

# Item no.

Report to: **Development Control and Regulatory Panel**

Date: **10 April 2007**

Report of: **Head of Planning and Building Control Services**

Subject: **Applications under the Town and Country Planning Acts  
Town and Country Planning Act 1990  
Planning (Listed Buildings and Conservation Areas) Act 1990**

Ward: **All**

## **A INTRODUCTION**

Members are advised that in preparing the attached report full consultation responses are not presented. Care is taken to ensure that principal issues of all relevant responses are incorporated into the report. Notwithstanding this Members are invited to view all submitted plans and consultation responses prior to the Panel meeting by contacting the Head of Planning and Building Control Services.

The Easington Local Plan was adopted by the District of Easington on 28<sup>th</sup> December 2001. Together with the Durham County Structure Plan it is a material consideration in the determination of planning applications. All relevant policies have been taken into account in making recommendations in this report. A view as to whether the proposals generally accord with policies is identified in the relevant section.

Section 54A of the 1990 Town & Country Planning Act (as amended) requires the Local Planning Authority to have regard to the development plan policies when they are relevant to an application and hence are a material consideration. Where such policies are material to a proposal, section 54A requires the application to be determined in accordance with the Development Plan policies unless material considerations indicate otherwise.

The recommendations contained in this report have been made taking into account all material planning considerations including any representations received and Government guidance in Planning Policy Guidance Notes and Circulars. Consideration has been given to whether proposals cause harm to interests of acknowledged importance.

Members attention is drawn to information now provided in respect of time taken to determine applications. Following each recommendation a determination time is provided based on a decision at this Panel. Where a decision time exceeds the 8 week target a reason for this is given in brackets.

In considering the applications and preparing the report the District of Easington has fully taken into account the duties imposed on Local Planning Authorities by the Human Rights Act 2000. In particular, regard has been given to Articles 6, 7, and 8, the First Protocol and Section 6. Where specific issues of compliance with this legislation have been raised these are dealt with within each report.

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## **B SPEAKING AT THE PANEL**

The District Council is one of the few Councils in the country who allows verbal representations when decisions on planning applications are being made. The Panel has to balance listening to views with the efficient conduct of the business of the Panel. The following procedures have therefore been agreed. These procedures will be adhered to in respect of the items within this report. Members of the public will also be expected to follow these both in their own interests and that of other users of the service.

1. The Planning Officer will present his report.
2. Objectors and supporters will be given the opportunity to speak. Five minutes will be given to each speaker. If there is more than one speaker upon an issue, the District Council recommends the appointment of a spokesperson and that speakers register their request prior to the Panel meeting.
3. After registered speakers have had their say the Chair of the Panel will ask if there is any other member of the public who wishes to speak. Those who do may be allowed to speak. The Chair of the Panel will exercise discretion in this regard. Where the number of speakers or the repetitive nature of the points that may be raised may impact on the other business of the Panel then the Chair will restrict the number of speakers and progress the matter.
4. The applicant or representative may then speak for a duration of up to five minutes.
5. At the discretion of the Chair, objectors or supporters or applicants may ask officers questions then may be asked questions by Members and Officers
6. The Members of the Panel will then finally debate and determine the application with the assistance of officers if required.

## **C RISK ASSESSMENT**

A risk assessment has been carried out in respect of individual cases. Overall, it is concluded that any risks to the Council, for example relating to an appeal being lost and costs awarded against the Council, are low, provided that decisions are made in accordance with recommendations. Risks will increase when decisions are made contrary to recommendations, and the degree will vary depending on the particular case.

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## D GENERAL APPLICATIONS

### PLAN/2007/0029

**MONK HESLEDEN (BLACKHALLS) – Residential Development Comprising of 64 Dwellings at Land at Pattison Gardens, Blackhall for Mr. Kevin Richardson, Barratt, Newcastle.**

#### Planning History

None relevant.

#### Consultations

The application has been advertised in the local press and by site notices. Neighbouring properties have also been consulted. Thirty four letters of representation have been received objecting to this application. Concerns have been raised on the following grounds:

- Existing residents in properties on the Coast Road directly to the south west of the application site are concerned regarding the loss of access to the rears of their properties. The loss of access will have a detrimental effect on the maintenance of the existing walls and fences that mark this boundary of the application site.
- There is an existing steep bank at the rear of the existing properties on the Coast Road; it is argued that any works to this bank could cause subsidence and affect the existing adjacent properties.
- The proposed development will lead to a loss of privacy for occupants of existing adjacent residential properties have also been raised.
- The proposed number of dwellings is considered to be out of keeping with the general character of the surrounding area; it is argued that the proposal represents overdevelopment.
- The proposed development will lead to an increase in traffic entering the site to the detriment of existing residential amenity in the area. It is argued that the proposed development will cause congestion problems on Belmonte Avenue and Warnbrook Crescent, which will provide vehicular access to the site. It is suggested that an additional vehicular access to the site from Station Road to the north would help to alleviate the expected problems with congestion as a result of the development.
- The proposed development will lead to the loss of a grassed area currently used by children for recreation purposes; the proposal includes no provision for play space. The loss of the grassed area and the expected increase in youths in the area as a result of the development could lead to problems for existing residents adjacent to alternative recreation space in the local area such as the existing field to the south of Pattison Crescent.
- The proposed development will have a negative effect on wildlife in the area; the existing trees on the site should be retained.
- The existing occupants of No. 12 Warnbrook Crescent, which looks directly on to the site, have raised concerns regarding the proximity of the gable wall of the proposed bungalow (plot 27) in the southern corner of the site to the front of their existing property. It is argued that

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the bungalow will have an overbearing effect on the existing property by way of loss of outlook and privacy.

Easington District Council , Policy Officer, comments:

- The site is considered to be brownfield and within the settlement boundary therefore the proposed development is in accordance with policy 67 of the local plan. The developer will need to enter into a section 106 agreement with the council as there is no open space provision in the proposed development.

Easington District Council, Regeneration Officer, comments:

- The Regeneration and Partnerships Unit have no objections to this scheme going ahead; the development will turn around what was a problematic estate to the benefit of the village.

Easington District Council, Countryside Officer, comments:

- No objection to the proposed residential development. Concerns were raised regarding Bats using the demolished properties.

Easington District Council, Environmental Health Officer, comments:

- No objections, however conditions are requested relating to: a noise impact assessment in terms of railway traffic should be carried out, a contamination assessment should be carried out, and hours of construction should be limited.

Durham County Council, Highways Authority, comments:

- Subject to minor amendments relating to parking provision and visibility splays being agreed by the applicant there are no highway objections to the proposed scheme.
- The existing road infrastructure can easily accommodate the resultant number of dwellings on completion of the proposed residential development and as such the overall proposal is acceptable in principle.

Northumbrian Water, comments:

- Standard comments relating to connections and drainage requirements.

## **Development Plan Policies**

### *District of Easington Local Plan*

GEN01 - General Principles of Development

ENV03 - Protection of the Countryside

ENV35 - Environmental Design: Impact of Development

ENV36 - Design for Access and the Means of Travel

ENV37 - Design for Parking

HOU66 - Provision of outdoor play space in new housing development

HOU67 - Windfall housing sites

## **Comment**

This application relates to the development of a cleared previously council owned site known as Pattison Gardens in Blackhall. The site previously contained 60 one-bedroom flats and 4 one bed-roomed bungalows; the

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previous properties were cleared from the site in early 2007. Planning permission is sought for the erection of 64 dwellings on the cleared site, and the proposed works include associated garages, landscaping and highways.

