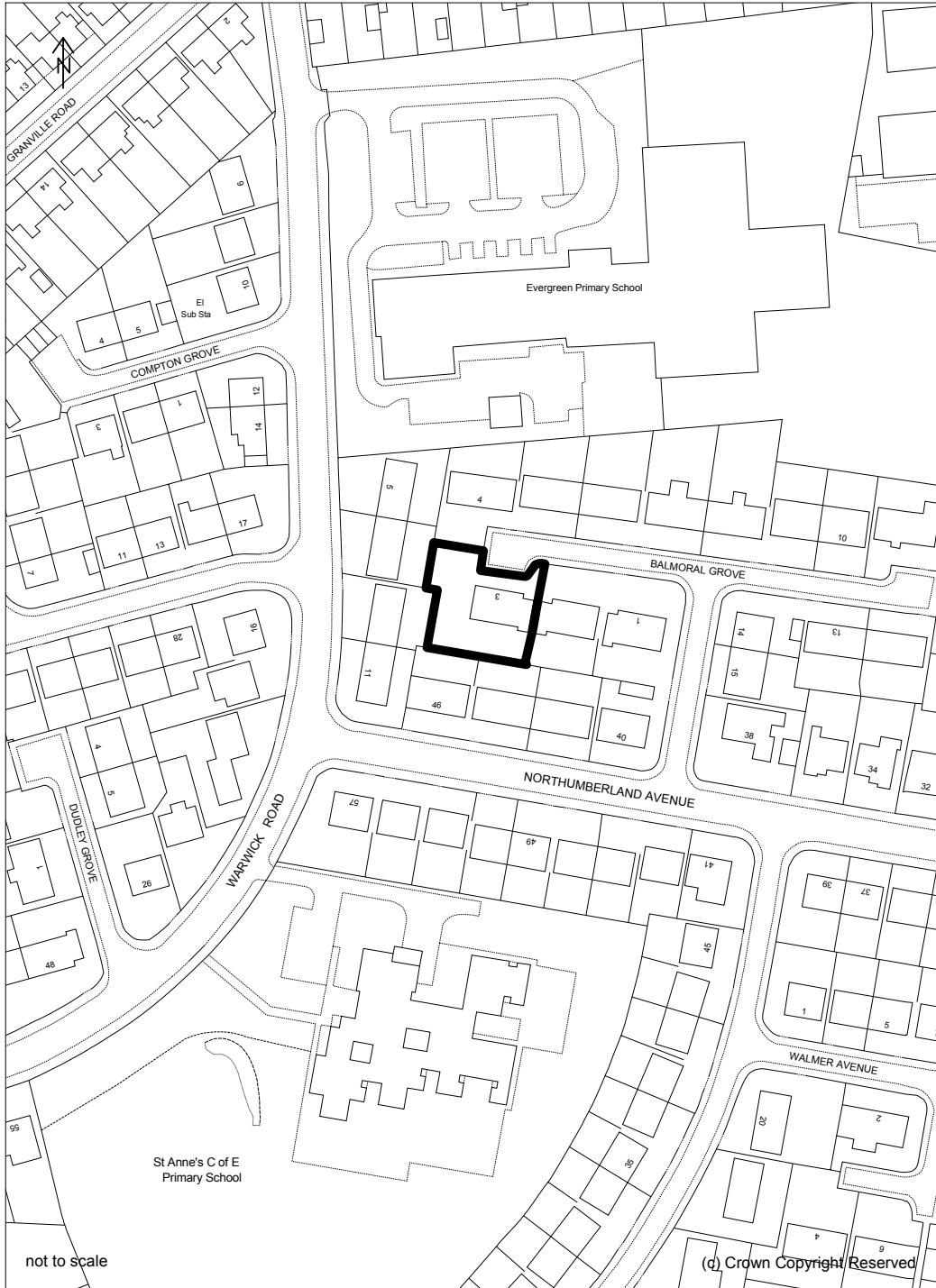
Officer responsible for the report

Robert Hope
Strategic Director for Environment and Regeneration
Ext 264

Author of the report

Adrian Caines
Senior Planning Officer
Ext 369

3/2008/0188 - SUNROOM TO REAR AND PITCHED ROOF EXTENDED OVER GARAGE AT 3 BALMORAL GROVE, BISHOP AUCKLAND FOR MR. YORKE - 11.03.2008



DEVELOPMENT CONTROL COMMITTEE

15th MAY 2008

Report of the Strategic Director for Environment and Regeneration

PART 1 – APPLICATION FOR DECISION

3/2008/0132 - AMENDMENTS TO ACCESS TRACK AT BROOMHILL PLANTATION , SUNNISIDE FOR EDF-ENERGY – 06.03.2008

description of site and proposals

1. This application seeks planning permission for the creation of access and service roads to serve the Broomhill Windfarm.
2. Members may recall that planning permission was recently granted for the creation of a windfarm with 4 turbines (3/2006/0087). Works have recently started on site following the discharge of all necessary conditions and this application seeks a solution which would enable access to the turbines without having to negotiate the circular route approved under the original consent.
3. The proposals under this application include realignment of the access tracks to turbines 2 and 4. The route of the realigned section follows an existing forestry track and would incorporate turning heads/service areas so that maintenance and construction vehicles would not need to follow the circular route.
4. The proposals relate to approximately 440 metres of track which is located outside of the original planning application boundary but is still within the general demise of the approved windfarm.

planning history

5. The planning history relating to the site is set out below:
 - 3/2006/0087 Windfarm Approved 03.01.08

planning policies

6. 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:

- MW4 Renewable Energy Allocation
- GD1 General Development Criteria
- ENV1 Protection of the Countryside
- ENV11 Sites of Nature Conservation Importance and Local Nature Reserves
- ENV16 Community Forests

Also relevant is the emerging Regional Spatial Strategy

consultations

7. CDE&TS (Highways): No objections

officer analysis

8. The key issues for consideration are:

- Landscape and Visual Impact
- Impact on Nature Conservation
- Legal Agreement

landscape and visual impact

9. Notwithstanding the principle of the windfarm development which has already been established under planning permission 3/2006/0087, it falls that the key issue for consideration under this application is that of landscape and visual impact.
10. The proposed roads would be located within the immediate vicinity of the approved windfarm. It is important to note that the developers would not seek to implement in entirety the road layouts approved both under this application and the original consent but would, where possible, omit parts of the original alignment. Subject to further assessment on site, this could result in as much as 635 metres of track not being laid and a significant reduction in earthworks.
11. In view of the location of the track now being sought compared to the already approved extent of development, it is considered that the landscape impact would not be increased. Indeed this proposal would potentially significantly reduce the visual impact of the required road layout. The proposal is therefore in accordance with policies GD1 and ENV1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

impact on nature conservation

12. As the proposed track amendments largely follow the existing forestry tracks and are located within the areas cleared for the wider windfarm development, it is not considered that there would be any additional or detrimental impact on nature conservation. The application is therefore in accordance with policies GD1 and ENV11 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

legal agreement

13. Planning permission for the windfarm was granted subject to a legal agreement which requires steps towards the acquisition of Stanley Moss and the subsequent funding of environmental management and enhancement works. It is considered appropriate that the legal agreement is updated with a supplement to ensure that if the original planning consent is not implemented in entirety as a result of this application, the terms of the legal agreement still apply.

