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Gary Ridley Acting Chief Executive

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30<sup>th</sup> July 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 7<sup>th</sup> AUGUST 2008** at **6.00 P.M.**

### AGENDA

	Page No.
1. Apologies for absence	
2. To consider the minutes of the meeting of the Committee held on 10 <sup>th</sup> July 2008 as a true record.	Copy attached
3. To consider development control application 3/2008/0276 – Installation of solar photovoltaic system to existing south facing roof of building, comprising: 60 off sharp NT series photovoltaic panels, rated at 170W/panel, giving a total installed capacity of 10.2KW. 2 off SMA sunny boy 2B-2500 and 1 off SMA sunny boy SB-3800 inverters. Various D.C. and A.C. equipment, enabling connection to existing electrical system at appropriate distribution board at Innovation House, Longfield Road, South Church Enterprise Park, Bishop Auckland for Wear Valley District Council.	1 - 4
4. To consider development control application 3/2008/0277 – Installation of bridge at land adjacent to and including Oakley Cross Beck, Oakley Green, West Auckland for Environment Agency.	5 - 8
5. To consider development control application 3/2008/0365 – Change of use: from public open space to garden land and erection of 1m high fence at land to the rear of 60 and 61 High Street, Howden Le Wear, Crook for Mrs. Mackenzie.	9 - 14
6. To consider development control application 3/2008/0166 – Change of use to bar/restaurant at 1 Market Place, Bishop Auckland for Mr. Devgan.	15 - 20

7. 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 R. de...', is shown within a light blue rectangular box.

**Acting 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, Mews, Mowbray, Perkins, Taylor, Des Wilson and Zair.

Chair: Councillor Grogan

Deputy Chair: Councillor Mrs Jopling

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

**DEVELOPMENT CONTROL COMMITTEE**

**7<sup>TH</sup> AUGUST 2008**

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Report of the Strategic Director for Environment and Regeneration

**PART 1 – APPLICATION FOR DECISION**

**3/2008/0276 - INSTALLATION OF SOLAR PHOTOVOLTAIC SYSTEM TO EXISTING SOUTH FACING ROOF OF BUILDING, COMPRISING: 60 OFF SHARP NT SERIES PHOTOVOLTAIC PANELS, RATED AT 170W/PANEL, GIVING A TOTAL INSTALLED CAPACITY OF 10.2 KW. 2 OFF SMA SUNNY BOY 2B-2500 AND 1 OFF SMA SUNNY BOY SB-3800 INVERTERS. VARIOUS D.C. AND A.C. EQUIPMENT, ENABLING CONNECTION TO EXISTING ELECTRICAL SYSTEM AT APPROPRIATE DISTRIBUTION BOARD AT INNOVATION HOUSE LONGFIELD ROAD, SOUTH CHURCH ENTERPRISE PARK, BISHOP AUCKLAND FOR WEAR VALLEY DISTRICT COUNCIL – 19.06.08**

**description of site and proposals**

1. Planning permission is sought for the installation of a solar photovoltaic system to the south facing roof of Innovation House. The installation would cover a roof area of approximately 20.4 metres x 3.97 metres giving a total photovoltaic area of 81m<sup>2</sup>.
2. The host property is located within an area allocated for prestige industrial development under policy I4 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007. The site is surrounded by industrial development. The photovoltaic system would be visible from the roadway through the industrial estate.

**planning history**

3. The following applications relate to this site:
  - 3/1975/0239 Industrial Development Approved 12.06.1975
  - 3/2001/0475 Land for Business/Office Units Approved 29.11.2001
  - 3/2004/0976 2 Storey Extension to Innovation House with Associated Car Parking Approved 06.01.2005
  - 3/2005/1040 Proposed 2 Storey Extension to Provide Small Business Start Up Units with Associated Car Parking (Resubmission) Approved 15.12.2005

## **planning policies**

4. The following policies of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007 are relevant in the consideration of this application:
  - GD1 Distribution of Development
  - I4 General Development Criteria

## **consultations**

5. DCC Highways Engineer: No objection.
6. Bishop Auckland Town Council: No response.

## **officer analysis**

7. The key issues for consideration are:
  - Impact on the Appearance of the Host Property
  - Impact on the Appearance of the Prestige Industrial Estate

impact on the appearance of the host property

8. The host property is a high quality, modern building, housing office space set within a prestige industrial site. Development on prestige industrial sites must be of the highest standards of design. It is considered that the proposed photovoltaic system would be in keeping with the host property and the surrounding area as it would not appear overly intrusive and would be of a high quality design, in accordance with policies GD1 and I4 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

impact on the appearance of the prestige industrial estate

9. The proposed photovoltaic system would be of a high quality design and would not significantly impact upon the appearance of the surrounding prestige industrial estate in accordance with policies I4 and GD1 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.