The proposed development is considered to accord with the relevant national planning guidance and relevant development plan policies. The application relates to a previously developed site within the established settlement boundary. The proposed development if allowed, will provide a mix of different housing types that will be sustainable in achieving current and future occupants aspirations. The proposal is considered to accord with the relevant guidelines relating to siting, density and mixture of housing type. It is also considered to be acceptable in terms of design, and it is not considered that the proposed development would have any detrimental effects on the occupants of adjacent properties.

Several letters of objection have been received in relation to the proposed development with objections raised on the following grounds: increased traffic and associated problems; loss of rear access to existing properties on the Coast Road; impact on amenity of existing residents; scale of development; affect of wildlife; and loss of recreational space on the site. These points raised will need to be considered in determining this application.

## **Increased Traffic and Associated Problems**

Several letters of objections have been received regarding the expected increase in traffic in the local area as a result of the proposed development and the effect this will have on existing residents on Belmonte Avenue and Warnbrook Crescent. It is argued that the proposed access to the site leading from the Coast Road via Belmonte Avenue and Warnbrook Crescent is insufficient to deal with the expected increase in cars accessing the site.

Durham County Council have been consulted on the proposed application, and subject to some minor amendments being agreed by the applicant relating to parking provision and visibility splays have no objections to the proposed works.

In response to the objections raised regarding the suitability of the existing public highway to support the proposed development the Highways Authority stated that in accordance with Durham County Council's Guide to the Layout & Construction of Estate Roads up to 100 dwellings can be served by a Type 3 – Minor Access Road, which incorporates a 4.8 metres wide road. The existing width of road to Belmonte Avenue/Warnbrook Crescent is 7.2 metres and the width of the road to Pattison Crescent/ Warnbrook Crescent is 5.9 metres, based on actual site measurements. Therefore the existing road widths are well in excess of what would be required to accommodate 100 dwellings. There are 28 existing dwellings on Belmonte Avenue, Warnbrook Crescent and Pattison Crescent, which when added to the 64 proposed dwellings means a total of 92 dwellings would be served by the existing road infrastructure. With regard to the junction between Belmonte Avenue and the Coast Road the Highways Authority have confirmed that the existing visibility splays are acceptable for a 30 mph section of road.

It is therefore considered that the existing road infrastructure can easily accommodate the resultant number of dwellings on completion of the proposed residential development. Subject to some minor amendments relating to parking provision and sight visibility splays which can be achieved

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by way of a condition attached to any grant of planning permission the Highways Authority have no objections to the proposed scheme.

## **Loss of Rear Access to Existing Properties on the Coast Road**

Objections have been received from residents of existing properties situated on the Coast Road to the south west of the application site. These properties back onto the application site subject to this application, and many of them have created pedestrian accesses on to this adjacent land. The proposed development would remove the access to the rear of these properties as it is proposed that gardens of the proposed dwellings will back directly onto the existing properties. It is argued that the loss of access to the rear will have detrimental effects in terms of maintenance of existing walls and fences.

The Council's Asset and Property Management Unit have confirmed that any access currently being used has been provided without consent and that permission has not been granted to any of the properties in question to have access to the rears of their properties.

The perceived "Right of Access" at the rear of the existing properties is not considered to be an issue that can have a bearing on the outcome of this planning application. It is a private legal matter that should have no significance for members when determining the planning application.

## **Loss of Recreational Space on the Site**

Representations have also been received objecting to the proposed development relating to the loss of a currently grassed area of land within the application site that is currently used for recreational purposes. It is argued that a replacement area of open space should be provided within the application site, to serve both the existing and new residents.

The proposed development involves the erection of more than nine houses, so policy 66 of the Local Plan requires that the appropriate provision should be made for children's play space. While there is no provision for such space within the development, the applicants have complied with this policy by agreeing to enter into a S.106 Legal Agreement in respect of their making a financial contribution to the provision of new or the enhancement of existing play space outside the application site.

## **Impact on Amenity of Existing Residents**

Objections have been received regarding the effect the proposed development will have on adjacent occupants to the application site by way of loss of residential amenity in terms of loss of outlook and privacy. In general the proposed development is considered to be acceptable in these terms; the development has been designed in accordance with spacing and privacy guidelines set out in the District of Easington Local Plan Appendix 3.

In particular concerns have been raised regarding the impact the proposed development will have on No.12 Warnbrook Crescent by way of loss of outlook and privacy for the existing residents. Originally No.12 Warnbrook Crescent was to look directly onto the gable elevation of a proposed bungalow; however, during the application process amended plans have been received from the applicant showing a revised layout, which results in an increased distance and

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improved relationship between the adjacent properties. The proposed bungalow has been moved ensuring the existing property will no longer look directly onto the gable of the new bungalow.

Concerns have also been raised by residents in existing properties on the Coast Road to the South West of the application site that due to the steep bank at the rear of their properties subsidence may occur as a result of building works that could affect the existing properties adjacent to the development site. No information has been provided to substantiate these claims; the proposal does not include works directly on the boundary between the existing and proposed properties and it is considered unlikely that the proposed works will affect adjacent occupiers in this way. This issue would be for the developer to consider, as they would be liable for any damage caused by construction works on this site.

## **Scale of Development**

The scale of development has also been questioned. It is argued that the number of proposed dwellings on this site will result in a development out of keeping with the character of the area.

As discussed previously the proposed development is considered to be acceptable in terms of density and design. National Planning Guidance relating to Housing Developments is contained within Planning Policy Guidance Note 3 (PPG 3) Housing; the main aim of national guidance is to increase density of development and mixture of housing type. The national guidance calls for developments to be built with a density in excess of 30 houses per hectare; the current proposal is to be built with a density of 41 houses per hectare and therefore accords with the guidance. The proposal will also provide a variety of different house types, an approach that is also in accordance with the relevant national guidance.

## Effect on Wildlife

Objections have also been received relating to the effect the proposed development may have on wildlife in the area. Easington District Council's Countryside Officer has confirmed that he has no objections to the proposed development, although he did raise concerns regarding a protected species (bats) using the site.

The applicants were made aware of their responsibilities regarding protected species; however, demolition of the site was completed prior to a risk assessment being completed.

## **Conclusion**

The proposed development is considered to accord with the relevant national guidance and local development plan policies. The objections received are not considered to be sufficient to outweigh the policy support for the application. The proposed development will result in the development of a cleared Brownfield site within the established settlement boundary. The proposed development can be considered to be to the benefit of Blackhall as a whole by providing a range of different housing types to meet the existing needs and future aspirations of residents.

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**Recommend:** That Members be minded to approve the application subject to the completion of a Section 106 Agreement relating to off site open space provision, and subject to the following conditions: Materials, means of enclosure, revised highways details, landscaping; contaminated land, noise impact assessment, limit hours of construction and that delegated authority be given to the Head of Planning and Building Control Services to issue the decision on satisfactory completion of the Section 106 Agreement.

## **Reason for recommendation**

The proposed development is considered to accord with the relevant development plan policies; in particular policies 1, 35, 36, 37, 66, and 67 of the Easington District Council Local Plan.

## **Decision time**

10 Weeks. 13 Weeks target achieved.

## **2007/0063**

**PETERLEE (PASSFIELD) – Proposed Redevelopment of College Site to provide New College Building, Sports Hall Extension and Assembly Buildings and Car parks, together with All Weather Floodlit Sports Pitch (Resubmission) at Howletch Site, Burnhope Way/Beverley Way, Peterlee for East Durham & Houghall Community College**

## **Planning History**

A number of applications approved for sports facilities and buildings between 1994 and 2001.