objections/observations

14. The application was advertised on site and in the local press. Neighbours and objectors to the previous planning application were also notified in writing.
15. One letter of representation has been received expressing hope that this will be the only amendment to the original permission.

response to observations

16. The wishes of interested parties are noted, however, subject to following the appropriate planning process, further amendments may be submitted if the applicant wishes to alter the scheme further.

conclusion and reasons for approval

1. The development is acceptable in principle by virtue of the previous approval, and would be considered to have an identical, or lesser landscape impact than the road layout which has been approved as part of the wider windfarm development. The proposals are in accordance with in accordance with policies GD1 and ENV1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
2. The proposed alignment of the access tracks would not have an additional or detrimental impact on nature conservation and is in accordance with policies GD1 and ENV11 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

RECOMMENDED

That, subject to a supplement to the existing Section 106 Agreement dated 3rd January 2008, planning permission be **GRANTED** subject to the following conditions and reasons;

conditions

1. Details of the surface treatment and construction of all hard surfaced areas shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. The approved details shall be implemented in full prior to the first commercial generation of electricity by the windfarm.

2. No construction activities shall be carried out on the site on any Sunday or Bank Holiday or outside of the hours of 8.00 a.m and 6.00 p.m Mondays to Fridays or outside of the hours of 8.00 a.m and 12 noon on Saturdays.
3. No construction activity shall take place on the site within the bird-breeding season (March to August inclusive).

reasons

1. To achieve a satisfactory standard of development and in accordance with policies GD1 and ENV1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
2. In the interests of amenity and to accord with policy GD1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
3. In order to protect nature conservation interests on the site. In accordance with policies GD1 and ENV11 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

background information

Application files, Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007, Emerging RSS.

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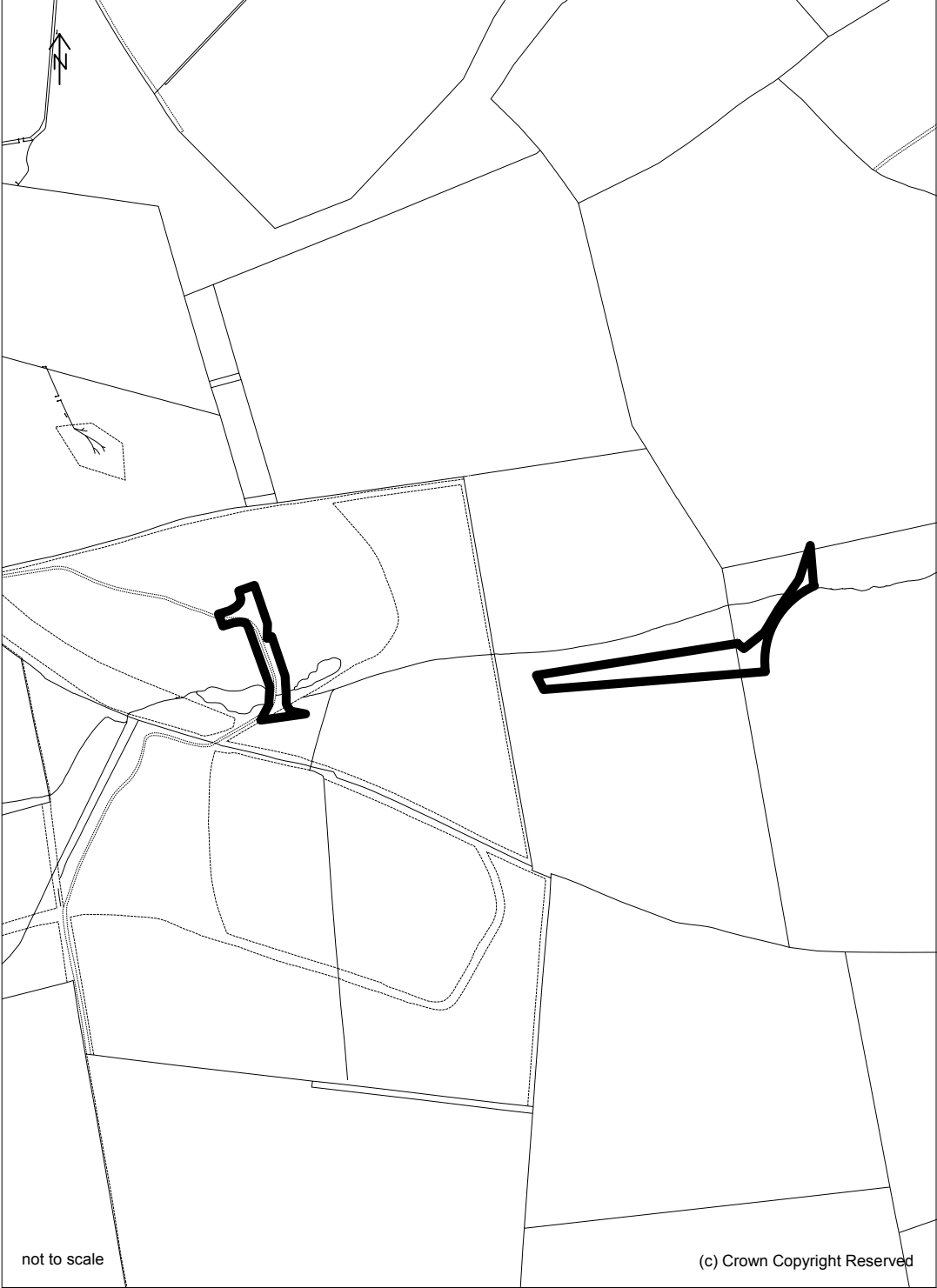
Officer responsible for the report