## conclusion and reasons for approval

1. The proposal is acceptable in relation to policies GD1 and I4 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007 as it would not be detrimental to the appearance of the host property, the surrounding area or the prestige industrial estate.

## RECOMMENDED

That planning permission be **GRANTED**.

## background information

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

<b>PS code</b>	<input type="text" value="10"/>		
<b>number of days to Committee</b>	<input type="text" value="51"/>	<b>target achieved</b>	<input type="text" value="√"/>
<b>explanation</b>			

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**Officer responsible for the report**

Robert Hope

Strategic Director for Environment and Regeneration

Ext 264

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**Author of the report**

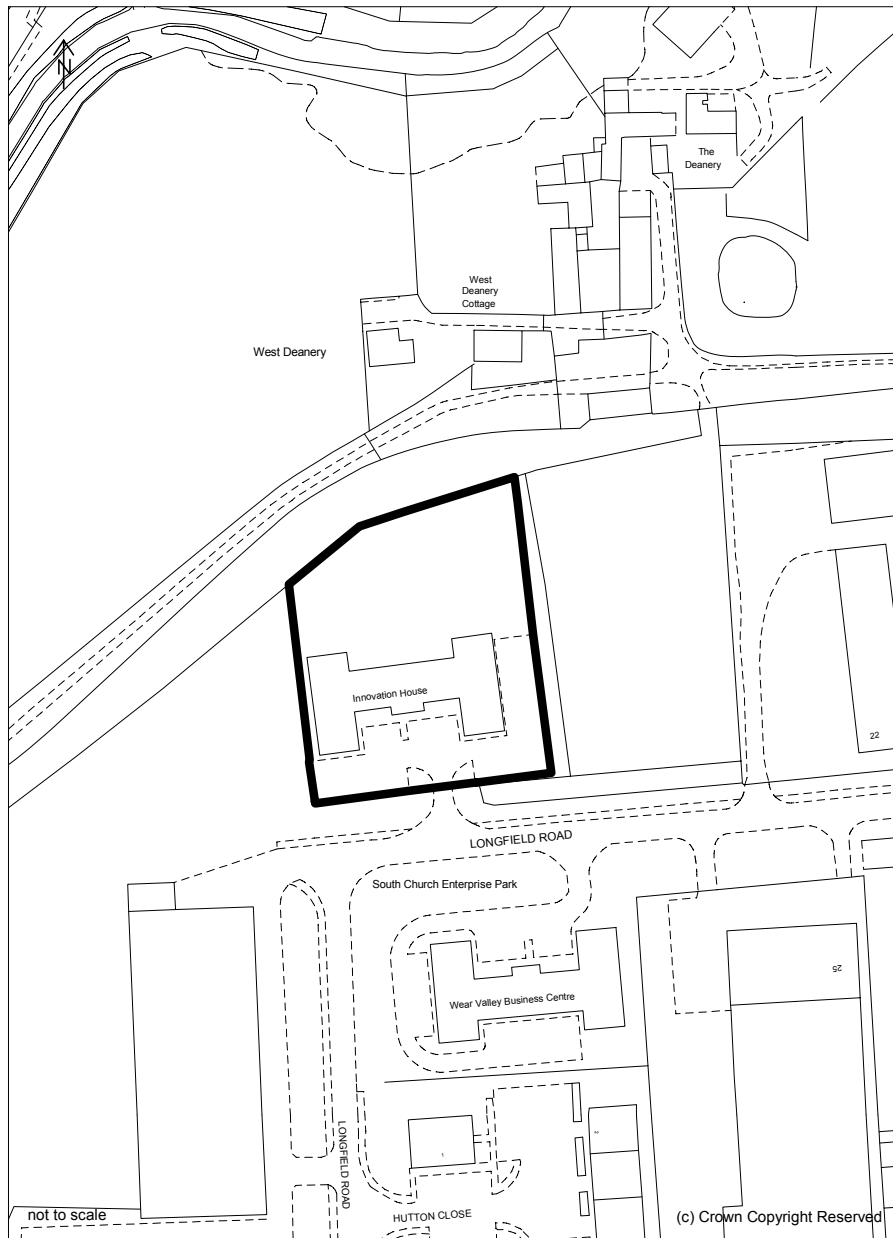
Sinead Folan

Planning Officer

Ext. 272

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**3/2008/0276 - INSTALLATION OF SOLAR PHOTOVOLTAIC SYSTEM TO EXISTING SOUTH FACING ROOF OF BUILDING, COMPRISING: 60 OFF SHARP NT SERIES PHOTOVOLTAIC PANELS, RATED AT 170W/PANEL, GIVING A TOTAL INSTALLED CAPACITY OF 10.2 KW. 2 OFF SMA SUNNY BOY 2B-2500 AND 1 OFF SMA SUNNY BOY SB-3800 INVERTERS. VARIOUS D.C. AND A.C. EQUIPMENT, ENABLING CONNECTION TO EXISTING ELECTRICAL SYSTEM AT APPROPRIATE DISTRIBUTION BOARD AT INNOVATION HOUSE LONGFIELD ROAD, SOUTH CHURCH ENTERPRISE PARK, BISHOP AUCKLAND FOR WEAR VALLEY DISTRICT COUNCIL – 19.06.08**



**DEVELOPMENT CONTROL COMMITTEE**

**7<sup>TH</sup> AUGUST 2008**

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Report of the Strategic Director for Environment and Regeneration

**PART 1 – APPLICATION FOR DECISION**

**3/2008/0277- INSTALLATION OF BRIDGE AT LAND ADJACENT TO AND INCLUDING OAKLEY CROSS BECK, OAKLEY GREEN, WEST AUCKLAND FOR ENVIRONMENT AGENCY - 30.05.2008 - AMENDED 29.05.2008**

**description of site and proposals**

1. Planning permission is sought for the installation of a bridge across Oakley Cross Beck which is in West Auckland. The proposed bridge would measure 9 metres in length and would be 1.15 metres in width. The bridge would have railings on either side. There are no details submitted indicating the colour finish of the proposed bridge however there is a photo within the application of an existing bridge which is finished in a green colour.
2. The proposed bridge is part of a larger scheme for Oakley Cross Beck. The intended works for the Beck are to increase the channel capacity flow. The existing crossing would be removed as it causes a restriction to flow. On completion Durham County Council would adopt the new bridge structure which would be above the 200 year flood level for the watercourse. All the intended works to the Beck, with the exception of the proposed bridge, do not require planning consent.