06/0214 - Redevelopment of site to provide new college building, sports hall and pitch and car parking – approved October 2006.

## **Consultations**

Town Council – No objections.

Highway Authority – No objections to revised access arrangements. Travel Plan requirements and new pedestrian crossing on Burnhope way to be the subject of a revised Section 106 Agreement.

Sport England – No objections subject to the imposition of conditions.

Environment Agency – Requests conditions.

Regeneration Officer – ( comments from previous application).

*The existing college buildings having been constructed in the 1960's (circa) are outdated and seen as inappropriate to the local landscape. This proposal therefore represents a significant positive step in the renaissance of Peterlee. The vacation of the town centre site will provide a considerable redevelopment*



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*opportunity which, if properly considered, co-ordinated and implemented, could contribute significantly to the longer term sustainability of the town and its economic viability.*

*The redevelopment of the Howletch site is also seen as a positive step and re-affirms the college's long standing commitment to education in the district. The area in general suffers from low levels of educational attainment and adult basic skills. By consolidating to one site, in modern purpose built accommodation the college is demonstrating a clear long term commitment to raising educational standards in the town and wider district.*

*In addition the college is extending its sporting facilities offer which is to be commended. The facilities are also used by members of the local community and any enhancement in provision is viewed as a positive contribution to the quality of life of local residents.*

Responses from other consultees are awaited at the time of drafting.

The application was advertised in the press and around the site and extensive local consultation has taken place.

Objections have been raised by local residents raising the following issues :

- Parking provision for students and staff appears insufficient.
- Relocated all weather pitch will cause light and noise pollution to nearby residents.
- Adjacent streets will become congested from the additional student/staff vehicles being relocated here.
- Burnhope Way/Beverley Way junction will become very congested at peak times.
- Cars park on roads in front of residents houses – this problem will get worse.
- Proposed height of new building will be excessive and overpowering.
- Relocation of on site entertainment facilities from the town centre to Howletch where there is no public transport.

## **Development Plan Policies**

### *District of Easington Local Plan*

- |    |                                   |
|----|-----------------------------------|
| 1  | General Principles of Development |
| 35 | Impact of development.            |
| 36 | Access and means of travel.       |
| 37 | Design for parking.               |
| 38 | Designing out crime.              |
| 90 | Protection of sports facilities.  |
| 94 | New educational facilities.       |

## **Comment**

The applicants have submitted a supporting statement and extracts from it are reproduced below for Members' information. The full document is available for inspection in the Planning Department Officers should Members require.

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*The application proposals relate to the land at Howletch Campus which fronts onto Burnhope Way and Beverley Way in the town of Peterlee, County Durham. The site is currently occupied by college buildings operated by the East Durham & Houghall Community College and associated playing field space.*

*The application seeks to demolish the existing buildings and redevelop the western portion of the site with a new college building and associated open space and car parking. As part of the proposals the College is also seeking permission for associated refuse storage facilities, an extension of the existing sports hall facility and relocation of the existing astro turf pitch. The overall development is intended to rationalise and replace outdated facilities and improve secondary and further education facilities in Peterlee.*

*This application effectively supersedes that which was granted consent in October 2006. Since the original application for the new College building and associated facilities was granted last year the College has been successful in securing funding from the Learning and Skills Council for its proposals and has also had the opportunity to consider in more detail the operation and layout of the proposed teaching space.*

## **Summary of the Proposed Development**

*The proposed development again consists of a new college building located on the western portion of the site fronting onto Burnhope Way with a gross external area of 20,182.38 sq m. The footprint of the building will occupy the area of the site that currently accommodates an area of informal open space and the all weather pitch and will require the realignment of the southern section of the retaining wall.*

*The overall height of the building will be two and a half and four storeys. The northern and central sections of the building will extend up to four storeys in height and will include some double height spaces to cater for the Performing Arts space. The southern section of the buildings will extend up to two and a half storeys in height and will accommodate the construction wing.*

*The new building will front onto Burnhope Way with car parking provided to the north and the rear, adjacent to the existing College building that is to be demolished. A new pedestrian link is to be provided through the centre of the building linking to strong external pedestrian links out onto Burnhope Way to the extended sports hall building. These routes will create key linkages through the site from and to public transport services running along Burnhope Way.*

*The current sports hall is also to be extended to replace existing outdated facilities. The extension will accommodate a new boxing ring and fitness room to replace those currently located within the existing school building. The existing sports hall will continue to accommodate the schools courts facilities. The sports hall extension will be linked to the existing sports hall by a single storey corridor which will wrap round the side of the building serve an extension to the existing single storey office and changing room space.*

*The extension to the single storey accommodation on the north side of the existing sports hall will accommodate physiotherapy space, classroom and changing areas. The design of the new sports hall extension is such that it will allow easy extension at a later date. This additional extension is, however,*

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*dependent on the College obtaining additional funding and has not, therefore, been shown as part of the current proposal.*

*As part of the proposals the astro turf pitch has been resited from the western portion of the site onto footprint of the existing College building. The pitch is to be cut into the existing slope so as to ensure that the new facility will not impact on the amenity of existing residents. The plans show that the existing landform will act as a buffer between the pitch and the associated floodlighting and the road and residential properties to the north.*

*Other ancillary buildings separate to the main College building include refuse storage areas*

## **Design of the development**

The new building needs a considerable footprint to ensure that all facilities are readily accessible from the ground floor. This has been achieved by dividing the building into a series of functional components that in turn creates elevations of varied scale and massing. This approach avoids the creation of a homogenous block whilst simultaneously seeking to create a contemporary building with civic gravitas.

*Further interest has been added to the elevations through the escape stairs that have been designed external to the building. These will add depth and relief to the elevations through the interplay of light and shadow. The fenestration of the ribbon windows has also been designed to reflect the internal space planning.*

## **Access to the site**

*The access arrangements to the new College buildings have been developed from the existing layout. The principal pedestrian and cycle access to the site will be via Burnhope Way, directly to the building entrance, and as such provide a strong link from the existing bus stop to the College site. The plans also show a toucan crossing over Burnhope Way providing safe and convenient access across the road from the site entrance to the bus stop and into town. This reflects the planning approval in relation to the previous application for a new college building at the site. .*

*This route in turn ties into other circulation routes across the site that will be treated in a similar but subordinate manner. Such routes include those from the main entrances to the car parking areas and sporting facilities. These will be defined from vehicular areas by a change in surfacing to give pedestrians and cyclist priority and provide for increased safety within the site.*

## **Car and Cycle provision**

*Regard has been had to the national and local car parking standards, the proximity of the site to the town centre and public transport services and existing car usage in connection with the College sites when determining the level of car parking to be provided. The final parking numbers also take account of discussions with representatives from the highways authority during the consideration of the original application for the new sports building.*

*Initially car parking provision was calculated based on a parking accumulation study at the existing site and has been extrapolated to provide a forecast of requirements for the new building. This resulted in a figure of 227 spaces to*

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*be provided to the north east of the new College building with strong pedestrian links to the main entrance and sports hall.*