Robert Hope
 Strategic Director for Environment and Regeneration
 Ext 264

Author of the report

Sarah Eldridge
 Principal Planning Officer
 Ext 267

3/2008/0132 - AMENDMENTS TO ACCESS TRACK AT BROOMHILL PLANTATION, SUNNISIDE FOR EDF-ENERGY - 06.03.2008



DEVELOPMENT CONTROL COMMITTEE

15TH MAY 2008

Report of the Strategic Director for Environment and Regeneration

PART 1 – APPLICATION FOR DECISION

3/2008/0098 - PIGEON LOFT AT PLOT 5 WOODHOUSE CLOSE ALLOTMENT SITE, MURPHY CRESCENT, BISHOP AUCKLAND FOR R. LATCHAM AND S. HOWE (RETROSPECTIVE) - 11.03.2008

description of site and proposals

1. Retrospective planning permission is sought for the retention of a pigeon loft at the above address. The pigeon loft measures 8.5 metres in length, 1.8 metres in width and 3.2 metres to the highest point. The pigeon loft is constructed from plywood sheeting and has been coloured cedar red and is raised by approximately 500mm from the ground on concrete pillars, and has a pantile roof.
2. The application site consists of plot 5 of Woodhouse Close Allotments. The plot lies to the northern end of the allotments, approximately 30 metres south of the rear of nos. 68 and 70 Woodhouse Lane. The allotments contain various structures of varying materials and sizes. The allotment is bounded to the highway by a 1.8 metre high wire mesh fence.

planning history

3. None.

planning policies

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

consultations

5. None.

officer analysis

6. The area of land is used as an allotment. Allotments, by their nature are occupied by an assortment of different buildings for different uses. The building is constructed from timber painted cedar red, with a pantile roof, and is suitable for its intended use.
7. The proposal although quite prominent from the rear of Woodhouse Lane, is within a group of existing buildings in the allotment, and it is considered that the pigeon loft is not detrimental to the character of the surrounding area. The proposal accords with policy GD1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies 2007.
8. The nearest dwellings are located approximately 30 metres north of the pigeon loft. It is considered that this is sufficient distance as to not cause any loss of residential amenity to surrounding occupiers. The proposal accords with policy GD1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies 2007.
9. The issue of nuisance from the birds is dealt with under other legislation, as is the keeping of the birds in a safe and fit manner.

objections/observations

10. Occupiers of the surrounding properties have been notified in writing and a site notice was also posted.
11. One letter of objection/ observation has been received, the details of which are set out below;
12.
 - a) The size of the building has blocked the view from our kitchen window.
 - b) The loft next door is accumulating waste facing the street.
 - c) The noise from cleaning the lofts

response to objections/observations

13.
 - a) Loss of view is not a material planning objection.
 - b) This cannot be dealt with through this planning application.
 - c) Issues of nuisance would be a matter for the Public Protection Department.

reasons for approval

14. A pigeon loft is one of the structures that one would expect to see on an allotment garden. The pigeon loft does not appear prominent within the street scene and is located approximately 30 metres from the rear of the dwellings on Woodhouse Lane. This is sufficient distance to ensure that the occupiers of neighbouring dwellings do not suffer any loss of residential amenity. The proposal accords with policy GD1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies 2007.

RECOMMENDED

That planning permission be **GRANTED**.

background information

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

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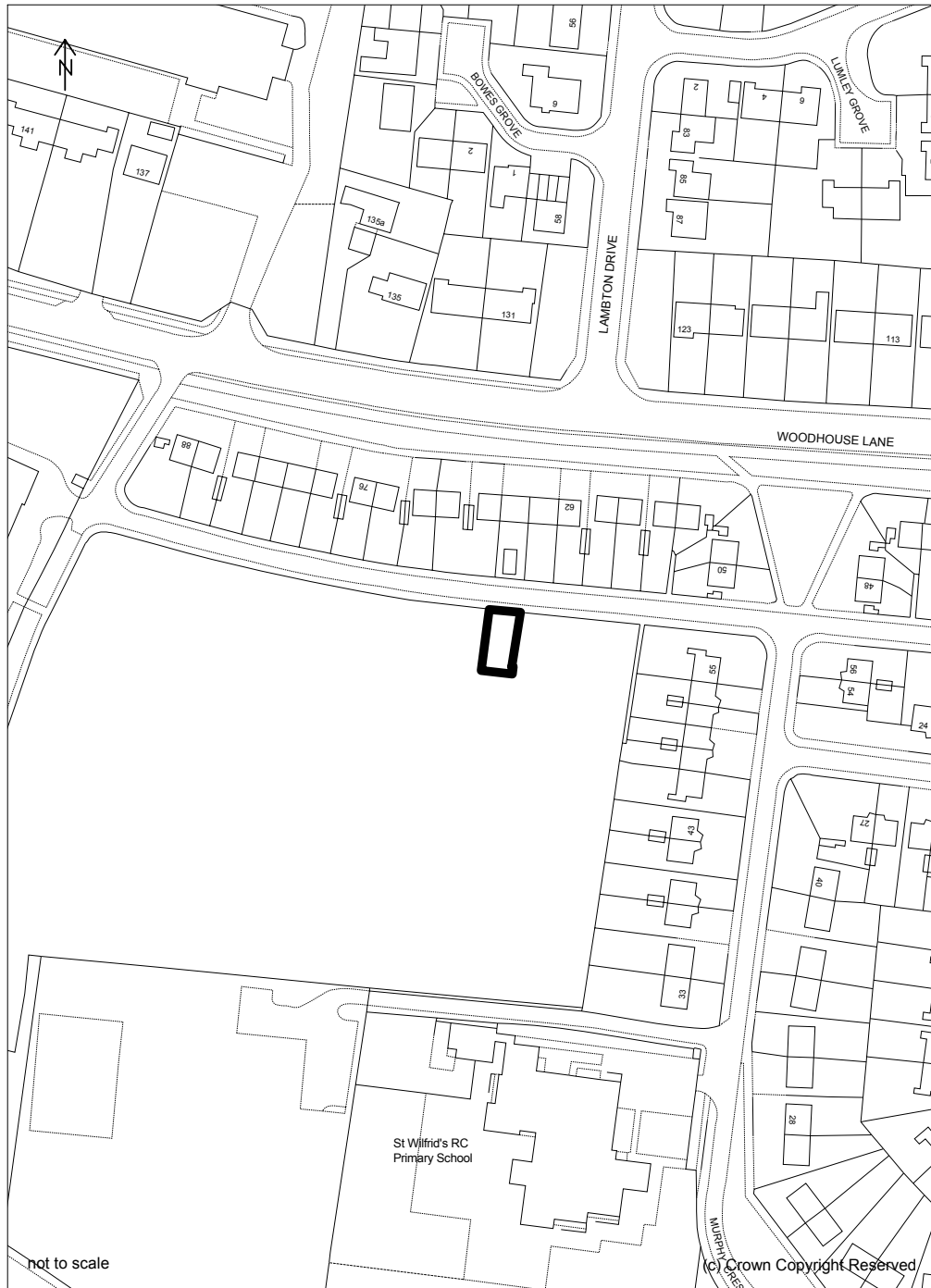
Officer responsible for the report

