

# **DEVELOPMENT CONTROL COMMITTEE**

Friday, 15 September 2006

10.00 a.m.

Council Chamber, Council Offices, Spennymoor

# **AGENDA AND REPORTS**

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إذا أردت هذه الوثيقة بلغة أخرى أو بطريقة أخرى، أو إذا كنت بحاجة إلى خدمات مترجم، فنرجو أن تقوم بالاتصال بنا.

যদি আপনি এই ডকুমেন্ট অন্য ভাষায় বা ফরমেটে চান অথবা যদি আপনার একজন ইন্টারপ্রেটারের প্রয়োজন হয়, তাহলে দয়া করে আমাদের সাথে যোগাযোগ করুন।

本文件可以翻譯為另一語文版本，或製作成另一格式，如有此需要，或需要傳譯員的協助，請與我們聯絡。

यह दस्तावेज़ यदि आपको किसी अन्य भाषा या अन्य रूप में चाहिये, या आपको आनुवाद-सेवाओं की आवश्यकता हो तो हमसे संपर्क करें

ने एिह दसदावेन उगठु विमे वेर ब्रामा विच नां विमे वेर वुप विच चागीदा वै, नां ने उगठु गळषाउ ममझाएुठ लयी विमे रिंटरप्रेटर ची लैर वै, उां उमीं माठुं एंमे।

یہ دستاویز اگر آپ کو کسی دیگر زبان یا دیگر شکل میں درکار ہو، یا اگر آپ کو ترجمان کی خدمات چاہئیں تو برائے مہربانی ہم سے رابطہ کیجئے۔

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**Democratic Services**



**01388 816166**

## AGENDA

**1. APOLOGIES**

**2. DECLARATIONS OF INTEREST**

To notify the Chairman of any items that appear later in the agenda in which you may have an interest. (Pages 1 - 4)

**3. MINUTES**

To confirm as a correct record the Minutes of the meeting held on 18<sup>th</sup> August 2006 (Pages 5 - 12)

**4. APPLICATIONS - BOROUGH MATTERS**

To consider the attached schedule of applications, which are to be determined by this Council. (Pages 13 - 48)

**5. DEVELOPMENT CONTROL - ADDITIONAL APPLICATIONS**

To consider any applications which need to be determined as a matter of urgency. (Pages 49 - 60)

**6. DEVELOPMENT BY SEDGFIELD BOROUGH COUNCIL**

To consider the attached schedule of applications for consent to develop, which are to be determined by this Council. (Pages 61 - 66)

**7. CONSULTATIONS FROM DURHAM COUNTY COUNCIL**

To consider the attached schedule detailing an application which is to be determined by Durham County Council. The view and observations of this Council have been requested. (Pages 67 - 68)

**Members are reminded that the applications to be considered under Items 4,5,6 and 7 together with the plans submitted and all representations on the applications are available for reference in the relevant files in the Council Chamber, 30 minutes before the meeting or before that in the Development Control Section.**

**8. DELEGATED DECISIONS**

A schedule of applications, which have been determined by Officers by virtue of their delegated powers, is attached for information (Pages 69 - 82)

**9. COUNTY DECISIONS**

A schedule of applications, which have been determined by Durham County Council is attached for information. (Pages 83 - 84)

**10. APPEALS**

A schedule of appeals outstanding up to 6<sup>th</sup> September 2006 is attached for information. (Pages 85 - 86)

**11. RECENT PLANNING APPEAL DECISIONS**

Report of Director of Neighbourhood Services. (Pages 87 - 90)

## **EXEMPT INFORMATION**

The following item is not for publication by virtue of Paragraphs 1 and 6 of Schedule 12 A of the Local Government Act 1972. As such it is envisaged that an appropriate resolution will be passed at the meeting to exclude the press and public.

### **12. ALLEGED BREACHES OF PLANNING CONTROL**

To consider the attached schedule of alleged breaches of planning control and action taken. (Pages 91 - 92)

### **13. ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT**

Members are respectfully requested to give the Chief Executive Officer notice of items they would wish to raise under the heading not later than 12 noon on the day preceding the meeting, in order that consultation may take place with the Chairman who will determine whether the item will be accepted.

B. Allen  
Chief Executive

Council Offices  
SPENNYMOOR

7<sup>th</sup> September 2006

Councillor A. Smith (Chairman)  
Councillor B. Meek (Vice Chairman) and

All other Members of the Council

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#### ACCESS TO INFORMATION

Any person wishing to exercise the right of inspection in relation to this Agenda and associated papers should contact  
**Liz North 01388 816166 ext 4237 email:enorth@sedgefield.gov.uk**

# Item 2

## MEMBER'S DISCLOSURE OF INTEREST

A Member with a personal interest in a matter who attends a meeting of the authority at which the matter is considered must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.

<b>MEMBER'S NAME:</b>	
<b>MEETING OF:</b>	
<b>DATE OF MEETING:</b>	

❖ I disclose for the information of the meeting that I have a personal interest in \_\_\_\_\_  
(1)  
which will be the subject of consideration by the meeting.

(2)

The nature of that interest is \_\_\_\_\_

AND (3) [Delete if not applicable] (4)

❖ The personal interest is a prejudicial interest and I shall withdraw from the chamber.

OR (5) [Delete if not applicable]

❖ The interest is disclosed on grounds of planning good practice, as I have or have appeared to judge [or reserve the right to judge] the planning matter elsewhere, including whilst serving on another body, and I will not take part in the debate or vote. I [will] [will not] [Delete as applicable] be also withdrawing from the chamber.

SIGNED: .....

Dated .....

❖ To be read out by the Member when invited to by the agenda or at the commencement of consideration of that item. PLEASE COMPLETE THIS FORM AND PASS IT TO THE COMMITTEE ADMINISTRATOR DURING THE MEETING.

- (1) State details of the item (agenda item, planning application number, etc.)
- (2) State what the general nature of the personal interest in the matter is. (You do not need to supply specific details unless you wish to).
- (3) State only if this is a prejudicial as well as a personal interest
- (4) You may regard yourself as not having a prejudicial interest in certain circumstances (see *overleaf*) and there are further specific exemptions relating to exercising a scrutiny function. It is a matter for you to consider whether or not you feel it is right to make use of an exemption in the circumstances and, if so, whether you want to explain that to the meeting.

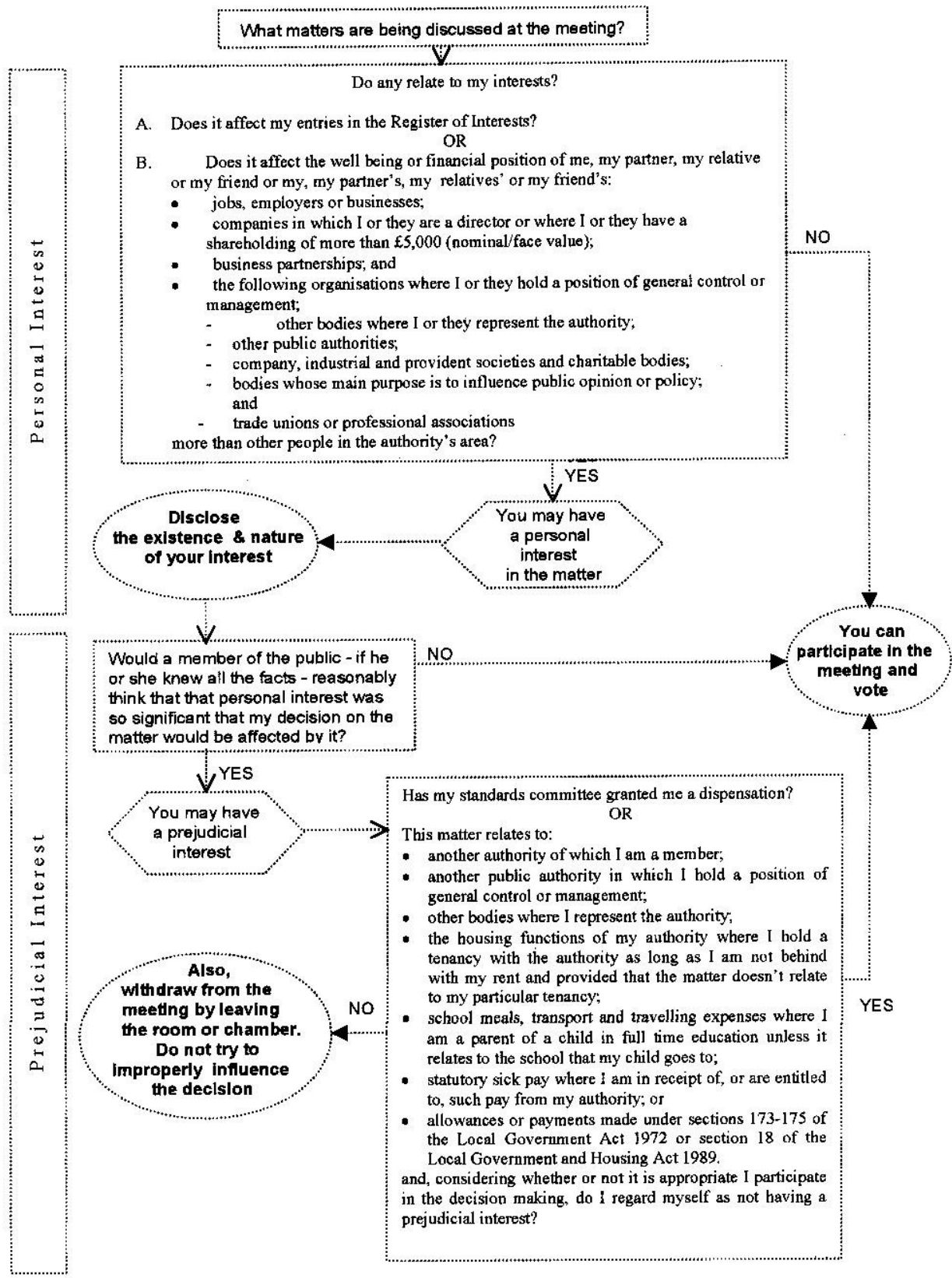
A Member with a prejudicial interest in any matter must also:

- withdraw from the room or chamber where a meeting is being held whenever it becomes apparent that the matter is being considered at that meeting, unless the Code permits participation or s/he has obtained a dispensation from the Standards Committee;
- not exercise executive functions in relation to that matter; and
- not seek improperly to influence a decision about that matter.

- (5) State where you have an interest which flows from fettering one's discretion as described in the Members' Planning Code of Good Practice.

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## DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF (Non-Overview and Scrutiny Meetings)



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# Item 3

## SEDGEFIELD BOROUGH COUNCIL

### DEVELOPMENT CONTROL COMMITTEE

Council Chamber,  
Council Offices,  
Spennymoor

Friday,  
18 August 2006

Time: 10.00 a.m.

**Present:** Councillor A. Smith (Chairman) and

Councillors W.M. Blenkinsopp, D.R. Brown, Mrs. K. Conroy, Mrs. J. Croft, V. Crosby, M.A. Dalton, Mrs. B. Graham, A. Gray, Mrs. J. Gray, K. Henderson, J.E. Higgin, A. Hodgson, M.T.B. Jones, J.M. Khan, B. Meek, J.P. Moran, G. Morgan, D.A. Newell, K. Noble, B.M. Ord, Mrs. E.M. Paylor, J.K. Piggott, J. Robinson J.P, J.M. Smith, K. Thompson, T. Ward and W. Waters

**Apologies:** Councillors Mrs. A.M. Armstrong, B.F. Avery J.P, J. Burton, Mrs. B.A. Clare, Mrs. A.M. Fleming, R.S. Fleming, T.F. Forrest, G.C. Gray, B. Hall, D.M. Hancock, Mrs. L. Hovvels, G.M.R. Howe, J.G. Huntington, M. Iveson, R.A. Patchett, Mrs. C. Potts, Ms. M. Predki, G.W. Scott, Mrs. I. Jackson Smith, Mrs. L. Smith, Mrs. C. Sproat and J. Wayman J.P

**DC.29/06**

#### **DECLARATIONS OF INTEREST**

The following Councillors reported that they would be declaring interests:-

Councillor K. Henderson	-	Item 7	Personal interest – Member of Durham County Council
Councillor W. Waters	-	Item 4 Application 1	Personal – daughter had submitted letter of objection
Councillor V. Crosby	-	Item 4 Application 2	Personal and prejudicial – link with members of the Board of Directors
Councillor J. Robinson, JP	-	Item 7	Member of Durham County Council

**DC.30/06**

#### **MINUTES**

The Minutes of the meeting held on 21<sup>st</sup> July, 2006 were confirmed as a correct record and signed by the Chairman.

**DC.31/06**

#### **APPLICATIONS - BOROUGH MATTERS**

**NB :** In accordance with Section 81 of the Local Government Act, 2000 and the Member's Code of Conduct, Councillor W. Waters declared a personal interest in Application No. 1 – Erection of 159 Dwellings (Detached, Semi-Detached, Terraced and Apartments) associated access and landscaping – Land at Grayson Road, Spennymoor – George

**Wimpey NE, Lockheed Court, Preston Farm Industrial Estate, Stockton – Plan Ref : 7/2006/0182/DM and left the meeting for the duration of the discussion and voting thereon.**

In respect of Application No :1 – it was explained that since the preparation of the Agenda two further letters of objection had been received and were read out to the Committee. The objections in the letters centred around the increase in traffic and the disruption which the development would cause. There were road safety issues involved in the development and the letters queried whether there was an actual need for the development and the need for improved shopping and leisure facilities.

It was explained that the County Engineer had offered no objections to the revised layout of the scheme. The scheme was acceptable in terms of policy and sustainable development. It would be a high quality scheme with varied house types to create visual interest.

Members were informed that the issue of maintenance of the play areas would be dealt with under a management agreement which meant that a Section 106 Agreement did not need to be entered into.

It was suggested that if the application was approved the following additional conditions be included :-

*Prior to the commencement of the development details of the proposed route and access for construction traffic shall be submitted and approved in writing by the Local Planning Authority.*

*Reason : In the interest of amenity during the construction of the development and to comply with Policy D10 (Location of Potentially Polluted Developments) of the Sedgefield Borough Local Plan.*

*It was also suggested that Condition 19 be deleted and replaced by the following condition :-*

*Prior to the commencement of development a detailed phasing plan for all development, landscaping and the play area shall be submitted to and approved in writing by the Local Planning Authority. The development shall progress in accordance with this plan unless otherwise agreed in writing by the Local Planning Authority.*

*Reason : In the interest of amenity during the construction of the development and to comply with Policy D10 (Location of Potentially Polluted Developments) of the Sedgefield Borough Local Plan.*

It was noted that, if the application was approved, it would need to be referred to the Government Office for North East as the proposed scheme was on a greenfield site.

It was explained that Mr. Taylor and Mrs. Tate, local residents, were present at the meeting to express their objections to the development. Mr. Wilding from George Wimpey North East was present at the meeting on behalf of the applicant.

Mr. Taylor explained that his objection related to the fact that the development was unnecessary and inappropriate. The developer would be profiting at the expense of the community and the environment.

He explained that following consultation the developer had come up with new proposals. However, the development was still on a greenfield site. There would be problems with access and increased traffic in an area where there had been numerous accidents and fatalities. The area of land was also liable to subsidence.

Mr. Taylor also considered that the development did not meet the criteria in relation to affordable housing and contravened Policy H5. He considered that the design and mix of house would be out of character. The development would help to create a town without a heart and an unemployment blackspot.

Mrs. Tate explained that her concerns in relation to the development related mainly to the safety of children. Children would have to cross a road to play areas whereas, at the moment, the area was a safe cul-de-sac.

Mr. Wilding on behalf of the Applicant, George Wimpey North East, explained that negotiations had been held with the County Highways regarding the introduction of traffic calming measures and they offered no objections to the development and actually supported the application. He also explained that the issue of ground conditions would be addressed. With regard to type and design of housing negotiations had been held with Planning Department and the scheme had a good mix and design of properties.

Detailed discussion was held regarding concerns in relation to school provision and whether there was an adequate number of surplus school places. It was explained that advice had been sought from the Education Authority and the figures which had been supplied showed that there was sufficient capacity.

**NB :** In accordance with Section 81 of the Local Government Act, 2000 and the Member's Code of Conduct, Councillor V. Crosby declared a personal and prejudicial interest in Application No. 2 – Erection of Conference Facility including associated access and landscaping – Land at Spring Road, Aycliffe Industrial Park – Xcel Holdings Limited, 52, High Street, Loftus, Saltburn-by-the-Sea - 7/2006/0296/DM.

*RESOLVED :* 1. That Application No : 1 be approved subject to the following conditions :-

*“Prior to the commence of the development details of the proposed route and access for construction traffic shall be submitted and approved in writing by the Local Planning Authority.*

*Reason : In the interest of amenity during the construction of the development and to comply with Policy D10 (Location of Potentially Polluted Developments) of the Sedgefield Borough Local Plan.*

*Prior to the commencement of development a detailed phasing plan for all development, landscaping and the play area shall be submitted to and approved in writing by the Local Planning Authority. The development shall progress in accordance with this plan unless otherwise agreed in writing by the Local Planning Authority.*

*Reason : In the interest of amenity during the construction of the development and to comply with Policy D10 (Location of Potentially Polluted Developments) of the Sedgefield Borough Local Plan.*

*And the deletion of Condition 19.*

- 2. That the remainder of the recommendation detailed in the schedule be adopted.*

## **DC.32/06**

### **DEVELOPMENT BY SEDGEFIELD BOROUGH COUNCIL**

Consideration was given to a schedule of applications for consent to develop. (For copy see file of Minutes).

In respect of Applications Nos. 1 and 2 – Residential development (outline application) Site N and Site O, Cobblers Hall, Newton Aycliffe – Plan Ref : 7/2006/0428/DM and 7/2006/0429/DM – it was explained that a letter of objection had been received that morning from Spawforth Associates on behalf of Barrett Newcastle objecting to the Applications. (For copy of letter see file of Minutes). The letter of objection was read out to Members and related to the following :-

The applications were being brought before the Committee without a full assessment being undertaken of the principal development in advance of other more sustainable allocations in the Local Plan namely Whitworth Park.

The officers did not advise Members that there were undetermined applications for development at Whitworth Park and,

The officers report includes no consideration of the site against the approach of draft PPS3 particularly those on sustainability.

Barratts are therefore suggesting that the applications be not supported by Members until such times as those issues had been assessed fully by officers and consideration given to the outstanding applications for Whitworth Park.

It was noted that if approved the applications would need to be referred to the Government Office for the North East.

Discussion was held regarding access to Site N and it was considered that access should not be from Burnhill Way but from a roundabout at the junction of Burnhill Way and Woodham Way.

- RESOLVED :*
- 1. That in respect of Application No : 1 - Site N , Cobblers Hall, Newton Aycliffe – Plan Ref : 7/2006/0428/DM access to the site be amended to be from a roundabout at the junction of Burnhill Way and Woodham Way rather than off Burnhill Way.*
  - 2. That the remainder of the recommendations detailed in the schedule be adopted.*

#### **DC.33/06 CONSULTATIONS FROM DURHAM COUNTY COUNCIL**

**NB :** In accordance with Section 81 of the Local Government Act, 2000 and the Member's Code of Conduct, Councillors K. Henderson and J. Robinson, J.P. declared an interest in this item and left the meeting for the duration of the discussion and voting thereon.

Consideration was given to a schedule of applications which were to be determined by Durham County Council and upon which views and observations of this Council had been requested. (For copy see file of Minutes).

*RESOLVED :* That the recommendations detailed in the schedule be adopted.

#### **DC.34/06 DELEGATED DECISIONS**

Consideration was given to a schedule of applications which had been determined by officers by virtue of their delegated powers. (For copy see file of Minutes).

*RESOLVED :* That the schedule be received.

#### **DC.35/06 COUNTY DECISIONS**

Consideration was given to a schedule of applications which had been determined by Durham County Council. (For copy see file of Minutes).

*RESOLVED :* That the information be received.

**DC.36/06**

**APPEALS**

Consideration was given to a schedule detailing outstanding appeals up to 7<sup>th</sup> August, 2006. (For copy see file of Minutes).