*However, as a result of discussions with the highways authority regarding the current operation of the site, including the sports facilities, the number of parking spaces was increased to 277 as part of the previous application. This figure is reflected in the current proposal, albeit within a slightly different layout to ease circulation within the site. The proposed provision is considered to represent a realistic balance between encouraging use of public transport, making provision for existing car use and reduce the effect of on street parking in the local residential area. Accessible parking is provided near to the college entrance, as well as an easy access point to the workshop, accessed through a controlled barrier*

*Current cycle parking provision guidance has been used to determine the number of covered cycle stands to be provided for within the development. A total of 283 spaces have been provided adjacent to the main entrances. However, it is recognised that the current demand for cycling within the college means that it is unlikely that there will be the demand for this number of spaces initially. It is agreed with the highways authority that 150 cycle spaces will be provided at the opening and when the demand for these spaces reaches 80% then the remainder of the cycle stands will be installed. This review can be addressed as part of any travel plan relating to the development.*

*Full details of the levels of car and cycle parking and the associated access arrangements were included in the Transportation Assessment submitted as part of the original application for the new college building, reference 06/0214. Representatives from the highways authority in respect of this application have confirmed that they are happy to consider the application on the basis of the Transportation Assessment previously submitted as they do not see this application having significant changes in highway terms.*

## ***The Sports Pitch***

*The new astro turf pitch has been designed to Sport England's standards and will continue to be utilised for five a side football matches and practices by the College and the local community. The pitch will be available for use from 0730 hours when the College opens up to 2200 hours on weekdays and 1800 hours on a Saturday. There will be low levels of usage on a Sunday between 0900 hours and 1700 hours. It is fair to say that the pitch will be used to a greater extent at the beginning of the week and to a lesser extent on a Thursday and Friday and Saturday when it is likely to be vacated by 2100 hours. There will be no evening use at the weekend.*

*A condition relating to the usage of the floodlighting placed on the previous decision notice for the new college and sports facilities reflected the hours of usage set out above. The College anticipates that such a condition will be included within any planning approval for this application and are happy to operate within its requirements.*

*The location of the pitch is effectively constrained to the site of the former college building in the northern section of the site given Sport England's requirements for the loss of playing fields. Siting the astro turf pitch on the site of the existing playing field space would effectively result in an overall loss of playing field at the site and would result in a statutory objection from Sport England.*

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*Our client understands that the activity associated with the astro turf pitch may give rise to concerns from local residents. As a result careful consideration has been given to the design of this pitch. As the drawings submitted as part of the application show the height of the pitch has marginally increased from that which was granted approval last year. However, the site levels on the northern boundary will continue to act as a buffer between the pitch and the site boundary.*

*The level change is such that the associated flood lighting will have a minimal impact outside the boundaries of the application site. Luminaries and columns will be selected specifically to reduce the light spill into the nearby residential properties with the column height reduced to compensate for the increase in level of the astro turf pitch. The Sport Pitch Floodlighting drawing reference (N6050/EL(63)5001) is again submitted as part of the application to demonstrate that floodlighting spill will be limited to 2 lux at the boundary of the properties with Beverley Way. A further report prepared by Faber Maunsell is included as part of this submission which demonstrates that despite the reduction in the column levels the lux levels shown on the drawing reference (N6050/EL(63)5001) can be achieved. It is clear that these levels will be low when compared to average streetlight levels that are between 5 and 10 Lux.*

In summary the main changes included within this application compared to the earlier approval relate to :

- The design of the main building,
- The level of the new sports pitch and
- The location of the site access.

The main changes to the college building relate to the roof design and the elevations. Whilst these are markedly different to those originally approved, the changes are not considered to detract from the overall design of the building and its impact on the immediate surroundings will be likely to remain a positive one.

The height will vary from 2.5 to 4 storeys, reflecting the change in site levels and the external materials will be contemporary in approach as before, but are not yet finalised at this stage.

It has been necessary to increase the level of the sports pitch by around one metre, however the impact of the floodlights on local residents will be neutral as the height of the columns is being reduced accordingly.

The location of the site access has been amended slightly and has been agreed with the Highway Authority who consider it to be an improvement on the earlier approved scheme. It remains off Willerby Grove, some 2 metres further away from the Burnhope Way junction.

Car parking and other on site provision remains as before with some minor changes in location and the sports hall extension is as before but with some internal modifications.

Residents concerns relating to the sports pitch were considered under the earlier application and Members were satisfied that the measures taken then to avoid light pollution, supported by the Environmental Health Officer, were sufficient to avoid unacceptable nuisance. The current proposals will not increase this perceived problem.

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The Highway Authority do not consider the traffic impact of the current proposal will be any greater than the approved scheme and is therefore not objecting to the application on grounds of congestion or road safety.

Overall therefore it is considered that the revised proposals are acceptable and indeed an improvement on the approved scheme and that it will have a positive impact on the character of the locality and provide improved facilities for the college students.

**Recommend** Approval subject to the following conditions: Materials, landscaping, Travel Plan provision, hours of construction/demolition work, hours of use of sports pitch

## **Reason for recommendation**

The proposal is in accordance with the relevant planning policies referred to above.

**Decision time** 9 weeks – target achieved.

**2007/0077**

**2007/0078 (LB)**

**EASINGTON COLLIERY (EASINGTON COLLIERY) – Proposed Change of Use from School to Enterprise Facilities and Office Accommodation at Former Easington Colliery Primary School, Seaside Lane, Easington Colliery for Acumen Community Enterprises Development Trust Ltd**

## **Planning History**

Planning and Listed Building Consent for change of use to offices, retail, leisure and day care was withdrawn in 2001 following the submission of an amended scheme which also included community use – application number 01/134 and LB/01/135. These were approved in April 2001.

On 26<sup>th</sup> March 2004 a Listed Building application was submitted to the Council to demolish the school buildings on the site – application number LB/04/1031.

On 5<sup>th</sup> April 2005 the Council considered the application and resolved that it was minded to agree to Listed Building Consent being granted for demolition. By a letter dated 13<sup>th</sup> October 2005 the Secretary of State called in the application for determination by himself.

On 26<sup>th</sup> September 2006 Members resolved to grant planning permission to redevelop the site with 27 houses and 12 apartments – application number 2006/0582. This application was also called in by the Secretary of State for her consideration.

The Public Inquiry into the two applications referred to above closed on 23<sup>rd</sup> March 2007, and a decision is awaited..

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## Consultations

The application was advertised in the press, site notices were posted and local residents consulted.

Comments have been received from 2 residents raising the following issues –

- Traffic congestion will result from such a use.
- The proposed use will generate noise nuisance.

Also the owners of the site have objected raising the following planning issues, and their comments are summarised as follows:

- 1 the scheme is an over-development of the site which would adversely effect the residential amenity of the neighbourhood;
- 2 by virtue of the accommodation and activities proposed, and the car borne traffic likely to be generated, the scheme does not represent sustainable development;
- 3 for a development of this scale and nature, Regional Economic and Spatial Strategies prioritise the core urban areas of the 2 city regions;
- 4 the project is neither feasible as a capital scheme nor viable as a self-sufficient operation. The grant of planning permission would not alter this but could further prolong uncertainty, delay and blight, frustrating Council regeneration policy.

Easington Parish Council – No comments received.

Highway Authority – No objections in principle but have requested some detailed changes.

One North East – Supports the proposal to provide accommodation for new start up enterprises and the improvement of the employability of local residents.