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Author of the report

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Ext 495

3/2008/0098 - PIGEON LOFT AT PLOT 5 WOODHOUSE CLOSE ALLOTMENT SITE, MURPHY CRESCENT, BISHOP AUCKLAND FOR R. LATCHAM AND S. HOWE (RETROSPECTIVE) - 11.03.2008



DEVELOPMENT CONTROL COMMITTEE

15th MAY 2008

Report of the Strategic Director for Environment and Regeneration

PART 1 – APPLICATION FOR DECISION

**3/2008/0163- 1 NO DORMER BUNGALOW AT LAND ADJACENT TO MEADOWS
END, SOUTH ACRE, OAKENSHAW FOR MR. CHESTER – 11.03.2008**

description of site and proposals

1. Full planning permission is sought for the erection of 1no. dormer bungalow on land at the end of South Acre, Oakenshaw, which is within the development limits of Oakenshaw. The site is currently occupied by a large shed and has been used as an allotment. It is the last undeveloped plot towards the end of South Acre and is flanked on each side by new dwellings.
2. The growth of South Acre has seen dwellings developed on an ad hoc basis from 1993 when outline permission was granted, to the present where dwellings to the north of the application site are still under construction. Outline planning permission for a bungalow was granted on the site, as one of 4 others ref 3/1996/0169, in 1996, but this has now lapsed.
3. The proposed dormer bungalow would be similar in design and appearance to the other new dwellings in South Acre and would be a handed version of the adjacent dwelling to the north; however, the use of materials would be different.

planning history

4. The following planning history for the site is:

- | | | |
|---------------|--|---------------------|
| • 3/1996/0169 | Outline Application for
4 Bungalows | Approved 22.05.1996 |
|---------------|--|---------------------|

History of the surrounding plots is also relevant:

- | | | |
|---------------|---|---------------------|
| • 3/2006/0328 | 1 Dormer Bungalow
(No.26) | Approved 22.06.2006 |
| • 3/2006/0076 | Detached Dwelling
(No.22) | Approved 23.03.2006 |
| • 3/2005/0817 | 2 Dwellings
(adjacent to School House) | Approved 24.11.2005 |

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 Highways Policy

Also relevant are PPS1 and PPS3, as well as Policy 3 of the Regional Spatial Strategy (RSS)

consultations

6. Durham County Highways Authority: No objection subject to the requirement that the new vehicle access is constructed in accordance with Section 184(3) of the Highways Act.
7. Northumbrian Water: No objections.

officer analysis

8. The key issues for consideration are:
- The Effect on the Creation of Sustainable Patterns of Growth in the Local Area
 - The Impact on the character and appearance of the surrounding area.
 - Residential amenity
 - Highways

the effect on the creation of sustainable patterns of growth in the local area.

9. The main issue is one of principle given both existing and emerging national, regional and local policies of development restraint outside established settlements.
10. The starting point for consideration is the development plan. To this effect, the application site is located within the limits to development for Oakenshaw, as defined in the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007. Policy H3 has been saved and states that, subject to various provisos, housing development will be permitted in such areas. The application is therefore not a departure and there is therefore a presumption in favour of allowing the proposal, unless other material considerations indicate otherwise.
11. The Secretary of State's proposed changes to the draft revision of the RSS were published in May 2007 and the RSS is therefore afforded significant weight as a material consideration. Policy 3 sets out a sequential approach to prioritise and guide new development to the most sustainable locations

defined as the “urban areas” and “other settlements identified in Local Development Frameworks as providing significant opportunities in terms of providing previously developed land and buildings”. In April 2007, the Council’s Special Regeneration Committee approved a sequential approach to decision making on housing applications in line with the emerging RSS. Oakenshaw would not be considered as one of the identified urban areas as it is lacking in public services, facilities and employment opportunities. The inhabitants rely on urban areas such as Crook/Willington, Durham and Bishop Auckland for most daily needs and therefore Oakenshaw cannot in turn be considered as a sustainable location.

12. Nevertheless, the Council’s approach has yet to go through public consultation and LDF documents have yet to be prepared that specifically preclude Oakenshaw as one of the “urban areas” or “other” suitable areas to receive new housing development. This, together with the saving of Policy H3 of the Wear Valley District Local Plan, creates some conflict with the above approach in considering minor development proposals, although it could be said that the general sustainability provisions of the RSS remain relevant as it is the most recent and up to date policy framework.
13. In these circumstances, I consider it appropriate to consider the proposal in line with the sustainability provisions of PPS1 and PPS3 and to determine whether there are special circumstances to overcome any harm.
14. For the reasons above and in line with PPS1 and PPS3, I consider Oakenshaw to be an unsustainable location and therefore incapable of accommodating further major residential development. This would be consistent with the overall aims of the RSS. This proposal however, is for just a single dwelling within the development limits and on a single plot, which is the last available in South Acre. It is therefore unlikely that granting consent would lead to yet more housing developments in the street. In addition, the land to the west, south and east of South Acre is outside the development limits. I am therefore satisfied that the proposal is for such a small scale of new housing development that it would not prejudice the wider aims of securing sustainable patterns of development in line with the above policy approaches and this would not prejudice the Council’s housing numbers.
15. In addition, being on the last vacant plot, the development would “finish off” the street. It is presently the only gap in the houses along the street and is flanked by new housing on each side and opposite, some of which are still under construction. There is currently a large greenhouse building occupying the site, which does not fit in or contribute to the character of the street scene. Apart from the materials, the proposed dwelling would be similar in character to the other dwellings in the street. In this circumstance I consider that the benefits of seeing the site developed with something more in character carry significant weight. This, together with the above reasoning in relation to the limited scale of the proposed development, are considered to be special circumstances in this case alone to overcome the general regional and national policy presumptions of restraint.