3. The bridge would be located directly south of No. 35 Oakley Green. Allotments and industrial buildings are located to the south of the proposed bridge. There are a number of mature trees and hedges along the bank of the Beck.
4. Planning permission was originally requested for two bridges along Oakley Cross Beck, however the Environment Agency have revised this scheme and only one bridge is now proposed.

**planning history**

5. None.

## **planning policies**

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

## **consultations**

7. WVDC (Legal): No comment.
8. Durham County Council (Highways Authority): No objections.
9. Durham County Council (Public Rights of Way): No comment.
10. West Auckland Parish Council: No comment.

## **officer analysis**

11. The key issue for consideration is:

- Visual Impact

visual impact

12. The proposed bridge is part of a larger scheme for works along Oakley Cross Beck at West Auckland. The bridge would provide access to enable pedestrians to cross the Beck. The proposed bridge would not be in a position where it would be an obstruction therefore the assessment has to be made whether the bridge would be visually intrusive. The bridge would be of a standard construction and would not be an unusual feature of Oakley Cross Beck. Although there are no specific details indicating what the colour finish would be for the bridge, a photo has been submitted with the application showing an existing bridge finished in a green colour. The assumption is taken that this green colour is likely to be the finish for the proposed bridge in this application. A green finish to the bridge would be acceptable as it would ensure the bridge would not be obtrusive within the surrounding area. A condition is attached to ensure the colour finish of the paintwork is agreed prior to development of the bridge.
13. The proposed bridge is acceptable as it would not create an obstruction and would not appear overly dominant within the surrounding area. The proposal is in accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

## **objections/observations**

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



## conclusion and reasons for approval

15. The proposal is acceptable in relation to policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007 as it:
1. Would create a link for pedestrians to cross Oakley Cross Beck.
  2. Would not be an obstruction.
  3. Would not appear overly dominant or intrusive within the surrounding area.