English Heritage - Their comments are reproduced as follows :

### ***Summary***

*English Heritage welcomes this proposal for the repair and reuse of the Easington Colliery Schools. The scheme shows sensitivity in its respect for the historic fabric, protecting those aspects of greatest significance. The new porches and studios represent contemporary additions that will add to the architectural distinctiveness of the buildings. The creation of a central public space is a particularly welcome feature.*

*English Heritage recommends the application be approved by your Council with appropriate conditions to cover the detailed design aspects of the scheme e.g. materials, landscaping.*

The Conservation Officer has commented as follows :

*I am pleased that this application to re-use the building for community purposes has been made by Acumen. I have been in discussion with Acumen for 3 years and have given advice on this particular proposal.*

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*I consider that this application represents the best chance for the buildings to be re-used. The proposed use fits the building without having to make any major changes and will also provide a valuable resource for the community.*

The Conservation Officer recommends approval with conditions relating to detailed aspects of the scheme.

## **Development Plan Policies**

### ***District of Easington Local Plan***

E05 - Upgrading of the shopping centre

E11 - Uses for former Easington Colliery School

E16 - Local shopping centre

ENV24 - Development Affecting Listed Buildings and their Settings

GEN01 - General Principles of Development

SHO102 - Local and neighbourhood shopping centres

Policy 35 – Design and amenity.

PPG 15 – Planning and the Historic Environment.

## **Comment**

### Description of site and proposal

The site is located in the centre of Easington Colliery on the main road running through the village, Seaside Lane. The area is characterised by a number of residential terraces dating from the early colliery days, and the site is close to retail shops, pubs and clubs, some of which are closed or awaiting redevelopment. There are some areas nearby which have had terraced properties replaced with single storey dwellings.

The site area is large, covering an area of approximately one hectare and slopes generally down in a west to east direction. It is surrounded on three sides by streets serving the residential areas, the main entrance being onto Seaside Lane, however historically School Street has served pedestrians using the school.

The school buildings were listed as being of architectural or historic importance in 1997, Grade II. They are relatively unusual in terms of their layout in that the school was effectively split into separate boys and girls buildings *on the same site*. Other buildings and structures on the site include a Manual Instruction Block, bicycle sheds, gates, piers and railings, all of which are Grade II Listed.

The layout of the site is more or less symmetrical with large dominating towers positioned at each end of the site, with playgrounds in between. The size of the buildings is further emphasised by the visual impact of the red bricks of which most of the school is built.

The buildings are currently in a state of disrepair and as such it is considered that some form of development is necessary to resolve the adverse impacts of the existing site on the amenities of local residents.



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It is intended to convert the existing buildings to studio workshops and offices, and provide five additional free standing business studios within the grounds. In addition a coffee bar/shop is proposed within the centre of the public area.

Considerable car parking is provided on site but the exact amount is still being discussed with the Highway Authority. Vehicular access is proposed via School Street with the main pedestrian access coming off Seaside Lane through a landscaped frontage area. The above work will involve the removal of some boundary walls and railings but such a loss is considered acceptable in the context of retaining and renovating the Listed Building.

There is very little external alteration proposed – a new entrance porch being the main change to the frontage – and the internal alterations respect the original school plan and major detailing.

The design of the central space is such that it will encourage the public to walk into the site and gain an appreciation of the grand scale of the Listed Building and its architectural character.

## Policy considerations

PPG 15 relates to the preservation of the historic environment and for the benefit of Members there follows some extracts which give an idea of Government thinking in relation to Listed Buildings and changes of use.

*Most historic buildings can still be put to good economic use in, for example, commercial or residential occupation. They are a valuable material resource and can contribute to the prosperity of the economy, provided that they are properly maintained: the avoidable loss of fabric through neglect is a waste of economic as well as environmental resources. In return, economic prosperity can secure the continued vitality of conservation areas, and the continued use and maintenance of historic buildings, provided that there is a sufficiently realistic and imaginative approach to their alteration and change of use, to reflect the needs of a rapidly changing world.*

*The Town & Country Planning (Development Plan) Regulations 1991 require authorities to have regard to environmental considerations in preparing their plan policies and proposals. The protection of the historic environment, whether individual listed buildings, conservation areas, parks and gardens, battlefields or the wider historic landscape, is a key aspect of these wider environmental responsibilities, and will need to be taken fully into account both in the formulation of authorities' planning policies and in development control.*

*Judging the best use is one of the most important and sensitive assessments that local planning authorities and other bodies involved in conservation have to make. It requires balancing the economic viability of possible uses against the effect of any changes they entail in the special architectural and historic interest of the building or area in question. In principle the aim should be to identify the optimum viable use that is compatible with the fabric, interior, and setting of the historic building. This may not necessarily be the most profitable use if that would entail more destructive alterations than other viable uses. Where a particular compatible use is to be preferred but restoration for that use is unlikely to be economically viable, grant assistance from the authority, English Heritage or other sources may need to be considered.*

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*Many listed buildings are already in well-established uses, and any changes need be considered only in this context. But where new uses are proposed, it is important to balance the effect of any changes on the special interest of the listed building against the viability of any proposed use and of alternative, and possibly less damaging, uses. In judging the effect of any alteration or extension it is essential to have assessed the elements that make up the special interest of the building in question.*

It is noted that the Conservation Officer, is of the opinion that the proposals will result in the reuse of a prominent Listed Building which will positively contribute to the character of the locality and will not have a marked effect on the overall appearance and historic character of the Listed Building.

Policy E11 of the Local Plan allocates the site for a range of uses, subject to the need to maintain quiet conditions for people living nearby. It is also stipulated that any proposal should comply with policies relating to design and layout, access and parking.

Issues of sustainability have been raised by objectors, however officers are of the opinion that the development conforms with guidance provided by the Government in this regard. In particular, Planning Policy Statement 7 (PPS7) : Sustainable Development in Rural Areas states :

Accessibility should be a key consideration in all development decisions. Most developments which are likely to generate large numbers of trips should be located in or next to towns or other service centres that are accessible by public transport, walking and cycling, in line with the policies set out in Planning Policy Guidance Note 13 (PPG13) Transport. Decisions on the location of other developments in rural areas should, where possible, give people the greatest opportunity to access them by public transport, walking and cycling, consistent with achieving the primary purpose of the development.

Priority should be given to the re-use of previously-developed ('brownfield') sites in preference to the development of greenfield sites, except in cases where there are no brownfield sites available, or these brownfield sites perform so poorly in terms of sustainability considerations (for example, in their remoteness from settlements and services) in comparison with greenfield sites.

In addition Planning Policy Statement 1 (PPS1) : Delivering sustainable development states that :

*The Government is committed to protecting and enhancing the quality of the natural and historic environment, in both rural and urban areas. Planning policies should seek to protect and enhance the quality, character and amenity value of the countryside and urban areas as a whole. A high level of protection should be given to most valued townscapes and landscapes, wildlife habitats and natural resources. Those with national and international designations should receive the highest level of protection.*

*The condition of our surroundings has a direct impact on the quality of life and the conservation and improvement of the natural and built environment brings social and economic benefit for local communities. Planning should seek to maintain and improve the local environment and help to mitigate the effects of declining environmental quality through positive policies on issues such as design, conservation and the provision of public space.*

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It is considered that the proposed development conforms with these aims in view of its central location within the village, in easy reach of a variety of forms of access to the site, makes full use of existing and historic buildings and enhances the local environment as well as providing employment for both local and more distant residents.

Concerns over traffic generation from the proposed use are noted however, the nature of the end users – offices and low key “ neighbour friendly “ businesses will not be likely to generate heavy goods traffic and the level of vehicle movements will be likely to compare favourably with the school use which was originally designed to accommodate 1700 pupils.