*RESOLVED : That the information be received.*

**DC.37/06**

**RECENT PLANNING APPEAL DECISIONS**

Consideration was given to a report of the Director of Neighbourhood Services (for copy see file of Minutes) detailing a recent planning appeal decision by Mr. and Mrs. D. Hall against the refusal for the variation of condition 4 of planning permission reference 7/2005/0078/DM to allow a change in external materials at The Coach House, Spring Lane, Sedgfield.

It was noted that the Inspector had issued a Split Decision.

Discussion was held regarding the impact that this decision had Conservation Areas. It was explained that the building in question was not a listed building and was not in the Article 4 Direction Area. A letter was to be sent to all residents in the Article 4 Direction Area in Sedgfield advising them of their commitment to Article 4.

*RESOLVED : That the information be received.*

**DC.38/06**

**ALLEGED BREACHES OF PLANNING CONTROL**

Consideration was given to a schedule of alleged breaches of planning control and actions taken. (For copy see file of Minutes).

*RESOLVED : That the schedule be received.*

**DC.39/06**

**UNAUTHORISED ERECTION OF A FENCE AT 13 EDEN ROAD  
NEWTON AYCLIFFE**

Consideration was given to a report of the Director of Neighbourhood Services (for copy see file of Minutes) in relation to the above.

*RESOLVED : That the report be received and the recommendations contained therein adopted.*

**DC.40/06**

**2 NO PORTABLE BUILDINGS USED AS CAFE, NEWTON PARK  
SERVICES, COATHAM MUNDEVILLE**

Consideration was given to a report of the Director of Neighbourhood Services (for copy see file of Minutes) regarding the unauthorised siting of 2 No. portable buildings on the lorry parking area of Newton Park Services allegedly being used as a café.

*RESOLVED : That the report be received and the recommendations contained therein adopted.*

**ACCESS TO INFORMATION**

Any person wishing to exercise the right of inspection, etc., in relation to these Minutes and associated papers should contact Liz North 01388 816166 ext 4237 email:enorth@sedgefield.gov.uk

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# Item 4

## SEDGEFIELD BOROUGH COUNCIL

### PLANNING APPLICATIONS - TO BE DETERMINED

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1. 7/2006/0407/DM APPLICATION DATE: 19 June 2006

PROPOSAL: **RESIDENTIAL DEVELOPMENT (OUTLINE APPLICATION)**

LOCATION: **LAND NORTH EAST OF HIGH STREET BYERS GREEN  
SPENNYMOOR CO DURHAM**

APPLICATION TYPE: Outline Application

APPLICANT: A Watson  
99 Mayfieds, Spennymoor, Co Durham, DL16 6TT

#### CONSULTATIONS

1. SPENNYMOOR TC
2. Cllr. W. Waters
3. Cllr. K Thompson
4. Cllr. C Sproat
5. DCC (PLANNING)
6. DCC (TRAFFIC)
7. NORTHUMBRIAN WATER
8. ENV AGENCY
9. ENGINEERS
10. ENV. HEALTH
11. L.PLANS
12. LANDSCAPE ARCH
13. DCC (PROWS)

#### NEIGHBOUR/INDUSTRIAL

Hagg Lane:1,2,7,8,Hawthorns,Old School House

Langmere:11

The Bungalow

The Cottage

Richmond Street:1,2,3,6a

Robinson Close:3

Wilkinson Street:6,8,10,12,14,16,18,1,2,3,4,5,7,9,11,15,17

High

Street:82,120,132,130,128,126,124,122,120,118,116,114,112,110,108,106,104,102,100,98,96,  
95,94

St Peters Rectory

The Old Rectory

The Cherries

Vickers Street:20

Golden Corner Cottage

#### BOROUGH PLANNING POLICIES

H12 Housing in the Countryside for Agricultural or Forestry Workers

**SEDGEFIELD BOROUGH COUNCIL**  
**PLANNING APPLICATIONS - TO BE DETERMINED**

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**THE PROPOSAL**

This application seeks outline permission for residential development and means of access with details relating to siting of buildings, design and external appearance and landscaping reserved for submission at a later date. The application site is located within the residential framework of Byers Green and is a 1.18 hectare Greenfield site north east of the High Street in Byers Green and is bound to the south by a children's playground to the west, a back lane and terraced properties on the High Street, to the north by residential properties and to the east by open land and sporadic residential properties.

Access to the site is proposed via the existing side access road adjacent to number 132 High Street however in order to provide adequate visibility splays it is also proposed to demolish 132 High Street. In addition, road widening works are also proposed on High Street that involves the creation of a public footpath and the removal of the hedgerow adjacent to the allotments.

**CONSULTATION AND PUBLICITY**

Spennymoor Town Council has raised no objections but requested further clarification regarding the proposed removal of the hedgerow.

The County Highways Engineer has raised no objections but advised that an agreement under Section 38 / 278 of the Highways Act 1980 would be required.

The County Council Rights of Way Officer has advised that public footpath No 8 and No 6 Spennymoor Parish cross through it and have advised that should the developer wish to divert the footpaths they should contact the Rights of Way Officer. The footpaths must also not be obstructed.

The County Council Policy Section have advised that the application site lies partly within the settlement boundary and under Policy H8 of the Local Plan there is a presumption in favour of development unless the proposals conflicts with environmental, open space or design policies of the Local Plan. Policy 2 of the Structure Plan sets out that the location of new development should minimise day to day travel needs with Policy 3 giving priority to development in main towns. Policy 9 also gives priority to development in the main town but recognises that larger villages with a reasonable range of services served by public transport are suitable locations for some new housing development.

Environmental Health has advised of hours of operation for construction and control of noise in order to protect the amenity of neighbouring occupiers.

Site notices were erected, an advertisement placed in the local press and letters were sent to neighbouring occupiers advising of the application. To date 14 letters of objection and 5 letters of support have been received from neighbouring occupiers and full details of their comments can be viewed in Appendix 1 of this report. The main concerns are as follows:

- Realigning High Street westwards will see the removal of a well-established hedgerow. The nature of the replacement boundary is unclear, with the appearance of the finished scheme important to residents and visitors.

## **SEDGEFIELD BOROUGH COUNCIL**

### **PLANNING APPLICATIONS - TO BE DETERMINED**

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- Highway safety – Further traffic growth will only intensify road safety concerns on an already busy road.
- Structural damage – Demolition of 132 High Street may result in structural damage to 130 High Street.
- Loss of views – Strong objection to the loss of views with treasured views and a peaceful haven being replaced with a building site.
- Child safety – Further development will only hinder this small village further. With an average of two cars per household, traffic will worsen and the safety of children playing at the playground is a serious concern. Keep the village as it is, quiet and peaceful and not a racetrack.

### **PLANNING CONSIDERATIONS**

The main planning considerations in this case are:

- Compliance with National Planning Policy and Guidance and Local Plan Policies.
- Impact on Ecology

### **Compliance with National Planning Policy and Guidance and Local Plan Policies**

The application site is Greenfield land located within the residential framework of Byers Green, as defined by Policy H8 of the Borough Local Plan. This policy normally approves housing development provided that there is no conflict with the plans environmental, open space or design policies. It is also considered that the proposal is contrary to Policy H12 'Housing in the Countryside for Agricultural or Forestry workers' because notwithstanding that the application site is within the settlement boundary identified in the Borough Local Plan development of the site would result in development outside the built up area of Byers Green which is considered to be unacceptable given that the only development acceptable in the countryside is for persons engaged in agriculture or forestry.

Since the adoption of the Borough Local Plan in 1996, more recent government guidance has been produced which places a greater emphasis on LPAs to give priority to re-using previously-developed land within urban areas, bringing empty homes back into use and converting existing buildings, in preference to the development of Greenfield sites. The presumption is that new development will use land efficiently and be well designed.

In this instance the application site is within the residential framework however when this framework boundary was drawn, over 10 years ago, it accounted for an existing outline planning permission for residential development and did not follow the natural boundary of the settlement that is considered to be the existing footpath. However, that permission expired without being implemented. Given that there has been a significant shift in Government Guidance on the use of Greenfield sites and location of development it is now considered that development on the portion of the site beyond the footpath would result in development on an agricultural field and an encroachment into open countryside that would be contrary to one of the principal criteria for defining a residential framework which is:

*'Whether sites might integrate reasonably well with the scale and pattern of existing development'*.

## SEDGEFIELD BOROUGH COUNCIL

### PLANNING APPLICATIONS - TO BE DETERMINED

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Whilst it is acknowledged that on plan the application site is within the residential framework on site development beyond the footpath would be unacceptable, as it would result in the loss of open countryside. It should also be noted that in a recent inspectors decision for a site in Bishop Middleham the Inspector considered that the framework boundary is '*now somewhat out of date*' and that it wasn't justified to dismiss the appeal just because the proposal is on the wrong side of the boundary line. Clearly, this is relevant to this case as again it is considered that the residential framework boundary is out of date and just because the application site is within the framework the proposal should not automatically be considered acceptable in policy terms.

In addition, paragraph 31 of PPG3 provides the guidance which local planning authorities should use to assess a site's potential and suitability for housing development. All proposed housing sites should be assessed against each of the following criteria:

- The **availability of previously developed sites**;
- The **location and accessibility** of potential development sites to jobs, shops and services by modes other than the car, and the potential for improving such accessibility;
- The **capacity of existing and potential infrastructure**, including public transport, water and sewerage, other utilities and social infrastructure (such as schools and hospitals) to absorb further development and the cost of adding further infrastructure;
- The **ability to build communities** to support new physical and social infrastructure and to provide sufficient demand to sustain appropriate local services and facilities; and
- The **physical and environmental constraints on development of land**, including, for example, the level of contamination, stability and flood risk, taking into account that such risk may increase as a result of climate change.

The Government has recently been consulting on Draft PPS3. This document will in due course replace the existing PPG3 and its associated documents, and will represent the Government's most up to date thinking on housing and as such is a material consideration in assessing planning applications.

Paragraph 13 of Draft PPS3 states that to be considered developable, a site should meet the following criteria:

- a) Available – the site is available now or is likely to become available for housing development and be capable of being developed within five years;
- b) Suitable – the site offers a sustainable option for development and would contribute to the creation of sustainable urban and rural communities; and
- c) Viable – housing development is economically viable on the site.

It is considered that the given the location of the application site although within the residential framework is contrary to criteria b in that the development of land beyond the natural settlement boundary is not sustainable and would result in an encroachment into open countryside.

When appraised against the principles of Draft PPS3 and criteria from paragraph 31 of PPG3, this location performs poorly. Additionally the Borough's 'Key Issues Paper' that was out for public consultation during June 2005, identified that the focus for new housing within the Borough should be within the four main towns as these settlements have the greatest range of services and facilities.

## SEDGEFIELD BOROUGH COUNCIL

### PLANNING APPLICATIONS - TO BE DETERMINED

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#### Regional Spatial Strategy

In terms of how the proposal accords with the Submission Draft Regional Spatial Strategy (RSS) the proposal is considered to be contrary to Policy 3 in that the development does not meet the sequential test in terms of prioritising sites for development. In this case the development of this Greenfield site is the least sustainable option identified in the RSS.

The development is also contrary to Policy 5 that relates to the locational strategy that dictates that new development should be concentrated in the conurbations and main towns, as these are the most sustainable locations where the majority of economic activity takes place.

With regard to housing, The Strategy identifies that the Borough should provide an additional circa 4,000 net new dwellings between 2004 and 2021 yet in the mean time it is still necessary to provide land for housing to maintain a five-year supply of housing, as stipulated in Paragraph 12 of Draft PPS3. Currently the Borough has just under a six year supply of housing thereby indicating that the release of a Greenfield site beyond the natural settlement boundary and which would result in encroachment into open countryside is unacceptable.

#### IMPACT ON ECOLOGY

Circular 06/2005 'Biodiversity and Geological Conservation Statutory Obligations and Their Impact Within The Planning System' that accompanies Planning Policy Statement 9 'Biodiversity and Geological Conservation' states that *'the presence of a protected species is a material consideration when a planning authority is considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat'* (Para 98).

Circular 06/2005 also advises that 'it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted'. In this case no information whatsoever has been submitted with the application that suggests either the presence or absence of any protected species and/or their habitats on the site.

The applicant has not provided an Ecological Report and as such insufficient information has been provided to demonstrate whether or not the development would have an adverse effect on species especially protected by law.

#### CONCLUSION

It is considered that the proposed development, although within the residential framework of Byers Green, would create an unacceptable form of development that encroaches into open countryside beyond the natural boundary of the settlement. The applicant was given the opportunity to revise the scheme so that the application boundaries coincided with what is now considered to be the established and natural boundary of the settlement. The applicant however was not prepared to amend the boundaries of the application site.

In terms of ecology the applicant has not provided an Ecological Report and as such insufficient information has been provided to demonstrate whether or not the development would have an adverse effect on species especially protected by law.

## SEDGEFIELD BOROUGH COUNCIL

### PLANNING APPLICATIONS - TO BE DETERMINED

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#### HUMAN RIGHTS IMPLICATIONS

It is considered that in general terms the provisions of the Human Rights Act 1998 have been taken into account in dealing with the above application.

#### **RECOMMENDATION: It is recommended that planning permission be refused for the following reasons:**

1. The proposed development is a windfall Greenfield site and would result in an increase in urban sprawl and an encroachment of development into the surrounding open countryside beyond the natural settlement boundary of Byers Green for which there is no demonstrable need or any agricultural justification for. As such there is no overriding reasons put forward to warrant a departure from the well-established objective of restraint. This development is therefore contrary to Policy H8 'Housing Development in larger Villages' and Policy H12 'Housing in the Countryside for Agricultural or Forestry Workers' of the adopted Sedgefield Borough Local Plan and the locational strategies contained within the Durham County Structure Plan, PPG3 'Housing', Draft PPS3 'Housing', PPS7 'Sustainable Development in Rural Areas', PPG13 'Transport', RPG1 and the Submission Draft RSS that aims to concentrate the majority of new development in the conurbations and main towns.
2. The proposal provides insufficient information regarding the impact of the development on protected species is in conflict with Policy E14 'Safeguarding Plant and Animal Species Protected by Law' and contrary to Planning Policy Statement 9 'Biodiversity and Geological Conservation'.

**SEDGEFIELD BOROUGH COUNCIL**  
**PLANNING APPLICATIONS - TO BE DETERMINED**

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**APPENDIX 1**

**130 High Street**

- Loss of amenity – Development would create a physical and visual intrusion to the surrounding countryside, leading to disturbance and loss of privacy to neighbouring properties.
- Access – Concerns regarding the proposed access to the site and the vast amounts of heavy plant required to carry out excavation and delivery of building materials. This must negotiate the new modified access without causing damage to number 130 High Street.
- Land allocation – The application site is not allocated for residential development on the Spennymoor Town Map.
- Encroachment - Development beyond the sharply defined eastern limit of the village would encroach into the open countryside. This would conflict with Policies 9 and 12 of the approved County Structure Plan.
- Land subsidence – Development would result in the excavation of drains, resulting in land subsidence and damage to an already overloaded Victorian sewerage system.
- Structural damage – Demolition of 132 High Street may result in structural damage to 130 High Street.
- Highway safety – Highway modifications will prohibit parking to front and rear of 130 High Street, and create an even bigger traffic hazard to that which already exists within an identified accident black spot.
- Child safety - Concerns over the safety of children with the new access road located adjacent to the existing recreation area.
- Removal of hedgerow - Removal of hedgerow along the western side of the High Street will expose the lock up garages and exacerbate the blind spot for drivers when leaving the lock up area.

**4 Wilkinson Street, 95 High Street**

- Child safety – The two new roads accessing the site will be positioned next to the children's recreation area, creating a potential hazard.
- Increased traffic – The present road system will be unable to sustain an increased volume of traffic created by development.
- Loss of allotments – Allotments should not have to be sacrificed to widen roads.

**96 High Street**

- Pedestrian safety – Lack of evidence of any footpath to the side of 108 High Street poses a great risk to the safety of pedestrians.
- Loss of allotments – It is unjust and unfair that years of hard work and investment into the allotments is ignored with allotments being taken away to accommodate an unwanted building site.
- Loss of views – Strong objection to the loss of views with treasured views and a peaceful haven being replaced with a building site.
- Highway safety – Further traffic growth will only intensify road safety concerns on an already busy road.

## SEDGEFIELD BOROUGH COUNCIL

### PLANNING APPLICATIONS - TO BE DETERMINED

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- Child safety - With this road structure running adjacent to a children's playground, there are two areas for children to cross a potentially dangerous road, made only worse by the dangerous bend nearby.
- Use of community services – Previous developments in the village have not seen new residents contributing to village life or using local services. What is to say the same won't happen again?

#### 82 High Street, 3 Robinson Terrace, 7 Hagg Lane, 8 Hagg Lane, 12 Wilkinson Street, 120 High Street

- Pedestrian safety – Lack of evidence of any footpath to the side of 108 High Street poses a great risk to the safety of pedestrians and property owners.
- Site access – The site access would be in a very dangerous position, just after the bend in the road. A safer option would be to access from Wilkinson Street. Although this may necessitate safe crossing points with children accessing the recreation field from Wilkinson Street and nearby back lanes.

#### 82 High Street

- Highway safety – Existence of blind spots when pulling out of the nearby garages causes considerable concern.

#### 104 High Street

- A loss of 'community' - Previous developments have done nothing but increase speeding through the village and antisocial behaviour. New residents do not support the local businesses or attend village activities.
- Child safety – Further development will only hinder this small village further. With an average of two cars per household, traffic will worsen and the safety of children playing at the playground is a serious concern. Keep the village as it is, quiet and peaceful and not a racetrack.

#### 94 High Street

- A loss of 'community' - Two previous residential developments in the village have done nothing to help the village or support village business.
- Traffic – Development will see an increase in traffic on a 'village' road.
- Child safety – There is only one place for children to play in the village, with this located adjacent to the proposed entrance to the site. This is highly dangerous. If it were taken away, children would have nowhere to play.

#### 128 High Street

- Loss of parking – The creation of larger corner pavement areas will lead to a reduction of parking spaces available. Council garages are already fully occupied with removal of more spaces only compounding problems further.
- Child safety – The playground will effectively become an 'island', with children having to cross a busy T-Junction for access.
- School size – The existing school is currently downsizing due to falling numbers. An increase in the village population will mean the school will be unable to cope.



## **SEDGEFIELD BOROUGH COUNCIL**

### **PLANNING APPLICATIONS - TO BE DETERMINED**

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- Congregation of youths – Creating larger pavement areas will create natural areas for youths to congregate. There is concern surrounding youths congregating outside the recreation area, with possible privacy implications for 128 and 130 High Street also.
- Privacy – Development to the rear of 128 High Street will affect the privacy of present occupiers.
- Lack of light – Development to the rear of 128 High Street may affect the light reaching the property.
- Removal of hedgerows and loss of Greenfield land – Development will see the loss of several very old hedgerows, contravening current by-laws and seeing development on Greenfield rather than Brownfield land.
- Highway safety – An increase in traffic using High Street will intensify existing problems further. There are already concerns with the speed of cars using this road, with the repositioning of the highway against the line of garages creating a bigger blind spot than at present.
- Land allocation – The Spennymoor Town Council Forward Plan does not include fields noted in the application as suitable for residential development.
- Removal of bus stop – The proposed movement of the highway will result in the movement of the bus stop currently located close to the bend on safety grounds. This will be to the detriment of local residents.
- Population growth – Current village services and a bus service which runs only once every hour will not support a large influx of new residents.

#### **3 Richmond Street**

- Traffic – There is too much traffic already, without having more cars in the village. Accidents are waiting to happen with an increase in traffic volume (an estimated 120 vehicles+).
- Environmental concern - The removal of hedgerows and loss of meadowland will prove devastating to many plants, animals and birds. These being the very things that make the village a nice place to live in. If development is permitted the village will become a very chaotic place to live.