## RECOMMENDED

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

### condition

1. Before the development hereby approved is commenced, details of the colour finish of the paintwork shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

### reason

1. To achieve a satisfactory standard of development in the interests of visual amenity. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

### background information

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

<b>PS code</b>	<input type="text" value="18"/>		
<b>number of days to Committee</b>	<input type="text" value="70"/>	<b>target achieved</b>	<input type="text" value="NO"/>
<b>explanation</b>	First available Committee		

### background 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  
Senior Planning Officer  
Ext 441

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**3/2008/0277- INSTALLATION OF BRIDGE AT LAND ADJACENT TO AND INCLUDING OAKLEY CROSS BECK, OAKLEY GREEN, WEST AUCKLAND FOR ENVIRONMENT AGENCY - 30.05.2008 - AMENDED 29.05.2008**



**DEVELOPMENT CONTROL COMMITTEE**

**7<sup>TH</sup> AUGUST 2008**

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Report of the Strategic Director for Environment and Regeneration

**PART 1 – APPLICATION FOR DECISION**

**3/2008/0365 - CHANGE OF USE: FROM PUBLIC OPEN SPACE TO GARDEN LAND AND ERECTION OF 1M HIGH FENCE AT LAND TO THE REAR OF 60 AND 61 HIGH STREET, HOWDEN LE WEAR, CROOK FOR MRS. MACKENZIE – 30.05.08**

**description of site and proposals**

1. This application is reported to Committee as the land is owned by Wear Valley District Council.
2. Planning permission is sought for the change of use of land from public open space to garden land and erection of a 1 metre high fence at land rear of 60 and 61 High Street, Howden le Wear. The parcel of land measures approximately 101 square metres. The land is to be shared between 60 and 61 High Street. The land would be grassed garden land only.
3. The site currently forms an area of open space to the rear of 60 and 61 High Street. To the north of the site is a pathway and number 45 Plantation View. To the east and south of the site are the rear yards of numbers 59-62 High Street and to the west of the site is 56a High Street.

**planning history**

4. There is no planning history relating to 60 High Street, Howden le Wear.
5. The following applications have been received for 61 High Street, Howden le Wear.
  - 3/1989/0501 Front Porch Approved 24.08.1989
  - 3/1996/0263 First Floor Rear Extension Approved 15.07.1996

## **planning policies**

6. 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
  - H3 Distribution of Development

## **consultations**

7. WVDC Legal: No response.
8. DCC Highways Engineer: No objection.

## **officer analysis**

9. The key issues for consideration are:
  - Principle of Development
  - Visual Impact
  - Residential Amenity
  - Highways

principle of development

10. It is considered that the proposal is acceptable in principle as the site is within the defined settlement limits for Howden le Wear. It is considered that the change of use of the site from open land to extra garden space would not result in the loss of amenity to neighbouring properties in accordance with policies GD1 and H3 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

visual impact

11. The means of enclosure for the piece of land would be a 1 metre high fence. The proposed means of enclosure would not be harmful to the appearance of the surrounding area. The land would be grassed garden land only. There would be no structures erected within the site. Permitted development rights should be removed from the land as a condition of the planning permission so that the local planning authority can control future development in order to protect the character of the host dwelling and its setting and to safeguard residential amenity. Due to the orientation of the site away from the main thoroughfare through Howden le Wear and the proposed means of enclosure it is considered that the proposal accords with policy GD1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

residential amenity

12. It is considered that the associated means of enclosure would not have an overbearing or overshadowing impact on adjacent properties or the surrounding area due to the height of the enclosure not exceeding 1 metre in accordance with policy GD1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

highways

13. The highway authority has raised no objections to the proposal. The proposal would not be harmful to highway safety in accordance with policy GD1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

### **objections/observations**

14. Occupiers of the surrounding properties have been notified in writing and a site notice was also posted.
15. One letter of objection has been received. It is summarised below:
  - a) In the past Mrs. Mackenzie has parked a large caravan on this piece of land. What is to say once she has erected a 1 metre high fence, that this is not what this land is going to be used for?
  - b) I have no objection to her using the land as a garden but what guarantees are there that this land once fenced will not be used as a parking place for her caravan for most of the year?