the impact on the character and appearance of the surrounding area

16. The benefits of seeing the site developed with something appropriate has already been covered and 4 no. letters of support have been received from residents of South Acre. The proposed materials however, consisting predominantly of render, are considered to be wholly out of character with the rest of the surrounding development at this end of South Acre. While there is brick elsewhere in the street on 2 of the two storey dwellings, all the neighbouring dormer bungalows are constructed in stone. This creates a very distinctive and high quality character in this part of South Acre. For all the benefits of seeing the site developed, this would be undone by inappropriate use of materials as proposed. It is therefore considered, that in order for the proposed dwelling to properly harmonise with its neighbours, it should be conditioned that the dormer bungalow is constructed in stone to match its neighbours. This would accord with policies GD1 and H3 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

residential amenity

17. The site is fairly level and therefore the dwelling would not be overbearing on its neighbours, although existing and proposed levels should be conditioned to ensure this remains so.
18. Privacy distances would be met outside the site. Bedroom 4 would look out at a gable wall less than 15m away, however as this is not a primary bedroom, it is considered that it is up to the occupants to accept this somewhat substandard internal arrangement. There are no neighbours to the rear and the property would have an adequate private rear garden, the same size as its neighbours. This accords with policies GD1 and H24 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

highways

19. The County Highways Authority has no objection to the proposed vehicular access. The dwelling would have an integral garage and further space would be available within the site to the front for additional car parking, thereby meeting the County parking standards. The proposal therefore accords with policies GD1 and T1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

sustainability

20. Since 1 May 2008 the Code for Sustainable Homes is mandatory for all new housing development, however a registration certificate is not required for this application because it was received before 1 May 2008. Nevertheless, this highlights the importance of sustainable design in the current policy climate and the thrust of planning policy in PPS1 and the Climate Change Supplement, PPS3 and PPS22; as well as policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September

2007. These all require new development to be energy efficient. Given that the site is considered to be in an unsustainable location, it is considered to be even more important to ensure the new development is designed and constructed to be energy efficient to mitigate some harm. It would therefore be appropriate to condition further details to demonstrate how the proposed dwelling would be energy efficient.

objections/observations

21. Occupiers of the surrounding properties have been notified in writing, a site notice was posted and the application was advertised in the local press. Four supporting representations have been received.
22. One letter notes that the development would improve the character of the area by removing the unsightly structure that currently occupies the site.

conclusion and reasons for approval

1. Although the proposed dwelling would be located outside the main urban centres of the district and in an unsustainable location, it is considered that because the proposal is only for a single dwelling that would complete and improve the street, and is unlikely to lead to further housing development, special circumstances exist in this case to justify the granting of planning permission as an exception as:
 1. It would be located within the development limits of Oakenshaw and would not prejudice the wider aims of securing sustainable patterns of development in the local area, nor the district's oversupply of housing.
 2. Subject to suitable use of materials it would have significant benefits in improving the character of South Acre and finishing off the street.
 3. It would not cause harm to the living conditions of neighbours and would offer a suitable level of amenity.
 4. It would be served by an acceptable access and parking arrangement.

RECOMMENDED

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

conditions

1. No development shall take place until samples of the materials to be used in the external surfaces of the building hereby permitted 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. Notwithstanding details on the submitted plans the external walls of the dwelling hereby approved shall be constructed in natural stone to match neighbouring dwellings. No development shall commence until a sample panel of the stonework has been made up on site for the written approval of the local planning authority. Thereafter the development shall be carried out in accordance with the approved details.

3. Development shall not begin until details of the existing and proposed site levels and the finished floor levels of the proposed dwelling and those of existing neighbouring dwelling houses have been submitted to and approved in writing by the local planning authority; and the works shall be completed in accordance with the approved details.
4. 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 first occupied.
5. Before the commencement of any other parts of the development hereby approved, the proposed vehicular access to the highway shall be constructed in accordance with Section 184(3) of the Highways Act 1980 and to the satisfaction of the local planning authority.
6. Development shall not commence until details demonstrating how energy efficiency will be addressed in the development hereby approved have been submitted to and approved in writing by the local planning authority and thereafter the development shall be implemented and retained in accordance with the approved details. The details shall include an assessment of the predicted energy performance of the approved dwelling against suitable baseline data.

reasons

1. To ensure that the external appearance of the development will not be detrimental to the visual amenities of the area. In accordance with policies GD1 and H24 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
2. To ensure that the external appearance of the development will be in harmony with surrounding development in order to protect the character of the area. In accordance with policies GD1 and H24 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
3. To secure a satisfactory standard of development and to protect the amenity of adjacent residents. In accordance with policies GD1 and H24 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
4. 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.
5. In the interests of highway safety and efficiency. In accordance with policies GD1 and T1 of the Wear Valley District Local Plan as amended by Saved and expired Policies September 2007.

6. In the interests of reducing carbon emissions. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007 and PPS1, the PPS1 Climate Change Supplement and PPS22.

background information

Application files, WVDLP Plan as amended by Saved and expired Policies September 2007, PPS1, PPS3, RSS.

PS code

6

number of days to Committee

66

target achieved

No

explanation

Although the application is not a departure it has been brought to Committee because it is against the general sequential approach to development adopted by the Council in line with the Regional Spatial Strategy (RSS). The application has subsequently been taken to the first Committee following expiry of the site notice.