#### **114 High Street**

- Inadequate plans – Plans were poorly drawn, seem selective in detail and should be shown to scale to appreciate the actual impact of new roads and buildings on residents. They also fail to indicate the severity of the left hand bend in the road at the children's play area which is to be increased even further. There are no details concerning the lane running parallel to the High Street with regard to two new roads. This lack of information is worrying as it restricts residents voicing all concerns.
- Highway safety – New access roads will be hazardous to both drivers and pedestrians. They will isolate the play area, with access only via crossing busy roads. Close proximity to allotment entrances and a busy garage block is also dangerous.
- Visibility – Residents vehicles parked along High Street will hinder visibility exiting from access roads.
- Traffic – Traffic will only worsen throughout the village.
- Loss of countryside – Development will leave houses at the side of a bare, busy road on the edge of a housing estate. All pleasures of Byers Green will have been lost.
- Pollution and highway safety – Development so close to the rear of High Street would cause severe pollution from dust and noise, also causing disturbance to properties and a

## **SEDGEFIELD BOROUGH COUNCIL**

### **PLANNING APPLICATIONS - TO BE DETERMINED**

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hazard to the many ramblers, residents and children who use public footpaths and surrounding lanes.

- Spoiling the 'look' of the village – Is the prospect of changing the look of the village and its road layout not reason enough to inform all village residents of plans?

#### **Golden Corner Cottage**

- Pedestrian safety – With an increase in traffic, roads will become even busier and more hazardous, not just to children but the elderly as well. Also, the loss of the public footpath to the edge of the property will result in ramblers and pedestrians walking on busy roads.
- Highway safety - An increase in traffic and High Street parking will obstruct the view when turning into and out of Hagg lane even more than existing.
- Antisocial behaviour – Older children currently use the recreational area at night with language and behaviour having been a problem for nearby residents some time. An increase in the number of new homes is bound to increase the number of children using this facility.
- Property values – Development will significantly reduce the value and saleability of our property.
- Loss of amenity – The proposed development will adversely affect quality of life due to loss of privacy and increased noise and disturbance.
- Loss of views- uninterrupted views from the rear of the property will be lost.
- General disruption – Building work will give rise to noise, dirt and disrupt village life.
- Environmental concern – Development will destroy significant areas of open farmland and hedgerows, affecting many wild animals and their habitats.

#### **110 High Street**

- Child safety – Proposed access would be dangerous for children playing in the recreation ground.
- Highway safety - Cars already speed around the corner at the war memorial and this will only worsen with further traffic, inevitably causing accidents.
- Loss of view – One of the main reasons the property was purchased in the first place.
- Wildlife – Concerns over how development will affect wildlife in the area.
- Loss of village 'feel' – Development will not improve Byers Green in any way with the 'feel' of the village gradually being lost due to previous developments.

#### **The Old Rectory**

- Highway safety – The proposed access will have poor visibility with the moving of the highway and continued on-street parking along High Street only impairing this further.
- Proposed access – The proposed access off High Street will be of a comparable width to that at Hogg Lane where vehicle movements are already proving difficult for far fewer vehicles. Is there scope for one-way entry to the site, thereby utilising another entry point (e.g. through Wilkinson Street or the gap between numbers 106 and 108?) Doing this may improve safety on the road with a bend nearby, also with half the number of vehicles using the access adjacent to the recreational area.
- Child safety – Children accessing the recreational area will have to cross the new access road. "A nightmare scenario". Suitable safe crossings must be created with traffic calming and moving of the recreational area entry gate further away from the High Street.

## SEDGEFIELD BOROUGH COUNCIL

### PLANNING APPLICATIONS - TO BE DETERMINED

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- Realigning High Street westwards will see the removal of a well-established hedgerow. The nature of the replacement boundary is unclear, with the appearance of the finished scheme important to residents and visitors.
- The amount of banking-up required by the garages will be considerable considering the steep slope of the ground towards the garages.
- The siting of the bus stop opposite the proposed access road causes concern regarding traffic confusion.
- The nature of the development referred to in previous correspondence is not defined well enough, with only the means of access shown. What about traffic movements? How many units/houses?
- The introduction of a second entry point with poor visibility so close to Hagg Lane gives considerable cause for concern.

#### Anon

- Child safety - Added traffic will prove a hazard to users of the adjacent recreational area.
- Inappropriate scale – The proposed site not adequately suited to accommodating 68 houses.

#### Letters of support

##### 11 Langmere

- Development will be a tremendous benefit to the village, increasing house values in the immediate area and redressing the balance of successful developments at the other end of the village.
- Bringing with it, new, young families.
- Proposed school will add vitality to the village.
- It will encourage the provision of more affordable housing, thereby attracting people from other towns to live and work in the area.

##### The Old Rectory

- An improvement over the original application – The current proposal is considered an improvement over earlier plans for the site in that it does not violate the play area that is itself an asset to the village.

##### The Cherries

- Loss of views should not be allowed to stand in the way of affordable housing being made available in the village.

##### 20 Vickers Street

- Byers Green is a very pleasant village with this new application to build residential homes proving extremely desirable.

##### 6 Wilkinson Street

**SEDGEFIELD BOROUGH COUNCIL**

**PLANNING APPLICATIONS - TO BE DETERMINED**

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- Development such as this is essential in the best interests of Byers Green and the county as a whole.
- There is no suitable affordable housing available to young people. These people are so important to village life with proposed development counteracting the movement of young people away from the village.
- Views are nice but no one is assured of one at the cost of the best interests of the village.

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**PLANNING APPLICATIONS - TO BE DETERMINED**

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2. 7/2006/0430/DM APPLICATION DATE: 10 July 2006

PROPOSAL: **RESIDENTIAL DEVELOPMENT COMPRISING OF 58 DWELLINGS AND ASSOCIATED MEANS OF ACCESS, NEW CHANGING FACILITIES, RESURFACING OF FOOTBALL PITCH AND PROVISION OF A PLAY AREA (OUTLINE APPLICATION)**

LOCATION: **LAND OFF AMBLE WAY TRIMDON GRANGE CO DURHAM**

APPLICATION TYPE: Outline Application

APPLICANT: McInerney Homes NE Ltd

**CONSULTATIONS**

1. TRIMDON P.C.
2. Cllr. Mrs L. Hovvels
3. DCC (PLANNING)
4. DCC (TRAFFIC)
5. NORTHUMBRIAN WATER
6. ENGLISH NATURE
7. ENV AGENCY
8. WILDLIFE TRUST
9. ENGINEERS
10. ENV. HEALTH
11. VALUER
12. Lee White
13. L.PLANS
14. DCC (DESIGN)
15. DCC (PROWS)
16. SPORTS COUNC.
17. REGENERATION

**NEIGHBOUR/INDUSTRIAL**

Harwood

Court:1,2,3,4,5,6,7,8,9,10,11,12,13,14,15,16,17,18,19,20,21,22,23,24,25,26,27,28,29,30,31,32,33,34,35,36,37,38

Northlands Park:7

Amble Way:1,2,3,4,5,6,7,8,9,10

Generator Studios

Down Terrace:20

Alnwick Avenue:1,2,3,4,5,6,7,8,9,10,11,12,13

Broadway Avenue:31

Northside Buildings

Northside

Buildings:1,2,3,4,5,6,7,8,9,10,11,12,13,14,15,16,17,18,19,20,21,22,23,24,25,26,27,28,29,30,31,32,33,34,35,36,37,38,39,40,41,42,43,44,45,46,47,48,49,50

Grange Terrace:16

The Orchard

## SEDGEFIELD BOROUGH COUNCIL

### PLANNING APPLICATIONS - TO BE DETERMINED

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#### BOROUGH PLANNING POLICIES

H8	Residential Frameworks for Larger Villages
H12	Housing in the Countryside for Agricultural or Forestry Workers
T6	Improvements in Road Safety

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#### THE PROPOSAL

Outline planning permission is being sought for residential development and recreational facilities on land to the east of Amble Way Trimdon Grange. The application site is bounded to the north by the existing playing fields, to the east by open farmland, to the south the cemetery and to the west the existing residential development by Alexander Homes.

The housing element involves approximately 1.9 hectares of land and seeks approval for the means of access to the site which will be taken from Amble Way which is a small culs de sac consisting of 10 detached houses. Details of the siting, design and landscaping of the site have been reserved for subsequent approval. The recreational facilities involves the construction of a two room changing facility for the adjacent football pitch, upgrading the drainage and surface of the pitch, the provision of two 'mini pitches' and a toddlers play area. Approval is being sought for the means of access to the changing rooms, their siting and design. Landscaping has been reserved for subsequent approval.

The application has been accompanied by a planning statement and an indicative layout plan that shows a total of 58 dwelling. The application site boundary includes the recreation field to the north of the proposed housing site with access proposed off Amble Way. The indicative drawing is shown below:



## SEDGEFIELD BOROUGH COUNCIL

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It should be noted that in the planning statement it is stated at paragraph 1.1 that *'all the sports and leisure facilities are contained in a separate but parallel application submitted by the Trimdons Parish Council'*. To date no planning application has been submitted.

The application has been accompanied by a planning statement. In the planning statement the applicant recognises that the proposed residential development lies outside the residential framework identified in Policy H8 'Residential Frameworks for Larger Villages' but states that the Local Plan is now 10 years post adoption and both the settlement limits and housing allocations require revisiting. In addition, as there are few brownfield sites within Trimdon Grange there are limited opportunities for sites to accommodate housing.

The applicants in their supporting statement also state that The Trimdons are an area of social and economic deprivation with a poor mix of housing and that if young families are to stay within the village then there needs to be a good mix of housing and that the proposed development would provide family homes that will help stabilise and support community facilities and services within the village such as the school and healthcare facilities.

In terms of recreation improvements the applicant states in paragraphs 9.1 of their statement that the existing two full size football pitches are *'recognised as being of poor condition and are incapable of coping with a full seasons regular usage. This is because of the quality of the surface and drainage arrangements'*. As such as part of the proposal the applicant is prepared to enter into a S106 agreement to deliver a range of community benefits that include:

- Provision of new changing rooms
- Upgrade to surface of football pitch to allow for more intensive use
- Provision of mini pitches
- New car park and access road
- The provision of a new children's play facility on site or the payment of a commuted sum towards the improvement of the existing play facility in the village.

### PUBLICITY AND CONSULTATION

The County Engineer has objected to the development and has advised that the width of Amble Way is too narrow to accommodate an extension of a Type 3 – Minor Access Road into the land to the east of Amble Way. Amble Way would require road widening up to a constant 4.8 metres minimum. The junction sight visibility at the proposed access point onto the B1278 is also considered to be extremely poor to the south and would not support additional dwellings accessing onto the road at this point. The junction sight visibility to the south would therefore need to be improved significantly. The removal of the turning head to Amble Way would also need to be resolved by the applicant.

English Nature object to the development as insufficient information has been provided to demonstrate whether or not the development would have an adverse effect on species especially protected by law. They consider it is necessary that a protected species report with a full description of the proposal, thorough survey for protected species, clear impact assessment, defined mitigation strategy and associated delivery mechanisms is provided.

Durham County Council Policy Team has advised that priority should be given to the provision of new development on sites within or well related to the County's main towns. Structure Plan Policy 9 also gives priority to development within the County's main towns, whilst recognising that larger villages with a reasonable range of services and facilities served by public transport

## SEDGEFIELD BOROUGH COUNCIL

### PLANNING APPLICATIONS - TO BE DETERMINED

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are suitable locations for some new housing development. Trimdon Grange is defined as such a place in the Local Plan.

The County Policy team have also indicated that the application is not an allocated site and would significantly extend residential development beyond the settlement boundary of Trimdon Grange. In strategic terms the application site is beyond the settlement boundary of Trimdon Grange and the proposal would conflict with Structure Plan Policies 3, 4, 9 and 14. In terms of the Regional Spatial Strategy there have been several windfall planning applications which have recently been submitted in the Borough and the cumulative impact in terms of housing numbers of these proposals should be assessed.

Environmental Health has raised no objections but offered comments on hours of operation and operation of noisy machinery.

The County Council's Rights of Way Officer has advised that Public Footpath No 24 would be affected by the proposal as it crosses the site. It is noted that the developers intend to retain this route however it is not clear from the plans how this will be achieved. It is recommended that the footpath retains an open character where possible and does not become an alley between fencing. It is also suggested that the path be tarmaced and be buffered by planting to satisfy the probable expectations of new residents.

Sport England has advised that no objections are raised and advised that the Playing Pitch Strategy gives a degree of support to the creation of junior or mini pitches and there is a general need for the growth in participation in football. The changing pavilion and parking is a facility, the need for which is identified in the Playing Pitch Strategy. This element of the development significantly enhances the quality of provision at Trimdon Grange Recreation Ground which Sport England welcomes. Should permission be granted Sport England recommended some change in the wording to the Draft Heads of Terms of the S106 agreement.

The County Assistant Archaeologist has raised an objection stating that *'the field boundaries appear to pre-date enclosure as they have the indicative curve of early boundaries rather than the ubiquitous straight lines of late 18<sup>th</sup> and 19<sup>th</sup> century enclosure. The remains of earlier agricultural management, ridge and furrow are visible on the 2001 aerial phot coverage on mapping. Bearing the above in mind, the size of the development, the greenfield nature of the site and the lack of site specific archaeological detail, we object to the application'*.

Site notices were erected, an advertisement placed in the local press and letters were sent to neighbouring occupiers advising of the application.

To date one letter of support and 23 letters of objection and one petition with 92 signatures objecting to the application has been received from local residents stating concerns over the following issues.

- Would lead to large increase in traffic and impact on highway safety
- Why there is a need for the changing facilities building when games are only played once per fortnight in the football season.
- The changing room facility building will act as a magnet for anti social behaviour.
- Proposal to be built on Green belt land.
- Contradicts Local and Government Policies because it is not being built within village boundary.
- Adverse affect on the character of the area.



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### **PLANNING APPLICATIONS - TO BE DETERMINED**

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- Loss of amenity through additional noise and disturbance.
- Feel that there has been no prior consultation contrary to Draft Community Statement of Involvement.
- Object to the provision of a car park and changing facilities that they feel would become a “breeding ground” for anti social behaviour.

Full details of the letters of objections received are attached in Appendix 1 of this Committee report.

#### **PLANNING CONSIDERATIONS**

The main planning considerations in this case are:

- Compliance with National Planning Policy and Guidance and Local Plan Policies.
- Planning Gain
- Access and Highway Safety
- Impact on Ecology

#### **Compliance with National Planning Policy and Guidance and Local Plan Policies.**

The application site is Greenfield land that is not located within the residential framework of Trimdon Grange, as defined by Policy H8 ‘Residential Frameworks for Larger Villages’ of the Borough Local Plan. This policy permits housing development provided that there is no conflict with the plans environmental, open space or design policies. This proposal is therefore inconsistent with Policy H8, as development will not take place within the confines of the residential framework. It is also considered that the proposal is contrary to Policy H12 ‘Housing in the Countryside for Agricultural or Forestry workers’ in that development outside main towns and villages is not acceptable with the only development acceptable in the countryside being for persons engaged in agriculture or forestry.

Since the adoption of the Borough Local Plan in 1996, more recent government guidance has been produced which places a greater emphasis on LPAs to give priority to re-using previously-developed land within urban areas, bringing empty homes back into use and converting existing buildings, in preference to the development of Greenfield sites. PPS1 (Delivering Sustainable Development) sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system. Sustainable development is the core principle underpinning planning. At the heart of sustainable development is the simple idea of ensuring a better quality of life for everyone, now and for future generations. The Government set out four aims for sustainable development. These are:

- Social progress which recognises the needs of everyone;
- Effective protection of the environment;
- The prudent use of natural resources; and
- The maintenance of high and stable levels of economic growth and employment.

Clearly, the presumption is that new development will use land efficiently and be well designed. In this case the site is considered to be the unsustainable use of Greenfield land, and therefore its development is well down the sequential list in terms of the priority for development and therefore considered unacceptable.

Paragraph 31 of PPG3 states that all proposed housing sites should be assessed against each of the following criteria:

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### PLANNING APPLICATIONS - TO BE DETERMINED

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- The **availability of previously developed sites**;
- The **location and accessibility** of potential development sites to jobs, shops and services by modes other than the car, and the potential for improving such accessibility;
- The **capacity of existing and potential infrastructure**, including public transport, water and sewerage, other utilities and social infrastructure (such as schools and hospitals) to absorb further development and the cost of adding further infrastructure;
- The **ability to build communities** to support new physical and social infrastructure and to provide sufficient demand to sustain appropriate local services and facilities; and
- The **physical and environmental constraints on development of land**, including, for example, the level of contamination, stability and flood risk, taking into account that such risk may increase as a result of climate change.

The Government has recently been consulting on Draft PPS3. This document will in due course replace the existing PPG3 and its associated documents, and will represent the Government's most up to date thinking on housing and as such is a material consideration in assessing planning applications.

Paragraph 13 of Draft PPS3 states that to be considered developable, a site should meet the following criteria:

- a) Available – the site is available now or is likely to become available for housing development and be capable of being developed within five years;
- b) Suitable – the site offers a sustainable option for development and would contribute to the creation of sustainable urban and rural communities; and
- c) Viable – housing development is economically viable on the site.

Whilst it is considered that parts (a) and (c) are likely to be easily satisfied, the key issue is whether the site complies with Section (b) because:

The site is Greenfield land, which is not located in one of the Borough's main towns, and which is located outside of the defined village framework for Trimdon Grange. Therefore when appraised against the principles of Draft PPS3 and criteria from paragraph 31 of PPG3, this location performs poorly. Additionally the Borough's 'Key Issues Paper' that was out for public consultation during June 2005, identified that the focus for new housing within the Borough should be within the four main towns as these settlements have the greatest range of services and facilities.

#### Regional Spatial Strategy

In terms of how the proposal accords with the Submission Draft Regional Spatial Strategy (RSS) the proposal is considered to be contrary to Policy 3 in that the development does not meet the sequential test in terms of prioritising sites for development. In this case the development of this Greenfield site is the least sustainable option identified in the RSS.

The development is also contrary to Policy 5 that relates to the locational strategy that dictates that new development should be concentrated in the conurbations and main towns, as these are the most sustainable locations where the majority of economic activity takes place.

With regard to housing, The Strategy identifies that the Borough should provide an additional circa 4,000 net new dwellings between 2004 and 2021 yet it in the mean time it is still necessary to provide land for housing to maintain a five-year supply of housing, as stipulated in Paragraph 12 of Draft PPS3. Currently the Borough has just under a six year supply of housing

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thereby indicating that the release of a Greenfield site outside a residential framework and which encroaches into open countryside is unacceptable.

### **Planning Gain**

It has been demonstrated that this application is clearly contrary to planning policy, which the applicant recognises, however the question is whether the proposed planning gain in terms of upgrading the sports pitches and the potential regeneration benefits from the development in terms of providing greater choice in housing mix and supporting local facilities such as the school and health centre is enough justification to override the clear policy objections.

The submitted planning statement lacks evidence that local shops are in danger of closure and although some evidence has been provided that there is a decline in the number of pupils attending Trimdon Grange schools it is clear from Durham County Council figures that the residential development proposed would be unlikely to generate the number of pupils that would stop this decline. Therefore it is considered that this is not a significant justification to override national and local planning policy in this instance.

Regarding the improvements to the sports pitches and provision of a new car park and changing facilities it is considered that whilst these improvements would be welcomed the overall benefits do not out way the planning policy objections. The proposed changing facilities would be designed to meet the minimum specification of Sport England in terms of size and design and it is questionable as to whether this is a significant community benefit. It should also be noted that the Council's Playing Pitch Strategy identifies that there is no demand for additional pitches and the issues raised for the Trimdon area has been the quality of pitches, in particular the drainage of pitches. Whilst, improvements would be welcomed this provision is not enough to override planning policy objections and the use of Greenfield land.

In addition, it should be noted that if the principle of residential development was acceptable on this site then as it is located adjacent to amenity space then as part of the planning application it would have been unlikely that any open space provision would have been requested as part of the planning application. Instead, as has been requested on other housing sites within the Borough, a commuted sum would have been sought from the developer that could have been used to upgrade the adjacent facilities. As such an improvement to the facilities is not only achievable by allowing development on an unsustainable Greenfield site.

### **Access and Highway Safety**

The proposed access to the development is not considered to be acceptable in terms of road width, junction sight visibility. As such, it is considered that the proposed development would result in a detrimental impact to highway safety the proposed development is considered contrary to Policy T6 'Improvements in Road Safety'.

### **Impact on Ecology**

Circular 06/2005 'Biodiversity and Geological Conservation Statutory Obligations and Their Impact Within The Planning System' that accompanies Planning Policy Statement 9 'Biodiversity and Geological Conservation' states that *'the presence of a protected species is a material consideration when a planning authority is considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat'* (Para 98).