### **response to objections**

16. This is not a planning matter.

### **conclusion and reasons for approval**

1. The site is within the defined settlement limits for Howden le Wear. The proposal is acceptable in principle in accordance with policy H3 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
2. The change of use of the land to private garden land and the proposed means of enclosure would not detract from the appearance of the surrounding area, nor would the development adversely affect upon the amenity of neighbouring properties in accordance with policy GD1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

3. The proposed means of enclosure would not have an overbearing or overshadowing impact on adjacent properties or the surrounding area in accordance with policy GD1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
4. The proposal would not be harmful to highway safety in accordance with policy GD1 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. For the avoidance of doubt and to maintain the character of the area the means of enclosure shall be a natural stone wall. Before the commencement of construction works on site a sample panel of the wall shall be made up on site for inspection and approval in writing by the local planning authority. The approved sample panel shall remain in place throughout construction of the wall. The wall shall be constructed in accordance with the approved details.
2. Notwithstanding the provisions of Article 2 and Classes E and G of Part 1 and Class A of Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 et seq none of the categories of development described herein shall be carried out on the site without an application for planning permission having been first made to and approved in writing by the local planning authority.

### **reasons**

1. To ensure that the satisfactory appearance of the means of enclosure in accordance with policy GD1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
2. The local planning authority wishes to control future development in order to protect the character of the host dwelling and its setting and to safeguard residential amenity. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

<b>PS code</b>	18		
<b>number of days to Committee</b>	70	<b>target achieved</b>	No
<b>explanation</b>	First available Committee		

**background information**

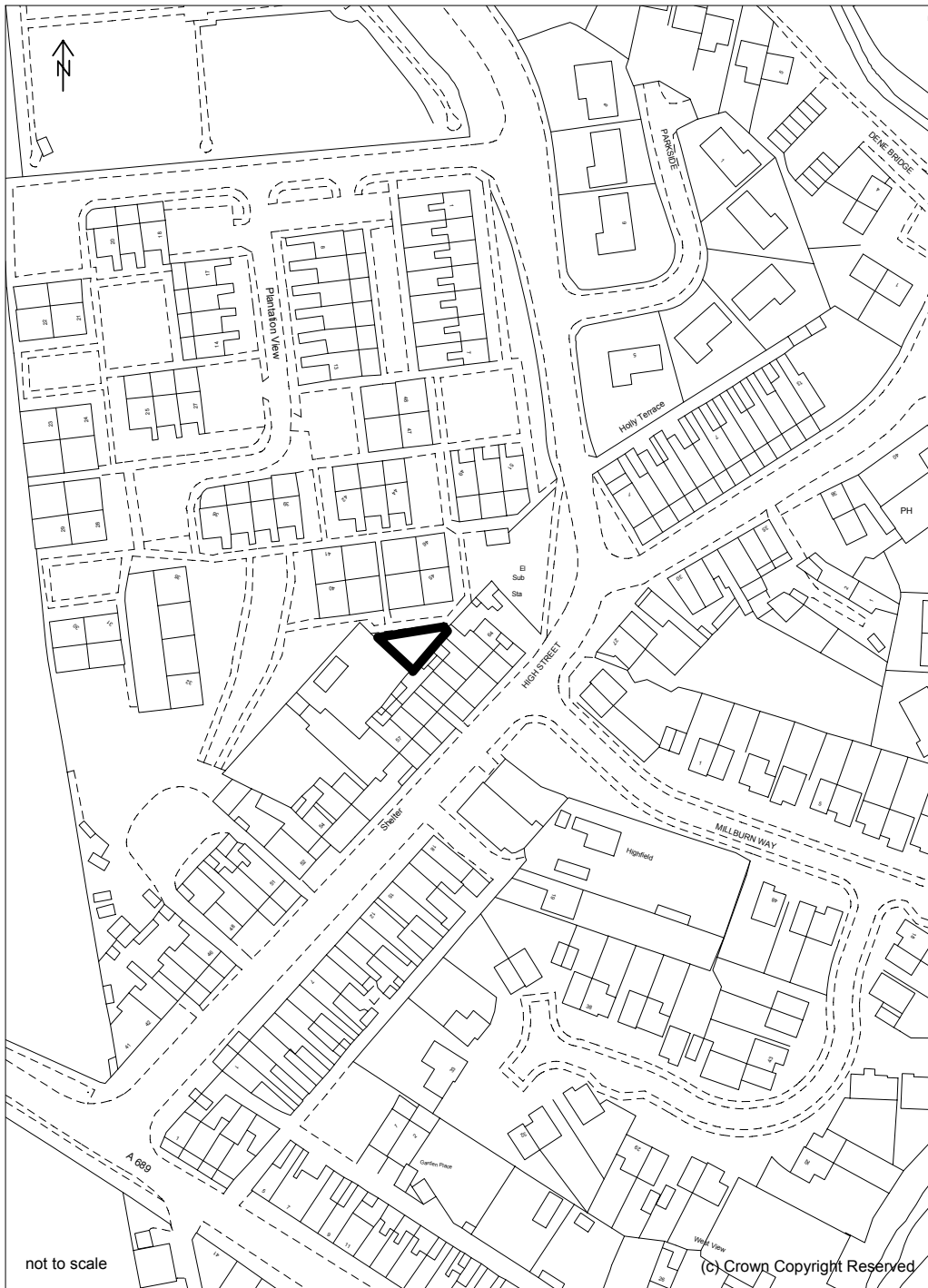
Application files, WVDLP as amended by the Saved and Expired Policies  
September 2007.