Officer responsible for the report

Robert Hope

Strategic Director for Environment and Regeneration

Ext 264

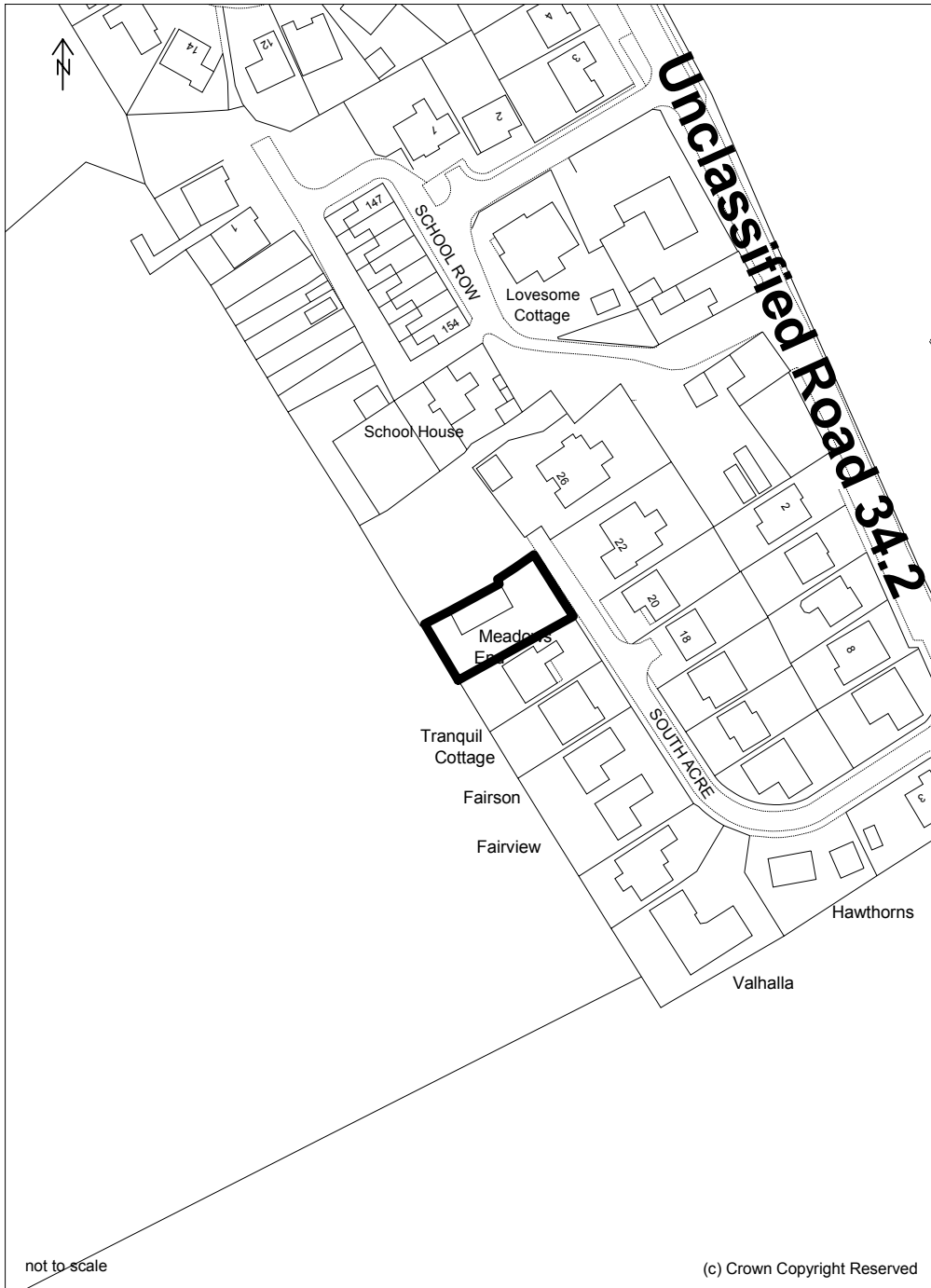
Author of the report

Adrian Caines

Senior Planning Officer

Ext 369

3/2008/0163 - 1 NO DORMER BUNGALOW AT LAND ADJACENT TO MEADOWS END, SOUTH ACRE, OAKENSHAW FOR MR. CHESTER - 11.03.2008



DEVELOPMENT CONTROL COMMITTEE

15TH MAY 2008

Report of the Strategic Director for Environment and Regeneration

PART 1 – APPLICATION FOR DECISION

3/2008/0229 - BUSINESS PARK COMPRISING B1, B2, B8 AND A3 USES AT LAND SOUTH OF DOVECOT HILL, SOUTH CHURCH ENTERPRISE PARK, BISHOP AUCKLAND FOR MR GLASS, GUSTONI DEVELOPMENTS – 27.03.2008

description of site and proposals

1. The application site comprises of a vacant parcel of open land located south of Dovecot Hill and east of Henson Close within the South Church Enterprise Park at Bishop Auckland. The site is allocated in the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007 as a Prestige Industrial Site under Proposal I4. The adopted highway is located directly north of the application site with commercial buildings located beyond. There are commercial buildings to the east and west of the site.
2. Planning permission is sought for a mixed use development incorporating offices and small industrial units which would comprise of a mix of B1, B2 and small element of B8 use. 9 no. office blocks are proposed, eight of which would be of a two storey design, and one office block would be of a three storey design positioned centrally within the office development. 20 no. small industrial units are proposed which would be split into three individual blocks. The industrial units are a traditional single storey industrial design. An ancillary cafeteria building is proposed within the development.
3. The development is to be accessed from a new road which would be taken from the highway to the north of the site. The office blocks would be positioned to the north of the site with the industrial units grouped together to the south of the site. The cafeteria building would be situated centrally on the east boundary of the site.

planning history

4. There is no recent planning history relevant to this planning application.

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
- I4 Prestige Industrial Sites
- T1 Highways – General Policy

consultations

6. WVDC (Economic Development): Commented orally stating they are fully supportive of the proposed development.
7. Durham County Council (Highways Authority): None of the car parking or servicing areas will be eligible for adoption. The main access road at the west of the site could be adopted. Full engineering details must be submitted for the adoptable length of highway.
8. Bishop Auckland Town Council: No comments.
9. Northumbrian Water: No comments.
10. Environment Agency: A Flood Risk Assessment (FRA) has been submitted. The Environment Agency have indicated that if the Council is minded to grant planning permission, a condition should be imposed.

officer analysis

11. The key issues for consideration are:

- Principle of Development
- Visual Impact on Surroundings
- Highway Issues

principle of development

12. Proposal I4 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007 states that:

‘Proposals for office and business uses (Class B1) and general industry (Class B2) will be permitted.’

13. The proposed development is predominantly for Class B1 and B2 use in the form of office and industrial units. In respect of these elements of the proposal, the development is considered to be in accordance with Proposal I4 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
14. A cafeteria (Class A3) and some general B8 use accommodation are also proposed within the development and these elements need to be considered further.

15. Proposal I4 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007 specifically states that uses which fall under Class Use A3 should not be permitted on this site. In the justification for Proposal I4 it is indicated that because of the relative scarcity of such good quality land, such as the application site, efforts should be made to preserve it for B1 and B2 uses. The site is to be predominantly utilised as B1 and B2 use, and the cafeteria element is described as ancillary to the main development. It is also noted that the proposed cafeteria is of a limited scale and the proposed plans show a meeting room incorporated within the cafeteria which the applicants have indicated could be utilised by the employees of the surrounding offices. Given the scale of the proposed cafeteria, it is considered that the cafeteria would genuinely be ancillary to the proposed development which could also be utilised by employees of other existing businesses within South Church Enterprise Park. The proposed cafeteria would provide an opportunity to create a vibrant, self contained development which would retain employees on the site throughout the working day, which would also promote green travel objectives. Whilst the cafeteria element of the proposed development would not directly accord with the description of Proposal I4, it is not considered to conflict with the aims of Proposal I4 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
16. The applicants have also indicated that of the 20 industrial units proposed to the rear of the site, 25% would be utilised as B8 use. Proposal I4 does not specifically indicate in the description that B8 uses are not permitted however the justification for the Proposal does state that *'Large land users which provide few jobs such as warehousing and storage (B8) will not normally be allowed.'* It is noted that Proposal I4 (Prestige Industrial Sites) intends to provide high quality industrial development which can compete against the very attractive sites now available in many parts of the UK. Whilst B8 uses are not specifically indicated as the preferred use for development on this site, only 25% of the industrial units would be for B8 uses which is considered small in comparison to the large scale of the overall development, and it is not considered that this would compromise the attractiveness of the development or contradict the aims of Proposal I4 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
17. On balance, the majority of the site is to be developed for B1 and B2 use which is in direct accordance with Proposal I4 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007. The cafeteria and B8 use elements of the proposed scheme are to be ancillary to the main development and are considered acceptable as they would not compromise the aims of Proposal I4.
18. There are specific uses which are indicated in Proposal I4 which should not be allowed on Prestige Industrial Sites. These specific activities and uses are recommended to be prohibited on the site through the means of planning conditions. Conditions are recommended accordingly.

visual impact on surroundings

19. Proposal I4 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007 offers justification that:

'Prestige sites are high quality, strategically located major industrial sites capable of competing against the very attractive sites now available in many parts of the UK. Sites should be designed to a high standard with good landscape and building quality.'