## **SEDGEFIELD BOROUGH COUNCIL**

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Circular 06/2005 also advises that 'it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted'. In this case no information whatsoever has been submitted with the application that suggests either the presence or absence of any protected species and/or their habitats on the site.

The applicant, on the application form, advised that an Ecological Report was to be submitted at a later date however no such report has been submitted. As such English Nature formally object to the development as insufficient information has been provided to demonstrate whether or not the development would have an adverse effect on species especially protected by law.

#### **CONCLUSION**

The applicant has submitted a supporting statement in conjunction with their application that states that the development is a neat and logical extension to the village. It is considered that this Greenfield application site would encroach into the open countryside, eroding away its open nature and the important role it plays in separating areas of urban development. It is considered that the proposal is unsustainable and the focus for new development should be in the main towns that are closer to jobs, wider range of services etc. Furthermore, the proposal does not perform well against Paragraph 31 of PPG3.

The applicant has not provided any information on the impact of the development on protected species and therefore it is not possible to ascertain if there would be any negative impacts.

In terms of access and highway safety the proposal would create an unacceptable form of development in terms of road width, junction visibility contrary to Policy T6 'Improvements in Road Safety'.

#### **HUMAN RIGHTS IMPLICATIONS**

It is considered that in general terms the provisions of the Human Rights Act 1998 have been taken into account in dealing with the above application.

#### **SECTION 17 OF THE CRIME AND DISORDER ACT 1998**

Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to refuse planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

#### **RECOMMENDATION**

It is recommended that planning permission be refused for the following reasons. However, should members determine to grant planning permission the application must be referred to the Government Office to the North East as a Departure.

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1. The proposed development is located outside of the defined residential framework for Trimdon Grange on a windfall Greenfield site. Development of this site would result in an increase in urban sprawl and an encroachment of development into the surrounding open countryside for which there is no demonstrable need or any agricultural justification for. As such there is no overriding reasons put forward to warrant a departure from the well established objective of restraint. This development is therefore contrary to Policy H8 'Housing Development in larger Villages' and Policy H12 'Housing in the Countryside for Agricultural or Forestry Workers' of the adopted Sedgfield Borough Local Plan and the locational strategies contained within the Durham County Structure Plan, PPG3 'Housing', Draft PPS3 'Housing', PPS7 'Sustainable Development in Rural Areas', PPG13 'Transport', RPG1 and the Submission Draft RSS that aims to concentrate the majority of new development in the conurbations and main towns.
  
2. The proposal provides insufficient information regarding the impact of the development on protected species is in conflict with Policy E14 'Safeguarding Plant and Animal Species Protected by Law' and contrary to Planning Policy Statement 9 'Biodiversity and Geological Conservation.
  
3. In the opinion of the Local Planning Authority the proposed development would have a detrimental impact on traffic movements and highway safety in that the sub-standard road width of Amble Way is not capable of accommodaing upto 68 dwellings. In terms of junction visibility the proposed sight visibility at the junction of Northside Terrace and the B1278 is obstructed to the south by a boundary wall, vegetation and a large utility pole and would not support additional dwellings accessing onto the B1278 at this point. As such the development is contrary to Policy T6 'Improvements in Road Safety' and T7 'Traffic Generated by New Development' of the Sedgfield Borough Local Plan.

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**APPENDIX 1**

**Objections**

Letter from concerned residents of Trimdon Grange – Comments from Two Public meetings – No signatories

- Increased traffic will be generated adding to already difficult access, blind spots and parking problems on current access roads.
- Reference is made to the Report of Council items 6.2 and 6.4 to McInerney Homes
- The group state that McInerney homes freely admit that the application lies outside the development limits in the local plan and is not in compliance with policy H8.
- Item 5C Roads and Public access right of way – residents fear that the 20 additional parking spaces and associated access road will lead to an increase of anti social behaviour and place an extra burden on the police service.
- There is a claim that the feelings of residents have been mis-represented despite the existence of the Statement of Community Involvement and that further involvement was needed urgently.
- Residents were already reporting anti social behaviour, noise, verbal abuse, drug and alcohol abuse, crime and vandalism.
- The view from Public meetings was that rather than being beneficial to the community, the increased level of anti social behaviour arising from the development would be detrimental.
- Football field development was thought to be likely to encourage more of the current problems there including riding of quad bikes on soft turf.
- The group quote the problems anti social behaviour can cause to communities from the Sedgefield Community Safety Partnership “Stay Safe” publication
- Two play areas in Trimdon Grange had been removed due to excessive vandalism.
- Recommend the objection is withdrawn or scaled down, and that existing play areas are refurbished with a McInerney homes donation to the Borough or Parish Council.

**15 Harwood Court**

- Would lead to large increase in traffic and impact on highway safety.
- Believes that roads are inadequate to cope with increased traffic levels (estimates additional 90 vehicles plus additional delivery trucks etc.
- Fears for safety of their children and feels that a fatality could occur if proposal goes ahead.

**21 Harwood Court**

- Concern over increased traffic associated with an additional vehicles associated with the proposal.
- Feel that the proposal will give rise to an increased level of anti social behaviour around the play area, citing existing examples of problems arising from gangs of children.
- Ask why there is a need for the changing facilities building when games are only played once per fortnight in the football season.
- Argue that the changing facilities building will become a focus for additional anti social behaviour that they feel would become a “breeding ground” for anti social behaviour.

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- Refers to Appendix B from item 10 “on the Council website” “Are Public spaces and pedestrian routes overlooked and do they feel safe”

**22 Harwood Court**

- They are currently suffering from anti social behaviour and feel that they proposed play area site could exacerbate the situation.
- They suggest locating the play areas far away as possible from existing housing.

**23 Harwood Court**

- Have asked for an amendment to the proposal with respect to the site of the play area.
- They are currently suffering from anti social behaviour and feel that they proposed play area site could exacerbate the situation.
- The residents have suggested two alternative sites on an enclosed plan - Cllr Hovells agrees and Mr Barker of McInerney homes suggested that the proposed plans could be amended to take account of a different location.

**24 Harwood Court**

- Site access has not been mentioned in the plan.
- Anticipates disruption, pollution and noise based on previous experience.
- Feels that the changing room facility building will act as a magnet for anti social behaviour.

**25 Harwood Court**

- Object to the prolonged upheaval, noise and dirt coming with the provision of more high cost housing on public recreational land and rights of way.
- Argue that the development would threaten the stability of the community.
- Feel that the changing facilities would act as a magnet for vandalism and anti social behaviour based on previous experience.

**1 Amble Way (Two objections submitted- both summarised below)**

- Proposal to be built on Green belt land.
- Contradicts Local and Government Policies because it is not being built within village boundary.
- Poor site access leading to an additional number of unacceptable car journeys for Alnwick Avenue and Amble Way residents.
- Increased hazards and less attractive location for people living in Alnwick Avenue and Amble Way.
- Existing housing area and road layout was not designed to accommodate the new houses.
- Improvements to football pitch would be outweighed by complaints of disturbance by new proposed properties.
- States that other more suitable sites are available.

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**2 Amble Way (Occupant sent two separate objections- points from both below)**

- Green field site chosen outside the village boundary instead of potentially available Brownfield site in contravention of Council & Government policies.
- A Brownfield site has been identified for a similar development within the village boundary.
- Questions whether the development provides affordable housing e.g. shared ownership opportunities by reference to Section 106 agreement.
- Questions whether the developers approach complies with the Council's Planning Consultation Strategy.
- Concern over increased traffic associated with additional vehicles and houses associated with the proposal.
- High potential for accidents to children and damage to vehicles because of inadequate parking.
- Inadequate capacity of road to cope with increased traffic levels.

**3 Amble Way**

- The development would affect the safety and dynamics of the small close community.
- Access roads could not handle the increased volume of traffic without having an impact on public safety.

**4 Amble Way**

- The site to be built on is green belt land and lies outside the village boundary.
- Only access is through Amble Way- would cause severe overloading of road network along with increased parking and access problems.
- Adverse affect on the character of the area.
- Loss of amenity through additional noise and disturbance.
- Feel that there has been no prior consultation contrary to Draft Community Statement of Involvement.

**5 Amble Way**

- Existing access roads are barely adequate and could not cope with additional traffic levels associated with the development.
- Anticipates disruption, disruption and excessive and noise based on previous experience with construction traffic.
- Enormous potential risk of accidents, particularly near bends and in winter.
- New play area and changing rooms unlikely to be maintained due to experience with present facilities. New proposals could be a haven for youths who would engage in anti social behaviour.

**6 Amble Way**

- Concern over extra traffic as a result of the development and associated safety hazards.
- Existing access roads are inadequate and have dangerous bends.
- Development is not needed to maintain school rolls.
- Informed that only an additional ten properties were likely to be built.



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**PLANNING APPLICATIONS - TO BE DETERMINED**

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### **7 Amble Way**

- Main access road is narrow and has sharp bends.
- Main access road is not designed to cope with additional traffic levels associated with the development.
- Bats, endangered species living in a field which development is to be sited on.
- New play area would attract youths who would engage in anti social behaviour.

### **8 Amble Way**

- Existing access roads are totally inadequate for additional traffic levels associated with the development.
- Current roads are already dangerous with sharp bends.
- Additional traffic will pose an increased of accidents at the Children's play area near shops on Kielder Drive and the school.
- Amble way will not be able to accommodate extra traffic that further dwellings would generate.
- Emergency vehicle access was felt to be an area of concern.
- Believes that part of the proposed site is outside the village boundary and is being built on green belt land.
- Comments that the development doesn't provide affordable Housing for young first time buyers or homes suitable for older members of the community.
- Existing Children's play area is poorly maintained and has gone into decline – what will prevent this happening again?
- Occupants were not aware in Spring 2005 of any plans for further building work on the scale proposed

### **9 Amble Way**

- Believe that Amble Way is too narrow and cannot therefore accommodate an expected additional 116 vehicles associated with the proposal.
- Object to the provision of a car park and changing facilities that they feel would become a "breeding ground" for anti social behaviour.
- Would not have moved into the area if they thought that an additional 58 dwellings were to be built.
- Feel that the whole idea would destroy the community of Trimdon Grange.

### **10 Alnwick Avenue**

- Objection to anticipated problems with builders based on previous experience with respect to:
  - Contractor vehicle parking problems
  - Excessive noise levels including Evenings
  - Mess from Construction work
  - Location of construction site entrance.
- The resident also asked that Alnwick Avenue occupants are given facilities to view the plans as they aren't all able to visit the council Offices.

## **SEDGEFIELD BOROUGH COUNCIL**

### **PLANNING APPLICATIONS - TO BE DETERMINED**

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#### **21 Northside Buildings**

- Feels that the value of the countryside is being diminished and that developers are driven by trying to cram the maximum number of properties possible into available land.
- Believes that if granted, the development would lead to further developments until Trimdon Grange becomes just as crammed as other local communities.

#### **The Orchard North moors Farm, Trimdon Grange**

Has supplied a petition with 92 signatories- The undersigned oppose the scheme principally on the grounds that:

- The proposal would represent a departure from the Council's planning policy as the site is outside the designated building line around Trimdon Grange, and
- The road network leading from the B1278 Salter's Lane to the proposed site is not considered to be wide enough to support the current number of homes in the area and existing levels of traffic.

The resident also cites his own individual objections that are:

- Land is unsuitable for expansion being outside of the village boundary.
- Would lead to huge increase in traffic on access roads.
- Questions the demand for type of properties proposed given difficulties of selling existing family homes
- Feels that playground and football pitches are not required and are included to help developer gain planning permission.

#### **16 Grange Terrace Trimdon Grange**

- Questions the demand for type of properties proposed and suggests that this would increase the current difficulties of selling existing older properties.
- South View and Fielder Drive are both currently very busy roads These problems would become more acute with twofold increase in Traffic and an increase in the noise and road traffic hazards.
- Inadequate site access for extra numbers of cars and questions ability of Emergency Vehicles to access the site.
- Is aware that Council had previous concerns about building existing homes in Amble Way and asks why an additional 59 homes should be considered.
- Existing play area is in a better position than the new location in the proposal- asks if the Council would be prepared to adopt maintenance of the new play area in the proposal.
- Feels that changes to Football field will be of benefit but asks why the current facility has been allowed to go into decline.
- Believes that part of the proposed site is outside the village boundary and is being built on green belt land.
- Feels that there are enough properties in the village and development is unnecessary and offers no major benefits to the community.

**SEDGEFIELD BOROUGH COUNCIL**  
**PLANNING APPLICATIONS - TO BE DETERMINED**

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**31 Broadway Avenue Trimdon Village**

- Objects on behalf of “numerous regular visitors to Trimdon Grange cemetery” on the grounds of invasion of privacy in a consecrated area.

**20 Down Terrace, Trimdon Grange**

- Inadequate site Access - South View and Kielder Drive are both currently very busy roads with poor visibility and sharp bends and can become treacherous in icy or snowy conditions. These problems would become more acute with twofold increase in Traffic.
- Increase in Traffic would lead to greater hazards for users of Children’s play area near Kielder Drive Shops.
- Questions ability of Emergency Vehicles to access site particularly through Amble Way.
- Believes the site to be exempt from being built on due it to being green belt land and asserts that village border would be altered and would require a change of law.
- Questions who will be responsible for the Children’s play area if the development were to go ahead claiming that it is currently inadequately maintained.

**7 Northlands Park Trimdon Grange**

- Appears to be departure from Council policy with respect to building Line around Trimdon Grange.
- Green field site chosen where two brownfield sites potentially available.
- Road Network has 90 degree bends and is at or below minimum width to serve traffic volume.
- Outline plan from Blakett & Hart shows deletion of Footpath between No’s 2-10 Amble Way.
- Type of houses proposed are beyond affordability of couples and may add to falling rolls problem for Trimdon Grange Infant Schools.

**Nathaniel Lichfield & Partners Trafalgar Street Newcastle upon Tyne NE1 2LA**

Objection based on issues regarding

- Highways & Access- Concerns over visibility capacity of road to serve proposed development. Estimated 600% increase in traffic volume which will contravene Policies T7 & D3.
- Ecology and Bio diversity- Loss of the Magnesian Limestone Grassland Site which contains rare grass and orchid species, included in Annex 1 of the European Communities habitats and Species Directive would contravene Policy E14.
- Layout of Development- Concerns about loss of amenity to properties of Amble Way that about the proposed development in possible contravention of Policies D1b and D5.
- Archaeology- NLP calls for the County Archaeologist to comment in light of PPG 16.
- Flood Risk – NLP consider that no information has been provided to assess the impact of the proposed development on flood risk elsewhere as required by PPG 25.

**SEDGEFIELD BOROUGH COUNCIL**  
**PLANNING APPLICATIONS - TO BE DETERMINED**

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PROPOSAL:           **ERECTION OF SINGLE STOREY REAR EXTENSION**

LOCATION:            **2 WAVERLEY TERRACE SHILDON DL4 2HQ**

APPLICATION TYPE:   Detailed Application

APPLICANT:         L Beaumont  
                          2 Waverley Terrace, Shildon, Co Durham

**CONSULTATIONS**

1.                    SHILDON T.C.
2.                    Cllr. I. Smith
3.                    Cllr. L. Smith
4.                    NORTHUMBRIAN WATER

**NEIGHBOUR/INDUSTRIAL**

Waverley Terrace:1,3

**BOROUGH PLANNING POLICIES**

H15                 Extensions to Dwellings

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This application would normally be determined under the approved scheme of delegation. However the applicant is an employee within Neighbourhood Services and as such the application is presented to Development Control Committee for consideration and determination.

**PROPOSAL AND LOCATION**

The application site, located in a predominately residential area on the northern edge of Shildon, consists of a mid terraced dwelling with a long front garden and smaller back yard, access to which is off a back lane.

The application proposes the erection of a single storey extension to the rear of the dwelling. The extension would measure 3000mm in length, 2400mm in width and 3600mm in height to the ridge of the roof; it would be set-in 600mm and would follow the building line of the dwelling. The extension would have a tiled gable end roof and consist of brick to match the existing dwelling. A window would be provided along the front elevation facing the back yard that would reach 2100mm in height.

**CONSULTATION AND PUBLICITY RESPONSES**

Shildon Town Council has made no comment to date.

Northumberland Water has offered no objections to the proposal.

**SEDGEFIELD BOROUGH COUNCIL**  
**PLANNING APPLICATIONS - TO BE DETERMINED**

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No other comments have been received in response to the consultation and publicity exercise.

**PLANNING HISTORY**

There is no planning history for the site

**PLANNING CONSIDERATIONS**

The proposal needs to be considered against Policy H15 of the adopted Sedgefield Borough Local Plan and the Residential Extensions Supplementary Planning Document (February 2006)

Policy H15 (Extensions to Dwellings) states that the design of all extensions should be of a size and scale that is in keeping with the existing dwelling and should not have a detrimental impact on residential amenity. Given the size of the proposed extension in comparison to overall size of the host property it is considered that the development would be of a scale that is in keeping with the existing dwelling

The design of the extension would also replicate certain aspects of the host property such as the sloping roof and would be of a standard design similar to many others throughout the Borough. It is therefore considered that the design of the extension is in keeping with the existing property. Furthermore, the development would be on the rear of the property and would not be visible in the street scene.

The Residential Extensions Supplementary Planning Document (February 2006) stipulates that applications for rear extensions should conform to the principles of the 45-degree code or that its length does not exceed 3 metres – whichever is the greater. The application as originally submitted showed the extension protruding out a total of 3500mm and therefore contravened the 45-degree code. However, following discussions with the applicant the application has been amended and the plans now show the extension projecting a maximum of 3000mm, which reduces its impact on the neighbouring property. In its revised form the proposal conforms to the 45-degree code.

There is also no potential for direct overlooking along the proposed side elevation because of the absence of any windows and the adjacent property therefore will remain largely unaffected. As such, the proposal satisfies this particular criterion of the Supplementary Planning Document.

**CONCLUSION**

It is considered that the proposal is of an appropriate scale and design, and would not be detrimental to the amenity of neighbouring properties. The application is therefore considered to accord with Policy H15 and the Supplementary Planning Document.  
(Residential Extensions.)

**SEDGEFIELD BOROUGH COUNCIL**  
**PLANNING APPLICATIONS - TO BE DETERMINED**

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**RECOMMENDATION It is recommended that the application be approved**

1. The development hereby approved shall be begun not later than the expiration of 3 years from the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990.

2. The external surfaces of the development hereby approved shall be only of materials closely matching in colour, size, shape and texture of those of the existing building of which the development will form a part.

Reason: In the interests of visual amenity, and to comply with Policy D1 (General Principles for the Layout and Design of New Developments) of the Sedgefield Borough Local Plan.

3. The development hereby approved shall be carried out only in accordance with the submitted application, as amended by the following document(s) and plans: amended plan Drawing No. 01/Rev. A dated 30th August 2006.

Reason: To ensure that the development is carried out in accordance with the approved documents.

**INFORMATIVE: REASON FOR GRANT OF PLANNING PERMISSION**

In the opinion of the Local Planning Authority the proposal is acceptable in terms of its scale, design and its impact upon privacy, amenity, highway safety and the general character of the area.

**INFORMATIVE: LOCAL PLAN POLICIES RELEVANT TO THIS DECISION**

The decision to grant planning permission has been taken having regard to the key policies in the Sedgefield Borough Local Plan set out below, and to all relevant material considerations, including Supplementary Planning Guidance:H15 Extensions to dwellings.Supplementary Planning Guidance Note 4: The Design of Extensions to Dwellings.

**SEDGEFIELD BOROUGH COUNCIL**

**PLANNING APPLICATIONS - TO BE DETERMINED**

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4. 7/2006/0493/DM APPLICATION DATE: 26 July 2006

PROPOSAL: **RETENTION OF GARAGE INCORPORATING RAISED DECKING AND ERECTION OF OF 1ST FLOOR EXSTENSION TO THE REAR**

LOCATION: **12 KENSINGTON GARDENS FERRYHILL DL178LU**

APPLICATION TYPE: Detailed Application

APPLICANT: Gary Atkinson  
12 Kensington Gardens, Ferryhill, Co Durham, DL17 8LU

**CONSULTATIONS**

1. DCC (TRAFFIC)
2. NORTHUMBRIAN WATER
3. FERRYHILL TOWN COUNCIL
4. ENGINEERS
5. Cllr. J. Higgin
6. Cllr K Conroy
7. Cllr. R A Patchett

**NEIGHBOUR/INDUSTRIAL**

Kensington Gardens:1,2,3,4,5,6,7,8,9,10,11,13,14  
Church Lane:84,106A,104,102,100,98,96,94,92,90,88

**BOROUGH PLANNING POLICIES**

H15 Extensions to Dwellings

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This application would normally constitute a delegated matter under the approved scheme of delegation. It is however being presented to Development Control Committee at the request of a Member of the Council because of apparent significant public concern about the proposal.