Issues of viability of the proposals have been raised by objectors, and this is examined within PPG 15 (extract above). The viability of a particular scheme may be examined if there are concerns relating to its impact on the character of the Listed Building, for example if substantial alterations or demolitions are proposed. In these applications there are very few substantial changes proposed to the important features of the building and the overall effect of the development will be positive in terms of historic character, therefore little weight can be given to the issue of viability in this instance. Due to the limited impact on the Listed Building the Council is not required to be satisfied that the proposal is financially capable of completion before determining whether the development would be suitable.

## Conclusion

Members will recall recently resolving to support an application to demolish the School and redevelop the site with housing. That decision was considered at the recent Public Inquiry and the Secretary of State’s decision on those applications is awaited. The current proposals, if approved, will only offer an alternative option for the site in the event that the Secretary of State does not agree to demolition. In these circumstances, the proposals are considered to be in compliance with Policy E11 of the Local Plan.

**Recommend** Grant Planning Permission and Listed Building Consent subject to the following conditions: Type of business permitted, Landscaping proposals, design of new walls, railings, canopies, various internal features, repaired/replacement windows, external brick cleaning, external materials.

## **Reason for recommendation**

The proposed development conforms fully with National Government guidance for such sites together with the relevant Local Plan policies referred to above.

**Decision time** 9 weeks – target not achieved due to application needing to be brought to Members for consideration.

# Item no.

**2007/0088**

**SEATON WITH SLINGLEY (SEAHAM NORTH) – Proposed House at Plot 1 at Land Rear of Pear Tree House and East of Hillrise Crescent, Seaton for WMW Self Build**

## **Planning History**

05/0484 – Outline permission granted for 2 houses.

06/0439 – Outline permission granted for 3 houses July 2006.

06/0747 – Full permission granted for 2 dwellings (Plots 2 and 3).

## **Consultations**

A site notice has been posted and local residents consulted. Comments have been received from 3 residents raising the following issues :

- Building will visually dominate the street scene.
- Building will dominate the two adjacent bungalows.
- It will look out of place in this part of the street.

Parish Council – Comments as follows :

*The Parish Council considered the above application at last night's meeting and great concern was again expressed about the suitability of the design of the house for the environment. It is thought that the house is far too high for the site and will tower over all the existing residences nearby, except those currently being built. Members commented that, just as we had said in our original objection, the houses currently being erected are proving to be far too high and unsuitable for the site and this additional proposal is in a position which will be even more predominant.*

*This Council believes that the District Council and its planning officers have a responsibility to this village and its residents to ensure that development is suitable and in keeping with the rural nature of the village and that new buildings are also in keeping with established dwellings. This is a prime site within the very heart of the village and is, in the main, surrounded by bungalows and smaller houses. For that reason Council objects to the development and suggests that a bungalow will be preferable.*

*As before, the Chairman, Councillor Alan Foots, would like to speak to the Development Control and Regulatory Panel when it meets to consider the above proposal.*

*Thank you once more for your consideration.*

Highway Authority – No objections.

## **Development Plan Policies**

*District of Easington Local Plan*

GEN01 - General Principles of Development

ST03 - East of Hillrise Crescent

Policy 35 – Design and amenity.

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## **Comment**

The site is located on Seaton Lane and to the east of Hillrise Crescent and consists of part of a larger area of land of some 0.23 hectares which is currently being developed for two dwellings. Access to the plot is via a driveway on to Seaton Lane.

Members may recall local residents' concerns at the outline stage about the eventual design of the dwellings and accordingly imposed a condition on the permission restricting the new dwellings to two storey only.

The original application for this plot was submitted with all three plots proposed for development but in view of Officers' concern over the visual impact of the house proposed on plot one, that plot was removed from the application details to be considered.

At that time officers expressed concern that the scale and design of the earlier proposal for plot one would over dominate the street scene and appear out of context with the adjacent single storey dwellings either side. As a result that plot was omitted from the scheme in order that revised plans could be submitted at a later date for separate consideration.

The revised plans indicate a similar dwelling to that proposed earlier but with the roof design altered to introduce hips to help reduce its scale. The height remains as before at some 8 metres.

Whilst the design would be considered acceptable in many instances, in this case the site characteristics are such that its scale and visual impact will be likely to be seen to be out of context and imposing on the character of the locality. The site is on raised land in relation to Seaton Lane and adjacent two single storey dwellings and as such, notwithstanding the amended design, is considered to form an over dominant feature in the locality which will result in an unacceptable loss of character to this part of Seaton.

## **Recommend**

Refusal for the following reason :

The proposed development by virtue of its scale and design will be seen to be out of context and imposing on the character of the locality. The site is on raised land in relation to Seaton Lane and adjacent two single storey dwellings and as such, is considered to form an over dominant feature in the locality which will result in an unacceptable visual impact and loss of character to this part of Seaton. In view of the above the development is considered to be contrary to policies 1 and 35 of the District of Easington Local Plan.

## **Decision time**

Over 8weeks – Target not achieved due to application being brought before Members for consideration.

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**2007/0097**

**SOUTH HETTON (EASINGTON VILLAGE & SOUTH HETTON) – Proposed Residential Development Comprising 20 No. Dwellings at Land at Windermere Road, South Hetton for Mr E Alder Gladedale (Sunderland) Ltd**

## **Planning History**

None

## **Consultations**

Parish Council: No response

DCC Highways: No objections; detailed highways requirements provided.

Northumbrian Water: Detailed sewerage requirements; separate foul and surface water systems needed.

EDC Landscape: No response.

EDC Environmental Health: Contaminated land risk assessment required.

EDC Asset & Property Management: Sale of land agreed with applicants.

Neighbours: 2 objections from nearby residents, relating to:-

- obstruction of views;
- noise and disruption caused by development;
- disturbance to wildlife;
- traffic congestion leading to difficulties for existing residents and buses;
- an increase in number of children in an area with no facilities;
- potential inadequacy of schools to accommodate more children;
- site liable to flooding;
- signboard advertising housing development has already been erected on site.

Site/Press Notices: No response

## **Development Plan Policies**

*District of Easington Local Plan*

CSP68 - Wildlife Corridors

ENV03 - Protection of the Countryside

ENV17 - Identification and Protection of Wildlife Corridors

ENV35 - Environmental Design: Impact of Development

ENV36 - Design for Access and the Means of Travel

GEN01 - General Principles of Development

HOU66 - Provision of outdoor play space in new housing development

S007 - East of Windermere Road

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## Comment

This application relates to a narrow strip of Council-owned land, amounting to some 0.271 hectares, which lies on the east side of Windermere Road and opposite Grasmere Terrace in South Hetton. The land is slightly higher at each end than in the middle. Its eastern side is also the boundary of the village as defined in the Local Plan; at its northern end is a bus turning area; the southern end is separated from West Lane by some twenty metres or so of agricultural land; and the houses in Grasmere Terrace face the site from the west side of Windermere Road.

The land has been occupied by buildings previously, though, at present, it has the appearance of overgrown grazing land. As a result of the site's previously developed nature, it falls to be considered as a brownfield site and this is recognised by it being allocated for housing development in the Local Plan (policy So7).

At the time the Local Plan was prepared, it was understood that the site was likely to be difficult to develop because of the existence of underground services; also at that time, the likely capacity of the site was determined on the basis that development was needed to serve the higher end of the market, i.e., low density. Consequently, the preamble to policy So7 says that the site is considered to be suitable "for up to 3 dwellings".