20. The proposed development site is allocated as a Prestige Site therefore the scheme has to be of a high quality which reflects the appearance of the existing South Church Enterprise Park.
21. The proposed development comprises of two main elements. These are the office units to the north and the industrial blocks to the south. The industrial units would be sited away from the main highway which runs through South Church Enterprise Park. The industrial units are all single storey and are a typical industrial design combining block work and corrugated metal cladding. Although the design and materials of the industrial units may not be normally acceptable on a prestige site, it is noted that these industrial units would not be highly visible from the main transport links through South Church Enterprise Park. The industrial units would be set away from the main highway and would be heavily screened by the office units which would be located between the main highway and the industrial units. In this case the style, design and materials of the industrial units are considered acceptable.
22. The office units would be located to the north of the site which fronts onto the main highway which is the main transport link through South Church Enterprise Park. The office units are all of a two storey design with the exception of one three storey office block which would be located centrally on the north boundary. This three storey office block would provide an interesting focal point to the development which offers an attractive feature to the site and the surrounding area. The layout of the office units show two parallel rows, with the parking facilities for the offices being set in between. A row of the office blocks would be set along the main highway and would provide a strong frontage. The Design and Access Statement submitted by the applicants indicated that the office units are derived from a contemporary design specification. The statement further indicates that the units would be finished in brickwork to provide a high quality finish. The proposed elevation drawings for the office units also show an element of glazing. It is considered that the mix of brickwork and glazing for the office blocks would provide a high quality image which would reflect the high standard of the South Church Enterprise Park. A small amount of landscaping has been indicated on the proposed plans, and it is essential that landscaping is incorporated within the scheme to ensure the development is visually attractive. A condition is recommended accordingly.

23. The cafeteria building would be of a single storey design and would be constructed of a mix of brickwork, glazing and timber cladding. The design and use of different materials for this building is considered to be of a high quality and would not compromise the attractiveness of the overall development.
24. Given the sensitive layout of the scheme, by situating the office units to the front of the development where they would be highly visible from a public view point, and screening the industrial units to the rear of the site, it is considered that the proposed development would contribute positively to the high quality standard of the South Church Enterprise Park. The proposal is in accordance with Policy GD1 and Proposal I4 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

highway issues

25. The proposed development is to be accessed directly off the main highway to the north of the site. The development would incorporate an area for car parking for the office blocks and the industrial units. Durham County Council Highways Authority have been consulted on the application. The Highways Officer has requested several minor amendments to the scheme. Amended plans have been received which show the introduction of several footpath links within the scheme and slight alteration to the access road on the west boundary in order to satisfy the Highway Officer's requirements. The Highways Officer has raised no objections to the main access to the site, the layout of the scheme or the parking provision provided within the development.
26. With the application, a Travel Plan and a Transport Assessment were submitted. These reports have made an assessment of the existing public transport, cycling and walking routes and collected data on current traffic patterns. These reports conclude that the proposed development is accessible to the surrounding area and that the development traffic could be accommodated by the local highway network.
27. It is considered that the proposed development would not have a detrimental impact on the existing road network and would not compromise road safety. 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

28. The occupiers of surrounding properties have been notified individually in writing of the application. A site notice and a press notice were also posted advertising the application.
29. No observations have been received.

conclusion and reasons for approval

1. The majority of the site is to be developed for B1 and B2 use which is in direct accordance with Proposal I4 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007. The cafeteria and B8 use elements of the proposed scheme are considered to be ancillary to the main development. Each application has to be determined on its own merits and the proposed development in this application is considered acceptable as the cafeteria and B8 elements would not compromise the aims of Proposal I4 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
2. The proposed development would provide an interesting and attractive frontage by siting the office units to the north of the site adjacent to the main highway. The design and materials proposed for the office units would provide a high standard finish which would be visually attractive to the surrounding area. The proposed industrial units would not be highly visible from any public viewpoint as they would be located away from the main highway and screened by the office development. The proposed development is considered to be designed to a high standard which would contribute positively to the high quality standard of the South Church Enterprise Park. The proposal accords with the aims of Policy GD1 and Proposal I4 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
3. The proposed development provides adequate parking provision and the layout and access are considered acceptable in highway terms. There are sufficient and acceptable footpath links within the site. The proposed development is accessible to the surrounding area and the development traffic would be accommodated by the local highway network. The proposal accords with policies GD1 and T1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

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 buildings have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
2. The development hereby approved 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 buildings shall not be occupied until that work has been carried out in accordance with the approved details.

3. The development hereby approved shall not begin until details of the existing and proposed site levels and the finished floor levels of the proposed buildings and those of existing neighbouring buildings have been submitted to and approved in writing by the local planning authority; and the works shall be completed in accordance with the approved details.
4. Before the development hereby approved is commenced a scheme of landscaping shall be submitted to and approved in writing by the local planning authority which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development.
5. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed, are severely damaged or become seriously diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.
6. 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 buildings hereby approved are commenced.
7. Before the development hereby approved is commenced full engineering details of the proposed new road, including an engineering layout, shall be submitted to and approved in writing by the local planning authority, and before the buildings hereby approved are occupied the subsequently approved engineering details shall be implemented to the satisfaction of the local planning authority.
8. Before the development hereby approved is commenced wheel washing equipment shall be provided at all egress points. The equipment installed shall be of the grid type to ensure that once the bottom of the vehicle is cleansed of mud, etc. this mud, etc. is not trailed onto the public carriageway. The wheelwashing equipment shall be used on all vehicles leaving the site during the period of construction works.
9. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through an oil interceptor installed in accordance with a scheme previously submitted to and approved in writing by the local planning authority. Roof water shall not pass through the interceptor.
10. There shall be no storage in the open on the site of goods, materials, equipment, vehicles or waste except in areas which may be first approved in writing by the local planning authority.

11. The business units hereby approved shall not be used for scrapyards, car sales, petrol sales, lorry parks and for the storage and distribution of minerals.