**BACKGROUND**

On 14<sup>th</sup> June 2006, complaints were received about development taking place at the rear of Kensington Gardens, Ferryhill. Investigations revealed that a garage extension was being built, with a raised patio area being formed on the flat roof of the extension. The applicant decided to apply retrospectively for planning permission, and to include a proposed first floor bedroom extension in the same application. Despite advice from officers, work has continued and the unauthorised development has been completed.

**PROPOSAL**

The application comprises two elements; the retention of the garage and raised patio, and the proposed erection of a first floor extension that has not yet been built.

**SEDGEFIELD BOROUGH COUNCIL**

**PLANNING APPLICATIONS - TO BE DETERMINED**

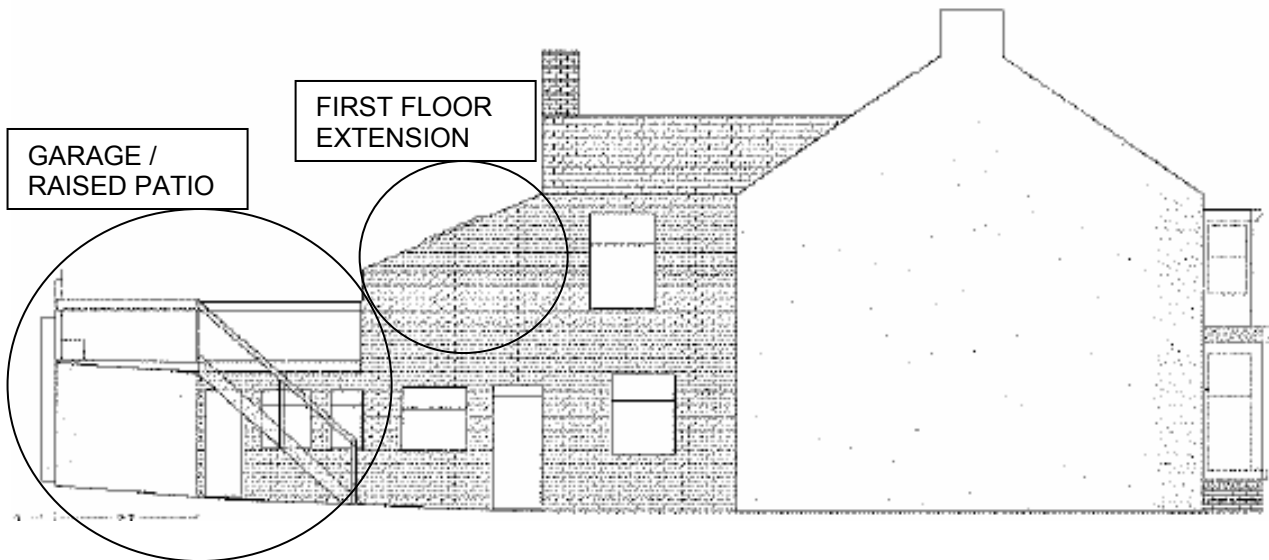
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**Garage and raised patio**

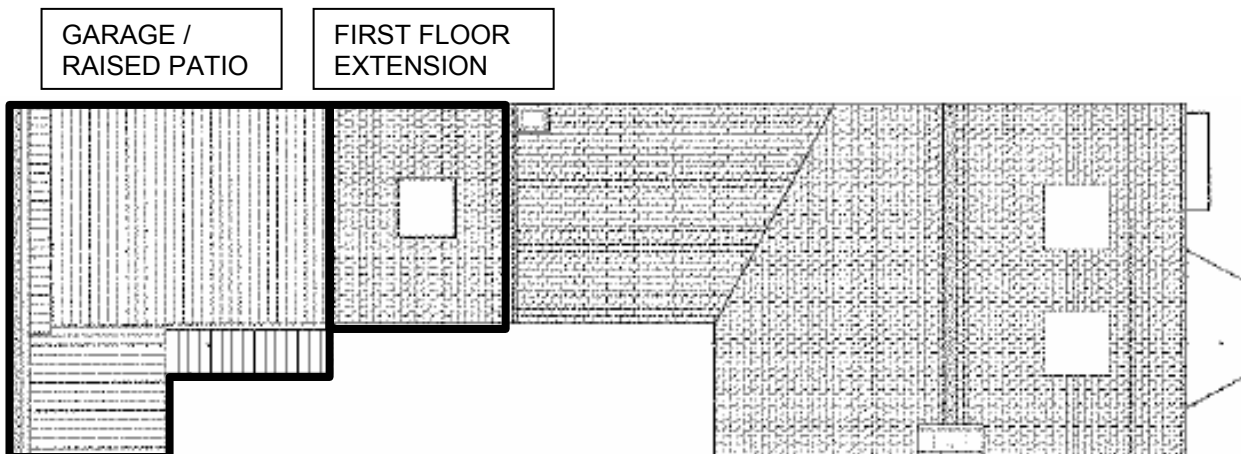
The garage has been erected in the rear yard of the property, linking an existing single storey extension and the original yard wall that runs along the back street. For part of its length it is the same width as the original extension (4 metres), but it widens to the full width of the yard (6.5 metres) behind the yard wall where it takes in an original outbuilding. The existing garage door in the yard wall has been replaced with a roller shutter type, slightly wider at 4 metres. The garage has a flat roof on which a patio area has been formed. It is enclosed with a one-metre high timber fence around its perimeter, to which planting boxes have been attached, and it is accessed by way of an external staircase from the yard area.

**First floor extension**

The proposed first floor extension would be constructed over an existing breakfast room to provide an additional bedroom. It would extend the existing two-storey element of the dwellinghouse by 3.4 metres, and would feature a T-fall roof containing a roof light as the sole means of illumination.



**SIDE ELEVATION**



**PLAN VIEW**



**SEDGEFIELD BOROUGH COUNCIL**  
**PLANNING APPLICATIONS - TO BE DETERMINED**

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**CONSULTATION AND PUBLICITY RESPONSES**

The Highway Authority and the Borough Council's Engineering Services Team have offered no objections to the proposal, but have advised that the garage door should be a roller type to avoid encroachment onto the back street. These comments are not relevant as a roller shutter door is already fitted and the wider opening should improve access from the narrow back street.

Six letters of objection have been received from local residents whose concerns can be summarised as follows:

- The raised patio allows views into private amenity areas and windows to habitable rooms, causing a significant loss of privacy and amenity
- The presence of the wooden screen fence and planting boxes on top of the garage is an eyesore and dominates the street and skyline
- A garden swing and barbeque have been placed on the raised patio, with implications for safety, noise and disturbance

There are no apparent fundamental objections to the garage or proposed extension, the overwhelming concerns relate to the raised patio, the manner in which it has been constructed, and the consequences of its use.

No response has been received from Ferryhill Town Council and no other comments have been received as a result of the consultation and publicity exercise.

**PLANNING CONSIDERATIONS**

**Garage and raised patio**

The dwellings in Kensington Gardens are substantial family homes that typically feature long front gardens and two storey extensions to the rear. Some have additional single storey extensions, and some have detached buildings at the bottom of the yard, adjacent to the back street. Five dwellings have rear extensions that run the entire length of the back yard from the main house to the back street, similar in form to the development under consideration.

The garage extension results in only a small amount of additional development as much of the structure occupies the sites of a previous garage and a store. This development has taken place behind a three-metre high yard wall that runs along the back street, and it would not be generally visible to the passer by. The patio has been formed on top of the garage, using timber framing, decking, translucent plastic sheeting and containers filled with a variety of plants. The patio is reached by way of an external timber staircase from the back yard. This element of the development is visible above the high yard wall.

Policy H15 of the Local Plan requires residential extensions to be of appropriate scale and design compatible with the property, without any adverse effect upon:

- the amenity and privacy of surrounding properties
- the general character of the area, and
- highway safety

## **SEDGEFIELD BOROUGH COUNCIL**

### **PLANNING APPLICATIONS - TO BE DETERMINED**

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Further policy is expressed in the Council's Residential Extensions Supplementary Planning Document, in particular the safeguarding of amenity standards by way of the 45-degree code.

The issue of scale and design must be considered with full regard to the form of other developments in the locality. In this context the garage would be acceptable as it represents a small increase in bulk over the situation that existed before the development took place. It does not present adverse amenity problems and it would be appropriate to the character of the area.

Highway safety would not be affected by the development. It would be difficult to conclude that the development breaches the 45-degree code, as it does not significantly reduce daylighting levels from the previous position.

The raised patio area does however have various impacts. It introduces an unorthodox form of development of a design and of construction materials not normally found in such locations in a terraced housing area. It has significant visual impact upon the occupiers of no.13 Kensington Gardens, the occupiers of several properties in Church Lane, and the street scene in general. Whilst attempts have been made to create screening around the perimeter of the patio using plastic panels and vegetation, this is only partially effective and there are some views into windows and private amenity spaces of neighbouring properties from this elevated position.

It is therefore considered that this aspect of the development is damaging to the amenity and privacy of the occupiers of surrounding properties and to the general character of the area, contrary to Policy H15 of the Borough Local Plan and the Residential Extensions Supplementary Planning Document.

#### **First floor extension**

All the dwellings in Kensington Terrace feature two storey extensions. The application site is unusual in that the existing two-storey extension is not as long as the others, and the proposal would therefore bring this element of the dwelling broadly in line with the rest of the street. Those other extensions were however built many years ago, and could even be part of the original dwellings. Applying the 45 degree code to this part of the proposal shows that almost the entire first floor extension would breach the code, and it would therefore have a damaging impact upon the daylighting of no.13 Kensington Gardens, and its occupiers would have a reduced level of residential amenity.

The T-fall roof design is also considered inappropriate design, and for both these reasons, the extension is considered not to accord with the Residential Extensions Supplementary Planning Document and Policy H15 of the Local Plan.

#### **CONCLUSION**

The proposal seeks to retain development already constructed without planning permission, and proposes further development to extend the dwelling. Despite additional screening and the introduction of landscape planting around its periphery, the garage and raised patio present significant problems in terms of overlooking of immediately adjacent dwellings and those in Church Lane, which have habitable room windows within 10 metres. This aspect of the development is also discordant with the street scene and the general character of the area. The objectors echo these concerns. With the raised patio removed, the garage extension that has been constructed is considered acceptable for reasons already set out in this report, but it would not be possible to reach a split decision that would grant planning permission for that element of the development in isolation.

**SEDGEFIELD BOROUGH COUNCIL**  
**PLANNING APPLICATIONS - TO BE DETERMINED**

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The proposed first floor extension is of poor design that would be out of character with the street-scene, and would lead to significant reduction of amenity for the occupiers of 13 Kensington Gardens through loss of daylighting to habitable rooms.

For all these reasons it is considered that planning permission should be refused for the development described in the application. Furthermore, it would be insufficient merely to withhold planning permission without taking steps to resolve the issue of the breach of planning control, which has occurred to the detriment of local public interests. A recommendation is therefore made below in respect of proposed enforcement proceedings.

**RECOMMENDATION: It is recommended that planning permission be refused for the following reasons:**

1. In the opinion of the Local Planning Authority the garage and raised patio significantly increase the potential for the overlooking of surrounding properties and introduce inappropriate construction materials in an elevated and prominent position in the street-scene. Consequently, the development adversely affects the amenity and privacy of the occupiers of surrounding properties and the general character of the area contrary to Policy H15 (Extensions to Dwellings) of the Sedgefield Borough Local Plan and the Residential Extensions Supplementary Planning Document.

2. In the opinion of the Local Planning Authority the proposed first floor extension would be of inappropriate design and would contravene the Council's 45 degree code for the protection of daylighting of adjacent dwellings. Accordingly, the development would not harmonise with the street-scene and would adversely affect the amenity of the occupiers of no.13 Kensington Terrace contrary to Policy H15 (Extensions to Dwellings) of the Sedgefield Borough Local Plan and the Residential Extensions Supplementary Planning Document.

**It is further recommended that the Director of Neighbourhood Services, in consultation with the Solicitor to the Council, be authorised to issue an enforcement notice in the following terms to remedy the breach of planning control:**

Steps to be taken: Dismantle and remove the raised patio, including the surface decking, timber fence, polycarbonate sheeting, planting boxes and the external staircase which provides access to the patio.

Time period for compliance: Three months from the date on which the notice comes into effect

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# Item 5

## SEDGEFIELD BOROUGH COUNCIL

### PLANNING APPLICATIONS - TO BE DETERMINED

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7/2005/0826/DM

APPLICATION DATE: 30 March 2006

PROPOSAL: **ERECTION OF 9 NO. INDUSTRIAL/WAREHOUSE UNITS WITH ANCILLARY OFFICES AND ASSOCIATED FORECOURT AND SERVICE YARD**

LOCATION: **LAND AT LONG TENS WAY/MILLENNIUM WAY NEWTON AYCLIFFE DL5 6AP**

APPLICATION TYPE: Detailed Application

APPLICANT: Easter Properties (Newton Aycliffe) Ltd  
4 Grosvenor Place, London, SW1X 7ES

#### CONSULTATIONS

1. GREAT AYCLIFFE TC
2. DCC Landscape
3. GO N.E.
4. DCC (PROWS)
5. POLICE HQ
6. LANDSCAPE ARCH
7. DESIGN
8. ECONOMIC DEV
9. L.PLANS
10. ENV. HEALTH
11. ENGINEERS
12. Lee White
13. ENV AGENCY
14. BUILDING CONTROL
15. AIP - OWNERS
16. ENGLISH NATURE
17. NORTHUMBRIAN WATER
18. DCC (TRAFFIC)
19. DCC (PLANNING)
20. Cllr. Mr. J.K. Piggott
21. Cllr. W.M. Blenkinsopp
22. Cllr. J.P. Moran
23. WILDLIFE TRUST
24. HEALTH & S.E.
25. Terry Coult
26. ENGLISH NATURE
27. WILDLIFE TRUST
28. Countryside Team
29. WILDLIFE TRUST
30. DCC (PROWS)
31. ENGLISH NATURE
32. ENGLISH NATURE
33. WILDLIFE TRUST
34. Lee White

## SEDGEFIELD BOROUGH COUNCIL

### PLANNING APPLICATIONS - TO BE DETERMINED

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35.	Terry Coult
36.	ENGINEERS
37.	DCC Landscape
38.	Countryside Team
39.	GO N.E.
40.	DCC (PROWS)
41.	POLICE HQ
42.	LANDSCAPE ARCH
43.	DESIGN
44.	ECONOMIC DEV
45.	L.PLANS
46.	Lee White
47.	WILDLIFE TRUST
48.	Terry Coult
49.	ENV AGENCY
50.	HEALTH & S.E.
51.	BUILDING CONTROL
52.	AIP - OWNERS
53.	GREAT AYCLIFFE TC
54.	ENGLISH NATURE
55.	NORTHUMBRIAN WATER
56.	DCC (TRAFFIC)
57.	DCC (PLANNING)
58.	ENV. HEALTH
59.	WILDLIFE TRUST
60.	Countryside - DCC
61.	ENGLISH NATURE
62.	Terry Coult

### NEIGHBOUR/INDUSTRIAL

### BOROUGH PLANNING POLICIES

D4	Layout and Design of New Industrial and Business Development
E14	Safeguarding Plant and Animal Species Protected by Law
E15	Safeguarding of Woodlands, Trees and Hedgerows
E17	Protection of Archaeological Remains
IB1	Types of Industry and Business Areas
IB5	Acceptable uses in Prestige Business Areas
T6	Improvements in Road Safety
T7	Traffic Generated by New Development
D1	General Principles for the Layout and Design of New Developments
D4	Layout and Design of New Industrial and Business Development

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### THE PROPOSAL

This application seeks full planning permission for development on a 3.91 hectare site at Long Tens Way, Newton Aycliffe. The application seeks permission for:

## **SEDGEFIELD BOROUGH COUNCIL**

### **PLANNING APPLICATIONS - TO BE DETERMINED**

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- the erection of 9 Industrial units providing a total floor space of 14,695sqm to be used for any purpose within Class B1 light industrial, Class B2 (general industrial) and Class B8 (storage and distribution).
- Car park, forecourt and servicing facilities for each unit comprising a total of 282 car parking spaces (12 disabled spaces), 20 loading bays for lorries and trucks and 40 cycle spaces.
- A mix of hard and soft landscaping including soft landscaping along the eastern boundary of the site and the enhancement of a shelterbelt that surrounds the site.

Following initial screening of the application it was considered that an Environmental Impact Assessment was required as the proposal may have significant environment impacts. As such the applicant undertook a full detailed environmental assessment and a detailed Environmental Statement and Traffic Impact Assessment have been submitted with the application. The environmental statement covers a wide variety of issues including ecology and nature conservation, archaeology, transportation and access and water resources and flood risk.

The application site is bound to the north by a waste transfer station, Long Tens Way to the east, Millennium Way and an electricity sub station and open fields to the south and the railway line to the west. The application site is a Greenfield site and consists of 4 fields that are currently used for grazing land with a small area to the south of the site that is not used for grazing and which supports long grass and ruderal herbs. The site is divided into fields by hedgerows / shrubs and wire fencing and there are a several crab apple trees located in the centre of the site. Access to the development is proposed via three locations off Long Tens Way.

#### **CONSULTATION AND PUBLICITY**

Great Aycliffe Town Council has no observations or objections regarding the proposal.

The County Engineer originally expressed comments the Traffic Impact Assessment, cycle parking and routes, the Travel Plan, junction radii and location of the junction. The applicant was informed of these comments and following discussions between the County Council and the applicant's engineer's further details and amended plans were provided. As such no objections are now raised regarding the development.

Durham County Council Rights of Way Officer has advised the public bridleway No 11 on the southern boundary, public bridleway No 6 on the eastern boundary and public footpath No 5 on the northern boundary, all of Great Aycliffe Parish would not be affected but it should be ensured that they are not obstructed or damaged.

The Environment Agency has raised no objections but advised should planning permission be granted several conditions be imposed relating to surface water run off and contaminated land.

Durham County Council Policy Section advised that the application site lies within a Prestige Business Area as identified in Policy IB5 of the Sedgfield Borough Local Plan, that there should be a high standard of landscaping, layout and building design and that as there are two ponds on the site that presence of Great Crested Newts are assessed.

Durham County Council Archaeological Section originally requested that the results of an archaeological evaluation of the site are provided in support off the planning application. This

## **SEDGEFIELD BOROUGH COUNCIL**

### **PLANNING APPLICATIONS - TO BE DETERMINED**

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work was undertaken by the applicant and which indicated that there were no features of significant archaeological interest that would require further mitigation. As such no objections to the development are raised.

English Nature originally objected to the application as insufficient information had been provided with the application to demonstrate whether or not the development would have an adverse effect on species especially protected by law. Of particular concern was the impact of the proposed development to Great Crested Newts. The applicant was informed of English Nature's reason for objection and the need for further information. In June 2006 a full detailed Great Crested Newt and Bat Survey was submitted and, based on the information provided, English Nature withdrew their previous objection subject to a condition being imposed stating that the no development shall be carried out unless in accordance with the mitigation detailed within the submitted report.

Durham Wildlife Trust originally objected to the application as no up to date information had been provided and that the mitigation proposal put forward were inadequate. However, following the submission of the Great Crested Newt and Bat Survey the objection was withdrawn although the Trust considered that it would be preferable if a method statement could be produced to guide contractors as to the correct course of action if bats are found in trees on site.

Site notices were erected, an advertisement placed in the local press and letters were sent to neighbouring occupiers advising of the application and to date no letters of representation have been received.