Since then, the situation has changed in that the physical constraints to the development of the site appear to be less problematical than originally thought and the perceived housing need is for affordable and family housing rather than for lower density properties. On this basis, the land has been marketed as a development site "for residential development of up to 10 houses", although the sales particulars did mention that developments of a higher or lower density *may* also be considered.

The application under consideration proposes the erection of twenty houses, being a mix of nine terraced, six semi-detached and five detached houses, two of which would have the facility to build a garage with the rest all relying on frontage parking spaces directly off Windermere Road. Additional such spaces are proposed for visitor parking facilities. While nine of these parking spaces are arranged in three blocks of three, the area along the front of the nine terraced houses and the adjacent detached house contains a run of sixteen parking spaces interspersed only by three one-metre wide footpaths, also with footpaths at either end. Thus, the whole site frontage for the first forty-seven metres (out of a total length of some 125 metres) as the land is approached from West Lane would be given over to hard surfacing. Between the back of the parking spaces and the main front walls of the houses would be an approximately 2m wide strip of grass.

The site is approximately 125metres long. Adding all the house widths together, the total length of built frontage amounts to around 99metres of that 125m length. [It should be noted that the design of the house types themselves is not considered to be unacceptable.]

In comparison to the existing housing area on the other side of Windermere Road with its traditional form of gardens and hedges, it is considered that this proposed form of development would be visually harsh and out of keeping with its surroundings.

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There are still some limiting factors affecting the development of the site, in particular the existence of a sewer running along the site frontage. As a result, the applicants have set the houses further back into the site than would otherwise have been necessary, such that none of the properties would have private rear open spaces which would meet the Council's minimum rear garden length guideline of 10.5metres (as contained in the Local Plan). Three of the houses are shown on the submitted layout drawing with 9m long gardens, one at 8m, nine at 7m and seven at 6m or barely 6m.

As is mentioned earlier in this report, the application site does adjoin open countryside which, being beyond the village boundary is not likely to be developed in the foreseeable future. In such circumstances, it might be considered reasonable to not require all rear gardens to be a minimum of 10.5m long as long as a suitable boundary treatment is provided to create a suitably sensitive interface with the open countryside. While the applicants have in this instance agreed to replace their normal 1.8m high close-boarded boundary fencing by a 0.9m high post and three rail paddock-type fence, the provision of garden lengths of less than 70% of the Council's guidance length at the majority of the properties is considered to be unacceptable.

Policy 66 of the Local Plan requires the provision of children's play facilities in housing developments of ten houses or more. The proposed scheme does not make any such provision although the applicants have indicated their willingness to enter into a legal agreement whereby they provide a sum of money to the Council (related to the number of houses for which permission may be granted) as a contribution towards the provision of new recreational facilities or the enhancement of existing facilities elsewhere in the area. This sort of arrangement has proved to be reasonable in several other housing developments in the District.

Two objections have been received from local residents, a number of which can not be taken to be material to the consideration of this application. The question of traffic congestion is not felt to be a significant issue for the number of houses involved and any potential for the land to flood would be taken into account by the developer in serving the site

In summary, then, the application site is suitable in principle for housing development but, although there are certain restricting factors, it is considered that the proposal amounts to a cramped development of the site which would not provide a satisfactory level of amenity for the occupiers of the new houses and would be visually inappropriate in this location. A scheme involving a maximum of about twelve or thirteen houses would be more likely to be able to provide reasonable amenity spacing about the houses and, thereby, create a more open and sensitive development in this location abutting open countryside.

**Recommend** Refusal for the following reason:

Having regard to the location of the site, the number of houses proposed and the extremely limited space accorded to each property, it is considered that the proposal amounts to an unsatisfactory form of development which would be out of keeping with its surroundings, positioned as the site is between open countryside and an area of traditional housing, and that it would not provide a satisfactory standard of amenity for potential occupiers. Furthermore, it is considered that the



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treatment of much of the site's frontage to Windermere Road would result in an excess of hard surfacing, thereby creating an undesirably harsh street environment. As such, it is therefore considered that the proposed development would be contrary to policies 1 and 35 of the District of Easington Local Plan.

**Decision time** 7 weeks 4 days (target met)

## **2007/0107**

**MURTON (MURTON EAST) – Proposed Substitution of House Types to provide 12 No. Dwellings at Plots 37 – 45 Thomas Bros. Site, Murton for G Wimpey North Yorkshire Ltd**

### **Planning History**

04/743 Full permission for 136 dwellings approved March 2005.

Numerous substitution of house types applications since the above permission.

### **Consultations**

Parish Council – No comments received.

Highway Authority – No objections.

### **Development Plan Policies**

*District of Easington Local Plan*

GEN01 - General Principles of Development

HOU66 - Provision of outdoor play space in new housing development

IND51 - Development of Small Industrial Estates

Policy 35 – Design and layout.

### **Comment**

This application relates to the rearrangement of part of this site which is currently under construction. It is proposed to amend plots 37–45 by introducing a number of new terraced town house designs in place of detached dwellings and in so doing increase the house numbers by three.

The layout remains acceptable and spacing standards are maintained in the revised layout. The house types are similar to those approved within the original scheme and are acceptable in this instance.

**Recommend** Approval

### **Reason for recommendation**

The proposal conforms with the relevant planning policies referred to above.

**Decision time** 7 weeks – target achieved.

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**2007/0108**

**MURTON (MURTON EAST) – Proposed House and 2 No. Flats at Land Rear of West View and Adjacent St. Joseph’s School, Murton for Mr. C. Campbell**

## **Planning History**

None

## **Consultations**

Parish Council: Objection: effect on access to cricket ground, football pitches and bowling green; adverse impact on nearby residents.

DCC Highways: No objections: access track and parking area should have improved surface.

DCC Property Services: Concern about access to playing field for maintenance purposes; and about safety of schoolchildren;

Northumbrian Water: Details provided of existing sewers; need for separate connections for foul and surface water drainage.

EDC Environmental Health:

Contaminated land risk assessment needed.

EDC Asset & Property Management:

Ownership and covenant issues involved.

Neighbours:

Objection from adjacent school:

- concern over potential conflict between building work traffic and schoolchildren;
- access to school must not be blocked and access to playing field should be retained;
- query over ownership of land.

Objection from cricket club:

- creation of access difficulties.

6 objections from local residents:

- loss of view;
- additional traffic/parking;
- overlooking;
- loss of access to much needed recreation grounds;
- buildings not intended for residential use;
- submitted plans do not show dimensions;
- Church Lane already heavily trafficked with unfortunate record of accidents;
- buildings have been neglected;
- site could be used for park-keeper’s maintenance vehicles;
- people in Murton are fed up with additional housing but have to travel outside Murton to buy food;
- applicant has tried to buy people’s gardens;
- restricting access to recreational facilities will lead to increased vandalism;

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- loss of light and amenities;
- proposal too big for plot, too overpowering;
- adverse impact on general character of area;
- 

Site and Press Notices: No response.

## **Development Plan Policies**

### *District of Easington Local Plan*

GEN01 - General Principles of Development  
ENV35 – Design and Layout of Development  
ENV36 – Design for Access and Means of Travel  
HOU67 – Windfall Housing Sites.

## **Comment**

This application relates to a piece of land located immediately to the east of St. Joseph's RC Junior and Infant School on the south side of Church Lane. On the east side of the site are houses and gardens in Church Lane and West View. The application site itself comprises a stretch of buildings alongside an unadopted access road which leads from Church Lane to the various facilities in Murton Recreation Ground.