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 ensure a satisfactory standard of development and to ensure that the development is not unduly prominent within the surrounding landscape. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
4. 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.
5. To ensure the implementation of the approved landscape scheme within a reasonable time. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
6. 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.
7. In the interest of highway safety. In accordance with policies T1 and GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
8. In the interest of traffic safety and to safeguard the amenity of the surrounding area. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
9. To prevent pollution of the water environment. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
10. In the interest of visual amenity. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
11. To avoid the introduction of inappropriate uses on the site and to ensure adjoining or nearby buildings are not adversely affected. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

5background information

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

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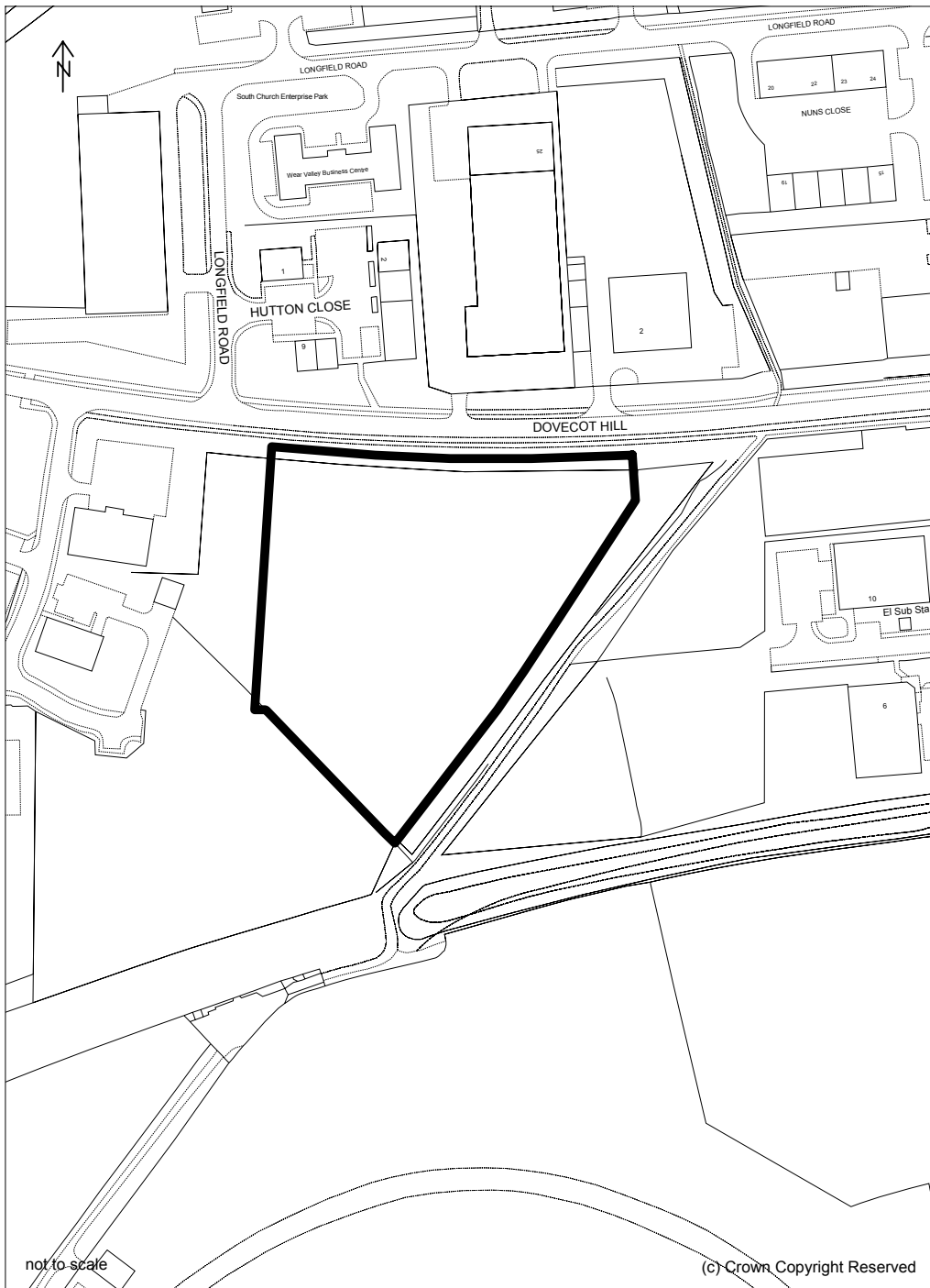
Officer responsible for the report

Robert Hope
Strategic Director for Environment and Regeneration
Ext 264

Author of the report

Chris Baxter
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Ext 441

3/2008/0229 - BUSINESS PARK COMPRISING B1, B2, B8 AND A3 USES AT LAND SOUTH OF DOVECOT HILL, SOUTH CHURCH ENTERPRISE PARK, BISHOP AUCKLAND FOR MR. GLASS, GUSTONI DEVELOPMENTS - 27.03.2008



DEVELOPMENT CONTROL COMMITTEE

15TH MAY 2008

Report of the Strategic Director for Environment and Regeneration

PART 111 – OTHER ITEMS

PROPOSAL BY BT TO REALIGN PAYPHONE PROVISION TO MEET CUSTOMER DEMAND

introduction

1. BT have consulted the Council regarding a proposal to remove some public payphones in the district.

background

2. BT have stated that 90% of UK homes now have a phone at home and 85% have a mobile phone. There are currently 61,792 public payphones in Great Britain and 60% of these no longer cover their costs. Against this background BT constantly needs to review payphone usage and on occasions looks to realign the public payphone provision more closely to the reducing demand that still exists.

proposal

3. In Wear Valley district there are currently 10 public payphones which are little used by consumers and therefore BT proposes to remove them. These are located at:
 - Pco, Ruffside, Consett, DH8 9TY
 - On The Green, Pco, High Street, Witton le Wear, Bishop Auckland, DL14 0AX
 - Pco, Hill End, Frosterley, Bishop Auckland, DL13 2SU
 - Nr Temperence Cott, Pco, Harthope Road, St. Johns Chapel, Bishop Auckland, DL13 1QD
 - O/s No. 24, Pco, High Street, Tow Law, Bishop Auckland, DL13 4DL
 - Thornley, Bishop Auckland, DL13 4PB
 - Jcn Inkerman Rd, Pco, North Road, Tow Law, Bishop Auckland, DL13 4BH
 - Nr Hill Top Gardens, Pco, New Row, Oakenshaw, Crook, DL15 0TD

- 1 Pco, Bridge Street, Howden-le-Wear, Crook, DL15 8ES
- Nr School, Pco, Copeland Road, West Auckland, Bishop Auckland, DL14 9JJ

RECOMMENDATION

1. Members' views are requested.

Background information: Letter from BT dated 2nd April 2008.

Officer responsible for the report

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Ext 264

Author of the report

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