#### **PLANNING CONSIDERATIONS**

##### **Compliance with National Planning Policy and Guidance and Local Plan Policies.**

The land that is subject to this application is designated under Policy IB2 'Designation of Type of Industrial Estate' of the Borough Local Plan as an existing prestige business area. The primary objective of prestige business areas is to encourage the manufacturing and service industries. Class B1, B2, and B8 are acceptable uses under Policy IB5 'Acceptable Uses in Business Areas'. In all cases a high standard of site layout, building design and landscaping is required as set out in Policy D4 and SPG 2 'Development on Prestige Business Areas'. In this instance it is considered that the proposal is in accordance with these policies.

Policy 19 of the County Durham Structure Plan (CDSP) supports this view by stating that, when developing prestige employment sites for industrial uses, developments should incorporate high standards of layout, landscaping and building design should be maintained. It also emphasises that Prestige industrial estates are major, strategically important sites where high standards of layout, building design and landscaping is sought.

PPG4 (Industrial, commercial development and small firms) sets out locational factors for development of this nature to be considered against. As this location is well separated from the residential areas of Newton Aycliffe, and having excellent transport links to national routes, the site performs well against the locational requirements set out in PPG4.



## SEDGEFIELD BOROUGH COUNCIL

### PLANNING APPLICATIONS - TO BE DETERMINED

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Policy DP1 of RPG1 sets out the sequential approach to the identification of sites for development, recognising the need to make the best use of land and optimise the development of previously developed land and buildings in sustainable locations

Given the above the development represents an acceptable use within a prestige business area, where the principle of industrial development on the site has been firmly established through the Local Plan process.

#### **Ecology and Nature Conservation**

Circular 06/2005 'Biodiversity and Geological Conservation Statutory Obligations and Their Impact Within The Planning System' that accompanies Planning Policy Statement 9 'Biodiversity and Geological Conservation' states that *'the presence of a protected species is a material consideration when a planning authority is considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat'* (Para 98).

Circular 06/2005 also advises that 'it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted'.

Given the existence of a population of great crested newts on the business park and adjacent land a strategy for the great crested newts on the business park and for the future Heighington Lane West area was commissioned and a survey of 13 ponds within the area was carried out in spring 2004. It was found that great crested newts were found in all but ponds 1, 2, 3 and 4 of which ponds 3 and 4 are located on the application site. This survey was then repeated in March, April and May 2006 and no great crested newts were found and as such no mitigation considered necessary.

As part of this application it is proposed to remove the existing ponds and despite the absence of great crested newts from the site the applicant proposes several measures to improve the remaining habitat for the benefit of this species. These improvements include:

- The replacement of the two on site ponds with two new better designed, deeper and well maintained ponds
- Establishing two hibernacula close to the new ponds
- Planting a new hedgerow along the shelterbelt around the site to provide continuity of habitat and a better environment for great crested newts than currently exists on the site.

In addition to the great crested newt survey a bat survey was also conducted in 2006 and involved the inspection of trees by an arborist and a licensed bat worker. The bat survey identified that most of the potential roosting habitats within trees identified from the ground were physically unsuitable or did not exist on closer inspection. No signs of any past or current bat use were found on site and so the potential impacts to bats as a result of the development are likely to be negative to neutral of low to no significance.

In terms of other protected species the application site was assessed for the presence of badgers, dormice, birds and reptiles and it was concluded that there would be no detrimental impact to these species although a condition ensuring that no work is undertaken in summer months in order that development does not impact on any breeding birds. As such the proposal

## **SEDFIELD BOROUGH COUNCIL**

### **PLANNING APPLICATIONS - TO BE DETERMINED**

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is considered acceptable and from the information submitted there would be no detrimental impact to any protected species.

Regarding hedgerows on the site there are four hedgerows that contain several trees that are considered to be species poor and have suffered from long term under management and their removal is considered to be acceptable under the Hedgerow Regulations 1997. However, there are three crab apple trees that are of significant maturity and, following the submission of this application, were protected by a Tree Preservation Order. Given the importance of these trees it is considered that they must be retained. Two trees are currently sited in the middle of the site and are therefore a significant constraint in the development of the site. Following detailed discussions with the Council's Tree Preservation Officer it has been agreed that the two crab apple trees located in the middle of the site can be relocated to the northwest corner of the application site. A detailed method statement to facilitate the successful relocation of these two trees has been agreed with the developer and the implementation of this method statement would be a condition of consent for the development. Highly experienced contractors will carefully excavate the tree rooting system and the entire tree and root ball will be lifted by crane onto a vehicle. The trees would then be transported across the site and lifted by crane into a specially prepared receptor site where the trees will be secured temporarily in place by guide ropes. Maintenance and watering will then be carried out for 2 years following the relocation.

#### **Archaeology**

The archaeological potential of the site was assessed using information held at the Durham Sites and Monuments Record, from a site walkover undertaken in January 2006 and an intrusive archaeological field evaluation undertaken in June 2006. The history of the site was reviewed by the applicant by a study of documents and although historic aerial photographs and the site visit identified remains of ridge and furrow earthworks and following completion of the field evaluation, the site has been shown to have limited archaeological potential. It was found that there is negligible archaeological interest for the southern part of the site and low potential for features not associated with medieval and post medieval / modern agricultural land management for the northern part of the site. The residual impacts of the development are therefore considered to be negligible and no mitigation measures are considered necessary.

#### **Transportation and Access**

The Traffic Impact Assessment has shown that the development would have a negligible impact on the local transport infrastructure during construction and once completed. The existing highway infrastructure can adequately accommodate the development at the assumed opening year of 2007. Improvements to cycle and pedestrian routes and facilities would be made with the provision of a shared pedestrian / cycle footpath across the site and 40 cycle spaces would be provided. It is considered that the proposed parking and servicing areas are acceptable.

In addition, to encourage sustainable transport choices by future employees of the units a travel plan would be developed to help reduce car use and promote sustainable travel choices.

#### **Water Resources and Flood Risk**

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The impact of the development on surface water and groundwater and also potential risk of flooding has been considered by the applicant and a flood risk assessment was carried out. It is considered that the overall impact on groundwater and surface water is negligible during the construction phase. During the sites operation the risk of flooding is negligible as is the potential impact on groundwater flows as a result of drainage and service runs. In terms of surface water it is considered that because the additional surface water runoff from areas of hardstanding would be collected in a tank before being discharged the impacts on surface water would be negligible.

#### **Design and Layout**

The application proposes a mix of 9 industrial units constructed with a steel superstructure and a mix of cladding systems and all the units would be constructed from the same materials to create colour and design uniformity. Given the overall scale of the buildings initial concern was raised with the applicant regarding the visual impact of the development particularly in respect of the scale and roof profile of units 8 and 9 and for the elevational treatment of the gables fronting Long Tens Way and the roof profile. In order to address these concerns the applicant has amended the scheme by increasing the amount of glazing and adding coloured cladding into the side elevations of units 8 and 9 and inserting glazing into the side elevation of unit 3 thereby creating a clear outward looking frontage towards Long Tens Way. In addition, by increasing the amount of glazing in the side elevations also contributes to reducing the overall scale and bulk of the buildings.

On units 8 and 9 the roof profile was amended so that roof pitch was reduced thereby in turn reducing the overall ridge height of the buildings from 14 metres to approximately 13 metres. This has therefore resulted in the overall scale and bulk of the building being minimised with less dominance to Long Tens Way. It should also be noted that in order to reinforce the fact that units 8 and 9 are separate distinct buildings as opposed to one large building, particularly if viewed from a distance, the distance between these units has been increased.

Externally it is proposed there would be a mix of hard and soft landscaping with soft landscaping proposed along the eastern site boundary, which would be maintained as rough grass and saplings. In addition, the shelterbelt that surrounds the site would be retained and enhanced by the addition of native species. The southern area of the site would remain undeveloped.

#### CONCLUSION

It has been demonstrated that the proposed development would have a negligible impact on a wide range of issues identified above and is in accordance with national and local plan policy. The proposed development would result in a high quality development and of a high architectural standard representative of its location in a prestige business area. As such the proposed development is considered acceptable.

#### HUMAN RIGHTS IMPLICATIONS

## SEDGEFIELD BOROUGH COUNCIL

### PLANNING APPLICATIONS - TO BE DETERMINED

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It is considered that in general terms the provisions of the Human Rights Act 1998 have been taken into account in dealing with the above application.

#### SECTION 17 OF THE CRIME AND DISORDER ACT 1998

Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to refuse planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

#### RECOMMENDATION

It is recommended that planning permission be granted subject to the following conditions:

1. The development hereby approved shall be begun not later than the expiration of 3 years from the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990.

2. The development hereby approved shall be carried out only in accordance with the submitted application, as amended by the following document(s) and plans:

Elevations - Plan numbers 22048 PL06 - 9 Rev B

Floor Plans - Plan numbers 22048 PLO3-5 Rev B

Site layout Plan 22048 PLO2- received 8/9/06 Rev D

PL11 Sample Elevation indicating materials and colours

Environmental Statement 1st issue dated March 2006

Addendum 1st issue dated August 2006.

Traffic Assessment Report dated March 2006

Archaeological Evaluation dated July 2006

Great Crested Newt Survey and Bat Survey Version 4 (contained in the Addendum) and extended phase 1 survey March 2006 showing only the location of existing ponds.

Reason: To ensure that the development is carried out in accordance with the approved documents.

3. Notwithstanding any description of the materials in the application, no development shall be commenced until details of the materials and detailing to be used for the external surfaces, including the roof and render colour, of the building have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details to the satisfaction of the Local Planning Authority.

Reason: To enable the Local Planning Authority to control details of the development in the interests of visual amenity, and to comply with Policy D1 (General Principles for the Layout and Design of New Developments) of the Sedgefield Borough Local Plan.

4. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through trapped gullies installed in accordance with a scheme previously submitted to and approved by the Local Planning Authority. Roof water shall not pass through the gully.

Reason: To prevent pollution of the water environment and to comply with Policy D13 (Development Affecting Watercourses) of the Sedgefield Borough Local Plan.

**SEDFIELD BOROUGH COUNCIL**

**PLANNING APPLICATIONS - TO BE DETERMINED**

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5. There shall be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters, whether direct or via soakaways.

Reason: To prevent pollution of the water environment and to comply with Policy D13 of the Sedgfield Borough Local Plan.

6. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping which shall include details of hard and soft landscaping, planting species, sizes, layout, densities, numbers, method of planting and maintenance regime, as well as indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development. The landscaping shall be carried out in accordance with the approved scheme unless otherwise agreed in writing by the Local Planning Authority.

Reason: To achieve a satisfactory form of development in the interests of visual amenity, and to comply with Policy E15 (Safeguarding of Woodlands, Trees and Hedgerows) of the Sedgfield Borough Local Plan.

7. No development shall be commenced until trees T3 and T4 of Tree Preservation Order 39/2006 have been satisfactorily relocated following the agreed Tree relocation method statement (0615-EH-MS004) produced by BEA Landscapes.

Reason: To ensure the long-term protection of the trees and to comply with Policy E15 (Safeguarding of Woodlands, Trees and Hedgerows) of the Sedgfield Borough Local Plan.

8. No development shall be commenced until T2, T3 and T4 of Tree Preservation Order 39/2006 have been satisfactorily protected by the installation of fencing as outlined in British Standard 5837:2005.

Reason: To ensure the protection of the trees and to comply with Policy E15 (Safeguarding of Woodlands, Trees and Hedgerows) of the Sedgfield Borough Local Plan.

9. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first available planting season following the practical completion of the development and any trees or plants which within a period of 5 years from the substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To achieve a satisfactory form of development in the interests of visual amenity, and to comply with Policy E15 (Safeguarding of Woodlands, Trees and Hedgerows) of the Sedgfield Borough Local Plan.

10. The car park shown on the plan hereby approved shall be marked out and made available for use prior to the development hereby approved being brought into operation, in accordance with details to be agreed with the Local Planning Authority. The car park shall be retained and maintained in accordance with the approved details for as long as the use remains.

Reason: To make proper provision for off-street parking and to comply with Policy T9 (Provision of Car Parking) of the Sedgfield Borough Local Plan.

## **SEDFIELD BOROUGH COUNCIL**

### **PLANNING APPLICATIONS - TO BE DETERMINED**

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11. Prior to the commencement of development a detailed plan indicating the location of material storage and employee parking on site shall be submitted to and approved in writing by the Local Planning Authority. These areas shall be available and used at all times during construction.

Reason: In the interest of amenity during the construction of the development and to comply with Policy D10 (Location of Potentially Polluted Developments) of the Sedgfield Borough Local Plan.

12. Prior to the commencement of development on site a vehicle wheel washing facility shall be installed at the main exit from the site. All construction traffic leaving the site must use the facility and it must be available and maintained in working order at all times.

Reason: In the interest of amenity and to reduce the amount of mud on the roads and in accordance with Policy D1 (General Principles for the Layout and Design of New Developments) of the Sedgfield Borough Local Plan.

13. Before any works are commenced, detailed drawings showing the existing and proposed site levels and the finished floor levels of the proposed new buildings and those (if any) neighbouring properties shall be submitted to and approved in writing by the Local Planning Authority. The works shall be completed entirely in accordance with these approved details.

Reason: To ensure the existing ground and landscape conditions are protected from undue disturbance and to safeguard the amenity of neighbouring occupiers and to comply with Policy D5 (Layout of New Housing Development), of the Sedgfield Borough Local Plan.

14. No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water run off limitation has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved programme and detail.

Reason: To prevent pollution of the water environment and to comply with Policy D13 of the Sedgfield Borough Local Plan.

15. If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing by the LPA) shall be carried out until the applicant has submitted, and obtained written approval from the LPA for, an addendum to the Method Statement. This addendum must detail how this unsuspected contamination shall be dealt with.

Reason: To ensure that the development complies with the approved details in the interests of protection of Controlled Waters.

16. No development shall take place unless in accordance with the mitigation detailed within paragraphs 13.0 - 16.0 and Appendices V - VI of the protected species report entitled Land at Long Tens Way, Newton Aycliffe, Durham - Great Crested Newt and Bat Survey, version 4 (Michael Woods Associated July 2006) including, but not restricted to provision of habitat mitigation and enhancement works, undertaking confirming surveys; adherence to precautionary working methods.

## **SEDGEFIELD BOROUGH COUNCIL**

### **PLANNING APPLICATIONS - TO BE DETERMINED**

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Reason: To safeguard species protected by law and to comply with Policy E14 Safeguarding Plant and Animal Species Protected by Law.

17. During the construction period, and where relevant post construction, any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

Reason: To prevent pollution of the water environment and to comply with Policy D13 of the Sedgefield Borough Local Plan.

18. Prior to the commencement of the development full construction details of the proposed ponds within the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these details.

Reason: To safeguard species protected by law and to comply with Policy E14 Safeguarding Plant and Animal Species Protected by Law.

19. There shall be no site clearance or ground disturbance during the months of March and August inclusive unless it can be proven by a suitably experienced person that no nesting birds are utilising the site on the day such clearance is due to take place.

Reason: In order to safeguard protected species in accordance with Policy E14 (Safeguarding Plant and Animal Species Protected by Law) of the Sedgefield Borough Local Plan.

#### **INFORMATIVE: REASON FOR GRANT OF PLANNING PERMISSION**

In the opinion of the Local Planning Authority the proposal is acceptable in terms of its location, design, use of materials, layout, amenity, highway safety and car parking.

#### **INFORMATIVE: LOCAL PLAN POLICIES RELEVANT TO THIS DECISION**

The decision to grant planning permission has been taken having regard to the key policies in the Sedgefield Borough Local Plan as set out below, and to all relevant material considerations, including Supplementary Planning Guidance:

Policy E14 Safeguarding Plant and Animal Species Protected by Law

Policy E15 Safeguarding of Woodlands, Trees and Hedgerows

Policy E 17 Protection of Archaeological Remains

Policy IB1 - Types of Industry and Business Areas

Policy IB5 - Acceptable Uses in Prestige Business Areas

Policy T6 Improvements in Road Safety

Policy T7 - Traffic Generated by New Development

Policy D1 - General Principles for the Layout and Design of New Developments

Policy D4 - Layout and Design of New Industrial and Business Development

SPG 2 'Development on Prestige Business Areas'

**SEDGEFIELD BOROUGH COUNCIL**  
**PLANNING APPLICATIONS - TO BE DETERMINED**

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SEDGEFIELD BOROUGH COUNCILDEVELOPMENT BY SEDGEFIELD BOROUGH COUNCIL

1. 7/2006/0422/DMAPPLICATION DATE: 27 June 2006

PROPOSAL: **RESIDENTIAL DEVELOPMENT (OUTLINE APPLICATION)**

LOCATION: **CORNER OF BARRINGTON TERRACE AND NEWCOMEN STREET  
FERRYHILL CO DURHAM**

APPLICATION TYPE: Outline Application

APPLICANT: Sedgefield Borough Council  
Council Offices, Spennymoor, Co Durham

CONSULTATIONS

1. FERRYHILL TOWN COUNCIL

2. Cllr. J. Higgin

3. Cllr K Conroy

4. Cllr. R A Patchett

5. DCC (TRAFFIC)

6. NORTHUMBRIAN WATER

7. ENV AGENCY

8. L.PLANS

9. LANDSCAPE ARCH

10. DCC (PROWS)

11. REGENERATION

NEIGHBOUR/INDUSTRIAL

Haig Terrace:1,2,3,4,5,6,7,8,9,10,11,12

The Nursery

Kelvin Street:12,11,10,9,8,7,6,5,4,3,2,1,18,17,16,15,14,13

Sure Start

Beaumont Street:1,2,3,4,5,6,7,8,9,10,11

Watt

Street:44,43,42,41,40,39,38,37,36,35,34,33,32,31,30,29,28,27,26,25,24,23,22,21,20,19,18,17,  
16,15,14,13,12,11,10,9,8,7,6,5,4,3,2,1

Barrington

Terrace:1,2,3,4,5,6,7,8,9,10,11,12,13,14,15,16,17,18,19,20,21,22,23,24,25,26,27,28,29,30,31,3  
2,33,34,35,36,37,38

Newcomen Street:19,18,17,16,15,14,13,12,11,10,9,8,7,6,5,4,3,2,1

BOROUGH PLANNING POLICIES

H1 Housing Development in Newton Aycliffe, Spennymoor, Shildon and Ferryhill

H17 Backland and Infill Housing

D1 General Principles for the Layout and Design of New Developments

D3 Design for Access

D5 Layout of New Housing Development

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**THE PROPOSAL**

Sedgefield Borough Council are applying for outline planning permission for residential development on land at the corner of Barrington Terrace and Newcomen Street, Ferryhill with details relating to the siting of buildings, design and external appearance, means of access and landscaping reserved for submission at a later date. The 0.564 hectare site is located in the Dean Bank area to the west of the town and is bound to the east by Newcomen Street, south by Barrington Terrace, west by a Children's Nursery and a row of terraced dwellings and to the north by terraced dwellings.

**CONSULTATION AND PUBLICITY RESPONSES**

Ferryhill Town Council has offered no objection to the proposal.

The Environment Agency has offered no comments.

Northumbria Water has made no comment to date

The County Highways Engineer has raised no objections but advised that the public footpath that connects Beaumont Street to Newcomen Street should be widened to 1.8 metres and the footpath adjacent to number 12 Haig Terrace should be retained and should form part of an extended pedestrian route. The County Engineer has also advised that there should be no individual or collective access points created on the Barrington Close frontage. Individual access points would be acceptable on Newcomen Street and a single estate access road would also be acceptable opposite the centre of number 10 Newcomen Street.

The County Ecologist has raised no objections.

The County Rights of Way Officer has no objections subject to existing Rights of Way being preserved or that a diversion order is completed before any work on the site commences.

Site notices were erected, an advertisement placed in the local press and letters sent to neighbouring occupiers advising of the application. To date 1 letter of objection has been received from the occupier of 10 Watt Street who expressed the following concerns.

- That depending on the occupiers of the new housing, the new homes could bring more social problems to the area, and.
- The site should be retained and used in the future as an area of public open space with additional children's play areas because there is currently a deficiency in the area.