The buildings presently on the site are generally single storey in height with a small section at two storeys. They have previously been used for storage and workshop uses but have fallen into disrepair.

The application proposes the demolition of these buildings and their replacement by two two-storey buildings comprising a four bedroomed house and two flats with a single storey link between them to provide covered parking facilities for three cars. Four parking spaces for visitors would be provided on the opposite side of the access road.

As previously developed land within the Murton village boundary as defined in the Local Plan, the site falls to be considered as a 'brownfield windfall', whereon residential development would, in principle, be in accordance with Local Plan policies.

The existing buildings on the site abut the garden boundaries of residential properties in West View. They are generally single-storey and it is considered that the proposal to replace them by generally two-storey development would adversely affect the amenities of the residents of the houses in West View by creating an overbearing feature at the end of their gardens. Although the new buildings would not be as long as the existing ones and there are no windows proposed in the rear elevations of the new buildings, the additional height is felt to be significant enough for the effects on the existing residents to be unacceptable.

The design of the proposed buildings is not considered to be an issue in itself, save for the large areas of blank walling which would confront the occupiers of the adjacent houses in West View.

As mentioned earlier in this report, the site includes a section of the unadopted access road leading to Murton Recreation Ground. The application does not have any physical effects on a 4.5metres wide strip down the centre

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of the site and so retains the access through the site but windows in the west elevation of the new buildings would be directly adjacent to the 'carriageway'. It is not considered that this arrangement is conducive to a reasonable level of privacy or amenity for future residents in the proposed properties.

While a not unreasonably dimensioned area of private garden area is proposed for the new house, only a bin store and a 3m x 3m patch of 'garden area' is intended for the residents of the two flats. Overall, it is considered that the level of amenity provision for future residents does not achieve an adequate standard.

A number of objections have been received to the proposal. The additional traffic likely to be generated by the proposal and the fact that the site is adjacent to a school entrance have been raised by several objectors. While these are clearly matters which are material to the consideration of the planning application, it should be noted that what is involved is an existing roadway which is not being significantly altered and that, prior to them falling into disrepair, the existing buildings on the site would have been visited by various commercial vehicles serving the storage and workshop uses. The traffic generated by three residential buildings is not considered likely to pose a significantly increased threat to either highway safety or the welfare of the schoolchildren.

The rest of the matters raised in the objections have generally been covered earlier in this report, though suggested alternative uses for the existing buildings, the potential for increased vandalism, and the allegation that the applicant has tried to buy other people's gardens are not matters which can be seen as material planning considerations.

In summary, then, the principle of residential development on this site would, on the face of it, be in accordance with Local Plan policies. However, it is concluded that the configuration and dimensions of the site, the severely limited standard of amenity which would be available for future residents of the proposed houses and the unacceptable effects of the development on existing residents combine to make the proposal constitute an unsatisfactory form of development.

**Recommend:** Refusal for the following reason:

Having regard to the configuration and dimensions of the application site, it is considered that the proposal constitutes an unsatisfactory form of development which would be incapable of providing an acceptable level of residential amenity for future occupiers of the proposed dwellings. Furthermore, it is considered that the proposed development would have a seriously adverse effect on the amenities enjoyed by the occupiers of the existing dwellinghouses situated to the north of the site by presenting large two-storey height areas of walling at the end of their gardens and in unreasonably close proximity to the windows in the rear elevations of those properties. It is therefore concluded that the proposed development would be contrary to policies 1 35 and 67 of the District of Easington Local Plan.

**Decision time** Less than 8 weeks (target met)

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**2007/0121**

**SEAHAM (SEAHAM HARBOUR) – Listed Building Consent for the Installation of Lock Gates and Pontoons at North Dock, Seaham Harbour, Seaham for Seaham North Dock CIC**

## **Planning History**

06/0889 – New workshops, pontoons, lock gates and slipway – approved 28/03/07.

## **Consultations**

A press notice was published and a site notice posted and local residents consulted. No comments have been received as a result of this publicity.

English Heritage – No objections

Parish Council – No comments received.

Regeneration Officer – Supports the proposal.

Conservation Officer – Now finds the proposals acceptable as the new lock gates will not impinge on the old gate channels and the mooring posts in the dock basin will be retained.

## **Development Plan Policies**

*District of Easington Local Plan*

CSP65 - The Character of the Built Environment  
ENV22 - Preservation and Enhancement of Conservation Areas  
ENV24 - Development Affecting Listed Buildings and their Settings  
GEN01 - General Principles of Development  
S28 - North Dock area  
Design Brief For the North Dock  
North Dock Conservation Management Plan.

## **Comment**

This application relates to the planning application recently approved by Members in relation to the new workshops and other works under application number 06/0889. This application relates to the Listed Building elements of the development, namely the new pontoons and the lock gates.

North Dock lies at the heart of the town, which grew up around it close to the main commercial area based on Church Street and next to the seafront promenade centred on Terrace Green. It is also at the heart of current regeneration activity in the town. A new shopping complex “Byron Place” has recently been approved on the cliff top above the Dock that will create a new public space opposite the entrance to the harbour and the former Londonderry Office, now Marquess Point, has recently been refurbished for residential use

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with some new build. North Dock is one of the most significant historic assets for the town and its proposed restoration and re-use as a marina and tourist destination is a key component of the regeneration strategy for Seaham.

Full details of the pontoons are yet to be finalised but their means of attachment to the dock walls are considered acceptable as is the means of installing the new lock gates. The character and integrity of the Listed Dock walls will be retained as a result of this development and the overall character of the North Dock Area will be enhanced.

**Recommend** Approval subject to the following conditions: final details of pontoons.

## **Reason for recommendation**

The proposals conform to the planning policies and other guidance referred to above.

**Decision time** 7 weeks – target achieved.

## **2007/0129**

### **HORDEN (HORDEN NORTH) – Proposed Private Garage at 7 Beaumont Crescent, Horden for Mr C Lancaster**

This application is reported to the Panel Meeting because the applicant is an employee of this Authority.

Planning History - nothing found.

Consultations - neighbours notified, no representations received.

## **Development Plan Policies**

*District of Easington Local Plan*

ENV35 - Environmental Design: Impact of Development

GEN01 - General Principles of Development

HOU73 - Extensions and/or alterations to dwellinghouses

## **Comment**

The proposal is for the erection of a private garage measuring 5.8 x 3.2 metres and 2.3 metres in height at the end of the rear garden to the applicants' house. It is a proprietary make of building and externally will be finished with render with a low pitched roof. The garage will be accessed from the head of the rear service road which is adopted highway and the Highway Authority has not raised any objections to the proposal but does require some remedial works to be carried out so that dropped kerbs can be installed. There are no planning issues to consider from this proposal and therefore it is recommended that permission be granted.

**Recommendation** Approval

# Item no.

## **Reason for recommendation**

The proposal is considered to be in accordance with the Statutory Development Plan and the following related policies 1,35 & 73.

**Decision time**            7 weeks

## **E    Background Papers**

The following background papers have been used in the compilation of this report.

Durham County Structure Plan  
District of Easington Local Plan  
Planning Policy Guidance Notes  
Planning Policy Statements  
Regional Spatial Strategy  
DETR Circulars  
Individual application forms, certificates, plans and consultation responses  
Previous Appeal Decisions



**Graeme Reed**  
Head of Planning and Building Control