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

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**3/2008/0365 - CHANGE OF USE: FROM PUBLIC OPEN SPACE TO GARDEN LAND AND ERECTION OF 1M HIGH FENCE AT LAND TO THE REAR OF 60 AND 61 HIGH STREET, HOWDEN LE WEAR, CROOK FOR MRS. MACKENZIE – 30.05.08**





DEVELOPMENT CONTROL COMMITTEE

7th AUGUST 2008

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Report of the Strategic Director for Environment and Regeneration

**PART 1 – APPLICATION FOR DECISION**

**3/2008/0166 - CHANGE OF USE TO BAR/RESTAURANT AT 1 MARKET PLACE,  
BISHOP AUCKLAND FOR MR. DEVGAN – 11.04.2008 - AMENDED 15.07.2008**

**description of site and proposals**

1. This application is reported to Committee because the proposal represents a departure from the Wear Valley District Local Plan.
2. Planning permission is requested for a change of use from class A1 to use class A4 at 1 Market Place, Bishop Auckland.
3. Members may recall that the building has an existing consent for a change of use to an A3 and A5 use, which was approved by Members of the Development Control Committee on the 2<sup>nd</sup> March 2006 (ref 3/2006/1016).
4. The applicant has indicated that this application is for a change of use only.
5. The application site consists of a three-storey mid terraced property located at the junction of Market Place and the northern end of Newgate Street. The property is Grade II listed and dates from the early 19<sup>th</sup> Century. To the ground floor the property has a number of 20<sup>th</sup> Century alterations. The property is located within the Bishop Auckland Conservation Area, and was listed for group value. To the west of the site is Claire's Accessories, an A1 use class, with Sports Direct an A1 use to the east of the site. To the rear of the site is a new development of residential apartments that are currently under construction (Ref: 3/2004/0440). The property lies in an area designated under policy S2: *Newgate Street North Shopping Area*, of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007, which states that planning permission for retail use (Use class A1) will only be allowed at ground floor.

**planning history**

6. There have been a number of previous planning applications at the property, however the following planning history is considered relevant to the consideration of this application.
  - 3/2006/0700 Change of use to A3 & A5 Withdrawn 21.11.2006

### **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
  - BE5 Conservation Areas
  - BE6 New Development and Alterations in Conservation Areas
  - BE17 Areas of Archaeological Interest
  - S1 Town Centres
  - S2 Newgate Street North Shopping Area

### **consultations**

8. Design and Conservation Manager: Has been heavily involved in pre application discussions and has been in further discussions with the applicant to seek amendments to the proposal to alter the building. This has resulted in the application being now for change of use only.
9. CDE&TS (Highways): No objection.
10. English Heritage: Have been consulted but do not wish to offer any comments.