**PLANNING CONSIDERATIONS**

The main planning considerations in this case are as follows:

- Compliance with National Planning Policy and Guidance and Local Plan Policies, Supplementary Planning Guidance.
- Access to Local services

**SEDGEFIELD BOROUGH COUNCIL****DEVELOPMENT BY SEDGEFIELD BOROUGH COUNCIL**

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In assessing this application material considerations have been given to submission draft Regional Spatial Strategy, Regional Planning Guidance 1, PPS1, PPG3, By Design - Urban design in the planning system: towards better practice, PPS3 (Consultation Draft) and Local Plan Policies H1 (Housing Development in Ferryhill), D1 'General Principles for the Layout and Design of New Developments', D5 'Layout of New Housing Development' and the CABE guidance 'Building for Life') in which the Government aims 'To promote more sustainable patterns of development and make better use of previously-developed land'.

Government Guidance on residential development gives greater emphasis to development on brownfield sites, to the design and layout of new housing estates and for development to be built at higher densities than previously achieved. Within Sedgefield Borough there are a limited number of brownfield sites and this site provides an opportunity to help contribute to the regional targets.

The application site lies within the residential built up area of Ferryhill, and as such, is subject to Policy H1 of the Local Plan. This states that housing development will normally be approved provided that the site is substantially surrounded by housing; the scheme does not lead to an extension of development into open countryside; and there is no conflict with the provisions of the Plan's environmental, Open Space or Design Policies. It is considered that a housing development on the site satisfactorily complies with this policy.

Additionally as the site previously contained a derelict redundant building, its development for housing would involve the recycling of previously developed land (PDL) of which PPG3 and draft PPS3 are all keen advocates, and it will also contribute to the government target of 60% of additional housing on PDL. The recent RSS panel report also strongly supports the use of brownfield land for housing and this development will contribute towards the increased regional targets.

It should also be noted that the application site also forms part of a holistic regeneration strategy for the wider Dean Park community that involves a multi-million pound Masterplan designed to help regenerate some of the Borough's struggling communities. The section of the plan that relates to Dean Park identifies that the 'Praxis site' should be developed for 18 new houses, all with off road or allocated parking spaces. Therefore considering Dean Bank's need for sustainable regeneration, it is considered that the application site provides a major opportunity to kick-start a strategy of renewal, regeneration and revitalisation.

**Access to Local services**

The site is also suitably located for the services provided in the town centre. PPG3 advocates the need to create more sustainable patterns of development and ensure the focus for additional housing is in existing towns and cities. The Government's concept of sustainable development in practical terms means ensuring that new development is well related to the existing transport network, and the need to travel to work, shops social and leisure facilities is minimised and maximum use can be made of public transport.

With the site being located only 200 metres from Ferryhill Town Centre it is in close proximity to a range of convenience, health, service community and a limited amount of leisure uses. In terms of access to public transport the proposed development is considered to be within close proximity (200 metres) of good public transport nodes that provides many links to surrounding towns. Vehicular access is also considered satisfactory, the B6287 bounds the site that

## SEDGEFIELD BOROUGH COUNCIL

### DEVELOPMENT BY SEDGEFIELD BOROUGH COUNCIL

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provides direct access to the town centre and the A167, which provides access to the A1 and connects the nearby towns of Spennymoor and Newton Aycliffe. Housing development on the site would therefore follow the principles of sustainable development set out in PPG3

#### **Affordable Housing**

Planning Policy Guidance Note 3 (Housing) states that the need for affordable housing is a material planning consideration. In order for Local Authorities to request affordable provision, there is a need to demonstrate a lack of affordable housing to meet local needs. Draft Planning Policy Statement 3 (Housing) and Circular 6/98 reinforces the Government view that there is a need for a sound evidence base to justify affordable housing provision.

Paragraph 10 of Circular 06/98 contains the criteria which Local Authorities should assess the suitability of sites for the provision of affordable housing. Within this it states that sites are unsuitable for affordable housing provision if *“they would prejudice the realisation of other planning objectives that need to be given priority in the development of the site”*. Taking into consideration the location and the fact the application site has come forward as part of a holistic strategy to regenerate an area that already suffers from issues of low demand and abandonment it is considered that there is no demonstrable need for affordable housing on this site.

#### **Access to Open Space**

The site forms part of an overall masterplan for the area that indicates a mix of housing and open space. As such it is considered that adequate provision of Public Open Space would be provided within the application site and in the surrounding area in accordance with the approved Masterplan for the area.

#### **CONCLUSION**

It is considered that the redevelopment of the site for housing meets the requirements of PPG3 in terms of its compliance with National Planning Policy and Guidance, Local Plan policies and the Dean Bank Masterplan for regeneration.

#### **HUMAN RIGHTS IMPLICATIONS**

It is considered that in general terms the provisions of the Human Rights Act 1998 have been taken into account in dealing with the above application.

#### **SECTION 17 OF THE CRIME AND DISORDER ACT 1998**

Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to refuse planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

#### **RECOMMENDATION: Approve subject to the following conditions**

1. Application for approval of the Reserved Matters shall be made to the Local Planning Authority not later than the expiration of THREE years from the date of this permission and the

**SEDGEFIELD BOROUGH COUNCIL****DEVELOPMENT BY SEDGEFIELD BOROUGH COUNCIL**

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development to which this permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter has been approved.

Reason: In accordance with Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004

2. Before any works are commenced detailed drawings and/or other specifications required by the following reserved matters shall be submitted to and approved by the Local Planning Authority:

- (a) Siting of Building(s)
- (b) Design and External Appearance of Building(s)
- (c) Means of Access to Buildings
- (d) Landscaping of Site

Reason: In accordance with Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004

3. The development hereby approved shall be carried out only in accordance with the approved plans, specifications and conditions hereby imposed.

Reason: To ensure that a satisfactory form of development is obtained.

4. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through trapped gullies installed in accordance with a scheme previously submitted to and approved by the Local Planning Authority. Roof water shall not pass through the gully.

Reason: To prevent pollution of the water environment and to comply with Policy D13 (Development Affecting Watercourses) of the Sedgefield Borough Local Plan.

5. There shall be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters, whether direct or via soakaways. Reason: To prevent pollution of the water environment and to comply with Policy D13 of the Sedgefield Borough Local Plan.

6. Notwithstanding the details shown on the plans hereby approved, full details of the surface water and foul drainage systems shall be submitted to and approved in writing by the Local Planning Authority prior to any development commencing on site.

Reason: To prevent pollution of the water environment and to comply with Policy D13 (Development affecting watercourses) of the Sedgefield Borough Local Plan.

7. Prior to the commencement of development on site a vehicle wheel washing facility shall be installed at the main exit from the site. All construction traffic leaving the site must use the facility and it must be available and maintained in working order at all times.

Reason: In the interest of amenity and to reduce the amount of mud on the roads and in accordance with Policy D1 (General Principles for the Layout and Design of New Developments) of the Sedgefield Borough Local Plan.

8. Prior to the commencement of development a detailed plan indicating the location of material storage and employee parking on site shall be submitted to and approved in writing by the Local Planning Authority. These areas shall be available and used at all times during construction.

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**SEDGEFIELD BOROUGH COUNCIL****DEVELOPMENT BY SEDGEFIELD BOROUGH COUNCIL**

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Reason: In the interest of amenity during the construction of the development and to comply with Policy D10 (Location of Potentially Polluted Developments) of the Sedgefield Borough Local Plan.

9. Before any works are commenced, detailed drawings showing the existing and proposed site levels and the finished floor levels of the proposed new buildings and those (if any) neighbouring properties shall be submitted to and approved in writing by the Local Planning Authority. The works shall be completed entirely in accordance with these approved details.

Reason: To ensure the existing ground and landscape conditions are protected from undue disturbance and to safeguard the amenity of neighbouring occupiers and to comply with Policy D5 (Layout of New Housing Development), of the Sedgefield Borough Local Plan.

**INFORMATIVE: REASON FOR GRANT OF PLANNING PERMISSION**

In the opinion of the Local Planning Authority the proposal represents an acceptable form of development in terms of its location.

**INFORMATIVE: LOCAL PLAN POLICIES RELEVANT TO THIS DECISION**

The decision to grant planning permission has been taken having regard to the key policies in the Sedgefield Borough Local Plan as set out below, and to all relevant material considerations, including Supplementary Planning Guidance:

H1 - Housing Development in Newton Aycliffe

H17- Housing Development on Backland and Infill Sites

D1 - General Principles for the Layout and Design of New Developments

D3 - Design for Access

D5 - Layout of New Housing Development

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# Item 7

## SEDGEFIELD BOROUGH COUNCIL

### PLANNING APPLICATIONS - COUNTY MATTERS

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1. 7/2006/0534/CM

APPLICATION DATE: 21 August 2006

PROPOSAL: PROVISION OF 3NO. TEMPORARY BUILDINGS AND GLAZED LINK BUILDING TO THE SOUTH SIDE OF THE SPORTS HALL WITH ASSOCIATED WORKS

LOCATION: GREENFIELD COMPREHENSIVE SCHOOL GREENFIELD WAY  
NEWTON AYCLIFFE DL5 7LF

APPLICANT: Durham County Council  
Environment , County Hall, Durham, DH1 5UQ

#### CONSULTATIONS

1. GREAT AYCLIFFE TC
2. Cllr. V Crosby
3. Cllr. B Hall
4. Cllr. J Croft
5. BUILDING CONTROL
6. ENV HEALTH

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**This application is for development by Durham County Council and will therefore be dealt with by the County Council Under Regulation 3 of the Town and Country Planning General Regulations 1992.**

#### THE PROPOSAL

The proposal involves the provision of 3no. temporary buildings and glazed link building to the south side of the sports hall with associated works at Greenfield Comprehensive School, Greenfield Way, Newton Aycliffe.

The proposed development is positioned in the centre of the school complex, south of a new large sports hall and north of the main school building.

The temporary buildings take the form of portable cabins and are required to provide changing, shower, office and reception areas for the new sports hall. The units are to be linked by an internally ramped corridor. A glazed link is also proposed to connect the changing accommodation and the sports hall. Externally the portable cabins will receive a paint finish to match or compliment the materials used on the new sports hall.

Overall the buildings footprint that takes an irregular shape will sit on an area 1710mm in length and 1890mm in width

**SEDGEFIELD BOROUGH COUNCIL**  
**PLANNING APPLICATIONS - COUNTY MATTERS**

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**CONSULTATION AND PUBLICITY**

Environmental Health have recommended that conditions be attached in order to control and minimise the emission of noise and dust and the burning of waste during construction

**PLANNING CONSIDERATIONS**

As well as enhancing the sporting facilities for the school, the facility will also operate independently out of school hours to serve the community. The proposal is therefore assessed against the provisions of Local Plan Policy L11 (Improving the range and quality of leisure and community facilities). The proposal is regarded as being in accordance with the provisions of the policy, as the proposal forms part of a beneficial new sports hall complex to provide the school and local community with new enhanced sporting facilities.

In terms of Local Plan Policy D1 (Design Principles) it is worthy of note that the proposal for the temporary buildings has come forward due to full funding not being available, and as a result the floor area of the project was reduced. However should funding become available in the future the full sports hall scheme including changing and shower areas will go ahead and the design of the new sports hall has been future proofed to accommodate this.

**RECOMMENDATION**

It is recommended that the Council raise no objections to the proposal subject to conditions being attached relating to the control and minimisation of the emission of noise and dust and the burning of waste during construction.

**HUMAN RIGHTS IMPLICATIONS**

It is considered that in general terms, the provisions of the Human Rights Act 1998 have been taken into account in dealing with the above application.

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# Item 8

## SEDGEFIELD BOROUGH COUNCIL

### PLANNING APPLICATIONS - DELEGATED DECISIONS

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1. 7/2004/0559/DM OFFICER:Thomas Bennett

APPLICATION DATE: 25 August 2004

PROPOSAL: ENVIRONMENTAL IMPROVEMENTS CONSISTING OF THE CREATION OF BOUNDARY WALLS AND NEW ACCESS

LOCATION: 3-17(ODD), 4,6,16,18,21,23,24,27,28,31-43(ODD), 32,36,38,44,47 SUNNYDALE SHILDON CO DURHAM

APPLICANT: Home Group Ltd  
Ridley House, Regent Centre, Gosforth, Newcastle upon Tyne

DECISION: STANDARD APPROVAL on 8 August 2006

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2. 7/2006/0498/DM OFFICER:Mark O'Sullivan

APPLICATION DATE: 28 July 2006

PROPOSAL: ERECTION OF TWO STOREY SIDE EXTENSION

LOCATION: 22 LUMLEY CRESCENT FERRYHILL DL178BG

APPLICANT: L Barnes  
22 Lumley Crescent, Ferryhill, Co Durham

DECISION: STANDARD APPROVAL on 24 August 2006

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3. 7/2006/0494/DM OFFICER:Simon Miller

APPLICATION DATE: 31 July 2006

PROPOSAL: ERECTION OF SINGLE STOREY REAR EXTENSION

LOCATION: 29 WASHINGTON CRESCENT NEWTON AYCLIFFE DL5 4AG

APPLICANT: Leigh Job  
29 Washington Crescent, Newton Aycliffe, Co Durham

DECISION: STANDARD APPROVAL on 25 August 2006

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## SEDGEFIELD BOROUGH COUNCIL

### PLANNING APPLICATIONS - DELEGATED DECISIONS

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4. 7/2006/0489/DM OFFICER:Simon Miller

APPLICATION DATE: 27 July 2006

PROPOSAL: ERECTION OF FRONT PORCH AND BAY WINDOW

LOCATION: 143 SHAFTO WAY NEWTON AYCLIFFE DL5 5QJ

APPLICANT: Mrs Lorimer  
143 Shafto Way, Newton Aycliffe, Co Durham

DECISION: STANDARD REFUSAL on 22 August 2006

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5. 7/2006/0473/DM OFFICER:Mark O'Sullivan

APPLICATION DATE: 14 July 2006

PROPOSAL: ERECTION OF DETACHED GARAGE

LOCATION: GARAGE SITE PLOT 1 VICARAGE ROAD WEST CORNFORTH  
FERRYHILL DL179JW

APPLICANT: Mr R Cullen  
15 Vicarage Road, West Cornforth, Ferryhill, Co Durham

DECISION: STANDARD APPROVAL on 16 August 2006

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6. 7/2006/0464/DM OFFICER:Mark O'Sullivan

APPLICATION DATE: 14 July 2006

PROPOSAL: ERECTION OF CONSERVATORY TO REAR

LOCATION: 9 ALNWICK CLOSE FERRYHILL DL178QX

APPLICANT: Mr & Mrs. Egleton  
9 Alnwick Close, Ferryhill, Co Durham, DL17 8QX

DECISION: STANDARD APPROVAL on 14 August 2006

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## SEDGEFIELD BOROUGH COUNCIL

### PLANNING APPLICATIONS - DELEGATED DECISIONS

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7. 7/2006/0463/DM OFFICER:Mark O'Sullivan

APPLICATION DATE: 18 July 2006

PROPOSAL: ADDITION OF SHOWER ROOM AND ENTRANCE HALL EXTENSION

LOCATION: 27 MAIN ROAD TRIMDON TRIMDON STATION TS296QD

APPLICANT: Mrs. G. Towers  
27 Main Road, Trimdon, Trimdon Station, Co Durham, TS29 6QD

DECISION: STANDARD APPROVAL on 18 August 2006

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8. 7/2006/0459/DM OFFICER:Mark O'Sullivan

APPLICATION DATE: 17 July 2006

PROPOSAL: ERECTION OF CONSERVATORY TO REAR

LOCATION: 29 ROSEDALE SPENNYMOOR DL166SB

APPLICANT: Mr J Calcutt  
29 Rosedale, Spennymoor, CO Durham, DL16 6SB

DECISION: STANDARD APPROVAL on 15 August 2006

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9. 7/2006/0457/DM OFFICER:Craig Miles

APPLICATION DATE: 13 July 2006

PROPOSAL: INSTALLATION OF 15 METRE HIGH STREETWORKS MONOPOLE WITH  
3NO. ANTENNAS, 300MM DIAMETER DISH ANTENNA, EQUIPMENT  
CABINET AND ELECTRICAL METER CABINET

LOCATION: LAND AT RACECOURSE ROAD SEDGEFIELD STOCKTON-ON-TEES  
TS212HJ

APPLICANT: Hutchinson 3G (UK) Ltd  
c/o Agent

DECISION: PRIOR APPROVAL REQUIRED on 17 August 2006

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## SEDGEFIELD BOROUGH COUNCIL

### PLANNING APPLICATIONS - DELEGATED DECISIONS

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10. 7/2006/0455/DM OFFICER:Simon Miller

APPLICATION DATE: 13 July 2006

PROPOSAL: ERECTION OF PITCHED ROOF OVER EXISTING GARAGE AND PORCH

LOCATION: 11 THE LEAS SEDGEFIELD STOCKTON-ON-TEES TS212DS

APPLICANT: Mr G Sinclair  
11 The Leas, Sedgefield, Stockton on Tees,

DECISION: STANDARD APPROVAL on 9 August 2006

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11. 7/2006/0454/DM OFFICER:Steve Teasdale

APPLICATION DATE: 10 July 2006

PROPOSAL: CONVERSION OF GARAGE INTO STUDY

LOCATION: 14 WESTERTON CLOSE BINCHESTER MOOR SPENNYMOOR DL167BJ

APPLICANT: Mrs Dunkley  
14 Westerton Close, Spennymoor, Co Durham, DL16 7BJ

DECISION: STANDARD APPROVAL on 29 August 2006

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12. 7/2006/0453/DM OFFICER:Simon Miller

APPLICATION DATE: 18 July 2006

PROPOSAL: INSTALLATION OF SIGNAGE ASSOCIATED WITH ATM MACHINE

LOCATION: 1 SIMPASTURE GATE NEWTON AYCLIFFE DL5 5HH

APPLICANT: Bank Machine Ltd  
c/o Agent,

DECISION: STANDARD APPROVAL on 10 August 2006

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## SEDGEFIELD BOROUGH COUNCIL

### PLANNING APPLICATIONS - DELEGATED DECISIONS

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13. 7/2006/0452/DM OFFICER:Simon Miller

APPLICATION DATE: 12 July 2006

PROPOSAL: INSTALLATION OF ATM MACHINE

LOCATION: 1 SIMPASTURE GATE NEWTON AYCLIFFE DL5 5HH

APPLICANT: Bank Machine Ltd  
c/o Agent

DECISION: STANDARD APPROVAL on 10 August 2006

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14. 7/2006/0449/DM OFFICER:Simon Miller

APPLICATION DATE: 11 July 2006

PROPOSAL: ERECTION OF CONSERVATORY TO REAR

LOCATION: 7 WINTERTON COTTAGES SEDGEFIELD STOCKTON-ON-TEES  
TS213EX

APPLICANT: Miss Fox  
7 Winterton Cottages, Sedgefield, Stockton on Tees, TS21 3DZ

DECISION: STANDARD APPROVAL on 8 August 2006

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15. 7/2006/0444/DM OFFICER:Graeme Smith

APPLICATION DATE:

PROPOSAL: REDUCTION IN SIZE OF WAREHOUSE AND REMOVAL OF TANKS

LOCATION: MAGUIRES CARPETS GEORGE REYNOLDS INDUSTRIAL ESTATE  
SHILDON CO DURHAM

APPLICANT: Mr F Maguire  
Maguires Carpets, George Reynolds Industrial Estate, Shildon, Co Durham

DECISION: WITHDRAWN on 11 August 2006

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## SEDGEFIELD BOROUGH COUNCIL

### PLANNING APPLICATIONS - DELEGATED DECISIONS

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16. 7/2006/0442/DM OFFICER:Simon Miller

APPLICATION DATE: 7 July 2006

PROPOSAL: CROWN LIFT AND MINOR PRUNING TO T5 OF TREE PRESERVATION ORDER REFERENCE 20/2004

LOCATION: LAND BETWEEN 15 AND 16 NORTH PARK ROAD SEDGEFIELD STOCKTON ON TEES

APPLICANT: George Garthwaite  
Streetscene, Chilton Depot, Chilton, Co Durham

DECISION: STANDARD APPROVAL on 25 August 2006

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17. 7/2006/0437/DM OFFICER:Graeme Smith

APPLICATION DATE: 3 July 2006

PROPOSAL: ERECTION OF SUN ROOM EXTENSION TO REAR

LOCATION: 5 WHITTON CLOSE NEWTON AYCLIFFE DL5 4RL

APPLICANT: Mr & Mrs J Maddison  
5 Witton Close, Woodham, Newton Aycliffe, Co Durham