### **officer analysis**

11. The key issues for consideration are:
- Principle of Development
  - Impact on Surroundings
  - Impact on Area of Archaeological Interest

principle of development

12. The unit is located in the Newgate Street North Shopping Area.
13. Policy S2 specifically relates to retailing in the Newgate Street North area and stipulates that at ground floor level planning permission will only be allowed for retail use (Class A1). Proposals for the change of use of ground floor premises from retail (A1) to office use (A2) or food drink outlets (A3) will not be allowed. Therefore the proposal does not accord with the guidance contained in policy S2 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

14. However, Planning Policy Statement 6: Town Centres (published 2005) supersedes guidance contained in the Wear Valley District Local Plan. PPS6 states that *“Local Planning Bodies should actively promote growth and manage change in Town Centres.”* and that *“this growth should be accommodated by more efficient use of land and buildings within existing centres.”*

15. PPS6 goes further stating that;

*“Where existing centres are in decline, local planning authorities should assess the scope for consolidating and strengthening these centres by seeking to focus a wider range of services there, promote the diversification of uses and improve the environment. This may include allowing retail units to change to other uses, whilst aiming, wherever possible, to retain opportunities for vital local services.”* (Paragraph 2.8)

16. The unit has been vacant for over 24 months, and the building has been extensively marketed during this period. The applicant for the previous A3 consent (ref: 3/2006/1016) provided substantial evidence demonstrating marketing efforts to let the building over the past 18 months.

17. It is considered that a change of use to use class A4 would be a more appropriate scenario than a long term void in this prominent part of the shopping frontage, and the diversification may encourage foot flow in this part of Bishop Auckland Town Centre. Thus, whilst the proposal does not meet the requirements of policy S2 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007, the proposal would meet the requirements set out in PPS6, which supersedes guidance contained in the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

18. Under permitted development rights a class A4 premises could be converted into an A1, A2 or A3 unit without requiring planning permission. As the area is covered by policy S2 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007, and permission has been granted previously for an A3/A5 use for the premises, it would not be necessary to remove the permitted development rights as a change of use to class A1 or to an A2 use would not be to the detriment, vitality or viability of the town centre.

impact on surroundings

19. The application does not include any external alterations at present, which ensures the proposal would not have an adverse impact on the appearance of the listed building or the special scenic qualities of the Bishop Auckland Conservation Area. The proposal would not detract from the townscape of the surrounding area. Any external alterations would be subject to a new planning application and an application for listed building consent.

20. The application site is situated within close vicinity to the main shopping street of Bishop Auckland. It is considered that an A4 use in this location would not have a detrimental effect upon the visual amenity of the surrounding area. The proposal accords with policies BE5, BE6 and GD1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

impact on area of archaeological interest

21. As the application does not involve any physical building works, the proposal would not have a detrimental impact on the Area of Archaeological Interest, and as such an archaeological assessment is not required. The proposal accords with policy BE17 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

### **objections/observations**

22. The occupiers of surrounding properties have been notified in writing and a site notice was posted close to the site. The application was also advertised in the press.
23. No letters of objection/ observation have been received.

### **conclusion and reasons for approval**

1. The proposal is for a change of use to an A4 use. As the application site is covered by policy S2 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007, the ground floor use for A4 would not normally be permitted. However, Government guidance contained in PPS6, (which supersedes guidance contained in the District Local Plan), states that *“Local planning authorities should assess the scope for consolidating and strengthening these centres by seeking to focus a wider range of services there, promote the diversification of uses and improve the environment. This may include allowing retail units to change to other uses.”* Having regard to the unsuccessful marketing of the premises, it is considered that the proposal meets with the aims of Planning Policy Statement 6: Town Centres.
2. As the proposal would not involve any external changes, the proposal would not have an adverse impact on the Bishop Auckland Conservation Area nor to the listed building itself. The proposal accords with policies GD1, BE5 and BE6 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

### **RECOMMENDED**

That planning permission be **GRANTED**.

## Informative

Any external works, including the erection/installation of extractor flues, and measures for controlling noise and smell pollution, and the erection of any external signage will require Listed Building Consent. This application does not give permission for any works associated with the change of use of the property.

### background information

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

**PS code**

10

**number of days to Committee**

118

**target achieved**

No

### explanation

Applicant in discussions with Design and Conservation Manager in respect of design issues.

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**Officer responsible for the report**

Robert Hope

Strategic Director for Environment and Regeneration

Ext 264

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**Author of the report**

Adam Williamson

Planning Officer

Ext 495

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**3/2008/0166 - CHANGE OF USE TO BAR/RESTAURANT AT 1 MARKET PLACE, BISHOP AUCKLAND FOR MR. DEVGAN - 11.04.2008 - AMENDED 11.07.2008**