DECISION: STANDARD APPROVAL on 24 August 2006

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18. 7/2006/0435/DM OFFICER:Mark O'Sullivan

APPLICATION DATE: 4 July 2006

PROPOSAL: ERECTION OF CONSERVATORY TO THE REAR

LOCATION: 37 BEECH CRESCENT FERRYHILL DL178DQ

APPLICANT: Mr N Gardiner  
37 Beech Crescent, Ferryhill, Co Durham

DECISION: STANDARD APPROVAL on 14 August 2006

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## SEDGEFIELD BOROUGH COUNCIL

### PLANNING APPLICATIONS - DELEGATED DECISIONS

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19. 7/2006/0434/DM OFFICER:Mark O'Sullivan

APPLICATION DATE: 11 July 2006

PROPOSAL: ERECTION OF SINGLE STOREY REAR EXTENSION AND PITCHED ROOF OVER EXISTING PORCH

LOCATION: 61 STONEYBECK BISHOP MIDDLEHAM FERRYHILL DL179BN

APPLICANT: D Auchterlonie  
61 Stoneybeck , Bishop Middleham, Ferryhill, Co Durham

DECISION: STANDARD APPROVAL on 14 August 2006

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20. 7/2006/0432/DM OFFICER:Simon Miller

APPLICATION DATE: 10 July 2006

PROPOSAL: ERECTION OF CONSERVATORY TO REAR

LOCATION: 4 BRUNTON WALK NEWTON AYCLIFFE DL5 5JP

APPLICANT: M Partridge  
4 Brunton Walk, Newton Aycliffe, Co Durham, DL5 5JP

DECISION: STANDARD APPROVAL on 8 August 2006

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21. 7/2006/0431/DM OFFICER:Graeme Smith

APPLICATION DATE: 30 June 2006

PROPOSAL: ERECTION OF CONSERVATORY TO REAR

LOCATION: 24 CELANDINE WAY SHILDON CO DURHAM

APPLICANT: Michelle Bunting  
24 Celandine Way, Shildon, DL4 2DT

DECISION: STANDARD APPROVAL on 4 September 2006

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## SEDGEFIELD BOROUGH COUNCIL

### PLANNING APPLICATIONS - DELEGATED DECISIONS

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22. 7/2006/0425/DM OFFICER:Graeme Smith

APPLICATION DATE: 27 June 2006

PROPOSAL: ERECTION OF 2NO. WINDOWS

LOCATION: PWS DISTRIBUTORS 20 STATION ROAD AYCLIFFE INDUSTRIAL PARK  
NEWTON AYCLIFFE DL5 6EQ

APPLICANT: PWS Distributors Ltd  
20 Station Road , Aycliffe Industrial Park, Newton Aycliffe, Co Durham, DL5  
6XJ

DECISION: STANDARD APPROVAL on 14 August 2006

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23. 7/2006/0424/DM OFFICER:Mark O'Sullivan

APPLICATION DATE: 27 June 2006

PROPOSAL: ERECTION OF EXTENSION

LOCATION: THE JOANNE BANKS DANCERS STUDIO 10 DURHAM STREET  
SPENNYMOOR DL167AT

APPLICANT: Joanne Banks  
Studio, 10 Durham Street, Middlestone Moor, Spennymoor, Co Durham

DECISION: STANDARD REFUSAL on 22 August 2006

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24. 7/2006/0420/DM OFFICER:Graeme Smith

APPLICATION DATE: 27 June 2006

PROPOSAL: ERECTION OF TWO STOREY AND SINGLE STOREY SIDE EXTENSION  
AND CONSERVATORY TO REAR

LOCATION: 15 SPRING LANE SEDGEFIELD STOCKTON-ON-TEES TS212DF

APPLICANT: Dr A & Dr Hearmon  
15 Spring Lane, Sedgefield, Stockton on Tees, TS21 2DF

DECISION: STANDARD APPROVAL on 31 August 2006

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## SEDGEFIELD BOROUGH COUNCIL

### PLANNING APPLICATIONS - DELEGATED DECISIONS

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25. 7/2006/0419/DM OFFICER:Craig Miles

APPLICATION DATE: 3 July 2006

PROPOSAL: ERECTION OF CONSERVATORY TO REAR

LOCATION: 5 CARWARDINE CLOSE NEWTON AYCLIFFE DL5 4XE

APPLICANT: Mr & Mrs Armstrong  
5 Carwardine Close, Newton Aycliffe, Co Durham

DECISION: STANDARD APPROVAL on 9 August 2006

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26. 7/2006/0418/DM OFFICER:Steve Teasdale

APPLICATION DATE: 23 June 2006

PROPOSAL: ERECTION OF 7NO. DWELLINGS (OUTLINE APPLICATION)

LOCATION: FORMER LANE ENDS GARAGE REAR OF 148 DURHAM ROAD  
SPENNYMOOR DL166SL

APPLICANT: A Cullum  
8 Eden Road, Spennymoor, Co Durham, DL16 7UE

DECISION: STANDARD APPROVAL on 14 August 2006

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27. 7/2006/0415/DM OFFICER:Mark O'Sullivan

APPLICATION DATE: 21 July 2006

PROPOSAL: ERECTION OF SINGLE STOREY REAR EXTENSION

LOCATION: 50 DEAN ROAD FERRYHILL DL178EP

APPLICANT: Mr & Mrs Richards  
50 Dean Road, Ferryhill, Co Durham

DECISION: STANDARD APPROVAL on 18 August 2006

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## SEDGEFIELD BOROUGH COUNCIL

### PLANNING APPLICATIONS - DELEGATED DECISIONS

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28. 7/2006/0401/DM OFFICER:Graeme Smith

APPLICATION DATE: 19 June 2006

PROPOSAL: ERECTION OF CONSERVATORY TO REAR

LOCATION: 5 PRIMROSE DRIVE SHILDON CO DURHAM

APPLICANT: I Bainbridge & A Stewart  
5 Primrose Drive, Redworth Park, Shildon, Co Durham

DECISION: STANDARD APPROVAL on 11 August 2006

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29. 7/2006/0392/DM OFFICER:Simon Miller

APPLICATION DATE: 5 July 2006

PROPOSAL: ERECTION OF DETACHED SUMMER HOUSE AND GARAGE INCLUDING  
2NO. DORMER WINDOWS TO REAR

LOCATION: 5 WEST END SEDGEFIELD STOCKTON-ON-TEES TS212BW

APPLICANT: Stephen Nadin  
5 West End, Sedgefield, Stockton on Tees, TS21 2BW

DECISION: WITHDRAWN on 4 September 2006

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30. 7/2006/0389/DM OFFICER:Steve Teasdale

APPLICATION DATE: 30 June 2006

PROPOSAL: ERECTION OF 1NO. BUNGALOW

LOCATION: GARAGE SITE REAR OF NEW SOUTH VIEW CHILTON CO DURHAM

APPLICANT: Neil Torr  
6 St Pauls Gardens, Main Street , Witton Park, DL14 0DL

DECISION: STANDARD REFUSAL on 24 August 2006

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## SEDGEFIELD BOROUGH COUNCIL

### PLANNING APPLICATIONS - DELEGATED DECISIONS

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31. 7/2006/0380/DM OFFICER:Craig Miles

APPLICATION DATE: 20 June 2006

PROPOSAL: ERECTION OF TWO STOREY SIDE EXTENSION AND SINGLE STOREY REAR EXTENSION

LOCATION: 24 FORSTER CLOSE NEWTON AYCLIFFE DL5 4XJ

APPLICANT: Mr & Mrs Nicholas  
24 Forster Close, Newton Aycliffe, Co Durham

DECISION: STANDARD APPROVAL on 18 August 2006

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32. 7/2006/0369/DM OFFICER:Graeme Smith

APPLICATION DATE: 13 June 2006

PROPOSAL: ERECTION OF 1ST FLOOR EXTENSION TO THE SIDE

LOCATION: 11 HARWOOD COURT TRIMDON GRANGE TRIMDON STATION  
TS296HU

APPLICANT: Mr & Mrs McMenam  
11 Harwood Court, Trimdon, Co Durham, TS29 6HU

DECISION: STANDARD REFUSAL on 10 August 2006

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33. 7/2006/0313/DM OFFICER:Graeme Smith

APPLICATION DATE: 15 May 2006

PROPOSAL: ERECTION OF TWO STOREY EXTENSION TO SIDE AND REAR AND SINGLE STOREY OFFSHOOT EXTENSION

LOCATION: 31 THE GREEN AYCLIFFE NEWTON AYCLIFFE DL5 6LU

APPLICANT: Mr & Mrs Riddell  
31 The Green, Aycliffe Village, Newton Aycliffe , Co Durham

DECISION: STANDARD APPROVAL on 17 August 2006

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## SEDGEFIELD BOROUGH COUNCIL

### PLANNING APPLICATIONS - DELEGATED DECISIONS

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34. 7/2006/0298/DM OFFICER:Craig Miles

APPLICATION DATE: 16 June 2006

PROPOSAL: ERECTION OF GRAIN STORE

LOCATION: HARPINGTON HILL FARM MORDON STOCKTON-ON-TEES TS212HA

APPLICANT: G J Lawson  
Harpington Hill, Mordon, Sedgefield, Stockton on Tees

DECISION: STANDARD APPROVAL on 9 August 2006

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35. 7/2006/0259/DM OFFICER:Craig Miles

APPLICATION DATE: 3 May 2006

PROPOSAL: EXTENSION TO EXISTING BUILDING TO PROVIDE WET GRAIN  
STORAGE AND DRIER BUILDING

LOCATION: NORTH FARM FOXTON SEDGEFIELD STOCKTON-ON-TEES TS212HX

APPLICANT: Mr Hart  
North Farm, Foxton , Sedgefield, Stockton on Tees

DECISION: STANDARD APPROVAL on 17 August 2006

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36. 7/2006/0226/DM OFFICER:Graeme Smith

APPLICATION DATE: 12 June 2006

PROPOSAL: ERECTION OF FREE STANDING DEVELOPMENT SIGNAGE AT SITE  
ENTRANCE

LOCATION: LAND AT NEVILLE DRIVE SEDGEFIELD STOCKTON-ON-TEES TS213EX

APPLICANT: McInerney Homes  
Alexander House, Butterwick Road, Fishburn, Stockton on Tees, TS21 4AR

DECISION: STANDARD APPROVAL on 10 August 2006

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## SEDGEFIELD BOROUGH COUNCIL

### PLANNING APPLICATIONS - DELEGATED DECISIONS

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37. 7/2005/0801/DM OFFICER:Craig Miles

APPLICATION DATE: 18 November 2005

PROPOSAL: ERECTION OF TWO STOREY INCLUDING BALCONY AND SINGLE STOREY EXTENSION TO REAR

LOCATION: PROSPECT HOUSE 4 STOCKTON ROAD SEDGEFIELD STOCKTON-ON-TEES TS212AG

APPLICANT: Mr & Mrs Robinson  
Prospect House, 4 Stockton Road, Sedgefield, Stockton on Tees

DECISION: STANDARD APPROVAL on 18 August 2006

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38. 7/2005/0719/DM OFFICER:Craig Miles

APPLICATION DATE: 7 October 2005

PROPOSAL: ERECTION OF 1NO. DWELLING

LOCATION: THE CONIFERS FOXTON SEDGEFIELD STOCKTON-ON-TEES TS212HX

APPLICANT: Mr M Abel & Miss J Craggs  
The Conifers, Foxton, Sedgefield, Stockton on Tees, TS21 2HX

DECISION: STANDARD APPROVAL on 14 August 2006

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39. 7/2006/0509/DM OFFICER:Simon Miller

APPLICATION DATE: 3 August 2006

PROPOSAL: ERECTION OF ATTACHED GARAGE TO THE SIDE

LOCATION: 10 CHERRY TREE DRIVE SEDGEFIELD STOCKTON-ON-TEES TS213DN

APPLICANT: Mr L Merrington  
10 Cherry Tree Drive, Sedgefield, Co Durham

DECISION: STANDARD APPROVAL on 31 August 2006

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**SEDGEFIELD BOROUGH COUNCIL****PLANNING APPLICATIONS - COUNTY DECISIONS**

1 7/2005/0768/CM

DATE: 24 October 2005

PROPOSAL: **INSTALLATION OF CHIMNEY AND INCINERATOR FOR DISPOSAL OF ANIMAL WASTE**

LOCATION: **G BOLAM FOODS LTD SALTERS LANE SEDGEFIELD STOCKTON-ON-TEES TS213EE**

APPLICANT: 7/2005/0768/CM  
Environment, County Hall, Durham, DH1 5UQ

DECISION REFUSED DATE ISSUED 30 August 2006

7/2006/0447/CM

DATE: 21 June 2006

PROPOSAL: **ERECTION OF SINGLE STOREY EXTENSION TO EXISTING DINING ROOM**

LOCATION: **MEADOW DAY SPECIAL WHITWORTH LANE SPENNYMOOR CO DURHAM**

APPLICANT: 7/2006/0447/CM  
Enviroment, County Hall, Durham, DH1 5UQ

DECISION APPROVED DATE ISSUED 26 July 2006

7/2006/0500/CM

DATE: 19 July 2006

PROPOSAL: **FORMATION OF NEW PEDESTRIAN ENTRANCE AND FOOTPATH**

LOCATION: **WEST CORNFORTH PRIMARY SCHOOL HIGH STREET WEST CORNFORTH CO DURHAM**

APPLICANT: 7/2006/0500/CM  
West Cornforth Primary School, High Street, West Cornforth , Co Durham

DECISION APPROVED DATE ISSUED 25 August 2006

**SEDGEFIELD BOROUGH COUNCIL**  
**PLANNING APPLICATIONS - COUNTY DECISIONS**

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7/2006/0505/CM

DATE: 28 June 2006

PROPOSAL: **PROVISION OF TIMBER FRAMED GAZEBO**

LOCATION: **FISHBURN PRIMARY SCHOOL FISHBURN CO DURHAM**

APPLICANT: 7/2006/0505/CM  
 Fishburn Primary School, Fishburn, Co Durham, TS21 4AR

DECISION APPROVED DATE ISSUED 21 August 2006

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7/2006/0508/CM

DATE: 28 June 2006

PROPOSAL: **PROVISION OF 6M FLAGPOLE**

LOCATION: **FISHBURN PRIMARY SCHOOL FISHBURN CO DURHAM**

APPLICANT: 7/2006/0508/CM  
 Fishburn Primary School, Fishburn, Co Durham

DECISION APPROVED DATE ISSUED 24 August 2006

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# Item 10

## SEDGEFIELD BOROUGH COUNCIL

### APPEALS OUTSTANDING UP TO 5<sup>th</sup> SEPTEMBER 2006

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Ref.No. AP/2006/0002  
Location CHANGE OF USE AND EXTENSION TO PROPERTY TO FORM  
RESIDENTIAL BUNGALOW  
Proposal DENHAMFIELDS GARAGE COMMERCIAL STREET CHILTON LANE  
FERRYHILL CO. DURHAM  
Appellant Westside Contracts Ltd  
Received 3<sup>rd</sup> February 2006

The Appeal is to be dealt with by way of an Informal Hearing.

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Ref.No. AP/2006/0004  
Location 28 SPRING LANE SEDGEFIELD STOCKTON-ON-TEES TS212DG  
Proposal SINGLE STOREY EXTENSION TO FRONT OF EXISTING GARAGE  
Appellant Clive Crosby  
Received 25<sup>th</sup> May 2006

An Inspector's decision letter was received on the 5 September 2006. The Appeal was Upheld

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Ref.No. AP/2006/0005  
Location 6 CRAGSIDE SEDGEFIELD STOCKTON ON TEES  
Proposal ERECTION OF FIRST FLOOR EXTENSION OVER GARAGE  
Appellant J & T Saunders  
Received 27<sup>th</sup> June 2006

The Appeal is to be dealt with by way of Written Representations.

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Ref.No. AP/2006/0006/EN  
Location 2 & 3 VINE STREET SPENNYMOOR CO DURHAM  
Proposal NON-COMPLIANCE WITH APPROVED PLANS FOR PLANNING  
APPROVAL 7/2003/0586/DM BY FAILING TO PROVIDE A 1.8 METRE  
WIDE FOOTPATH AND VEHICLE CROSSING ALONG THE FRONTAGE  
Received 17<sup>th</sup> July 2006

The Appeal is to be dealt with by way of Written Representations.

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Ref.No. AP/2006/0007  
Location 1A EDEN TERRACE CHILTON FERRYHILL DL170EJ  
Proposal CHANGE OF USE TO HOT FOOD TAKEAWAY  
Appellant Mr Yaqoob  
Received 9<sup>th</sup> August 2006

The Appeal is to be dealt with by way of Written Representations.

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Ref.No. AP/2006/0008  
Location LAND AT BURN LANE NEWTON AYCLIFFE CO DURHAM  
Proposal REPLACEMENT OF 12.5 METRE STREETWORK MONOPOLE WITH 15 METRE MONOPOLE ACCOMMODATING 2G & 3G ANTENNAS AND 3G EQUIPMENT CABINET  
Appellant Mono Consultants Ltd  
Received 16<sup>th</sup> August 2006

The Appeal is to be dealt with by way of Written Representations.

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Ref.No. AP/2006/0009  
Location ST. LUKES CHURCH WINTERTON HOSPITAL SEDGEFIELD CLEVELAND  
Proposal NON COMPLIANCE OF LISTED BUILDING CONSENT CONDITIONS  
Appellant Ms C Moore  
Received 24<sup>th</sup> August 2006

The Appeal is to be dealt with by way of Written Representations.

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Ref.No. AP/2006/0010  
Location LAND OFF WHITWORTH ROAD WHITWORTH PARK SPENNYMOOR CO DURHAM  
Proposal FAILURE TO DISCHARGE CONDITION NO. 9 RELATING TO THE PROTECTION OF RECOGNISED MAJOR NATURE CONSERVATION INTERESTS, CONDITION NO. 2 RELATING TO APPROVED DOCUMENTS; AND CONDITION NO. 3 RELATING TO ACCESS TO THE HIGHWAY ATTACHED TO PLANNING PERMISSION 7/2003/0736/DM FOR THE ERECTION OF 100 DWELLINGS AND ASSOCIATED INFRASTRUCTURE WORKS INCLUDING NEW ACCESS ROAD, ALTERATIONS TO EXISTING BYWAY, PUBLIC CAR PARK AND SEWER ARRANGEMENTS  
Appellant Barratt Newcastle  
Received 24<sup>th</sup> August 2006

The Appeal is to be dealt with by way of Written Representations.

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SEDGEFIELD BOROUGH COUNCIL

DEVELOPMENT CONTROL  
COMMITTEE

5 SEPTEMBER 2006

RECENT PLANNING APPEAL  
DECISIONS

Report of Director of Neighbourhood  
Services

The following recent planning appeal decisions are reported for the information of the Members:-

AP/2006/0004

The Appeal was made by Mr. Clive Crosby against the Refusal issued by Sedgefield Borough Council for a single storey extension to front of existing garage at 28 Spring Lane Sedgefield.

In the Inspector's decision letter dated 4<sup>th</sup> September 2006, attached to this report, the Appeal was Upheld.

RECOMMENDATION: That the information be received.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

LIST OF BACKGROUND DOCUMENTS USED IN THE PREPARATION OF REPORT

All relevant Planning Files listed in report.



# Appeal Decision

Site visit made on 23 August 2006

by **Christopher John Checkley BA(Hons) MRTPI**

an Inspector appointed by the Secretary of State  
for Communities and Local Government

The Planning Inspectorate  
409 Kite Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN  
☎ 0117 372 6372  
e-mail: enquiries@planning-  
inspectorate.gsi.gov.uk

Date: 4 September 2006

**Appeal Ref: APP/M1330/A/06/2011631**

**28 Spring Lane, Sedgefield, Stockton-on-Tees, TS21 2DG**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Clive Crosby against the decision of Sedgefield Borough Council.
- The application (ref. 7/2005/0441/DM), dated 26 June 2005, was refused by notice dated 2 December 2005.
- The development proposed is described in the application as a tiled roof extension to front of existing garage and in the decision notice as a single storey extension to front of existing garage.

## Decision

1. For the reasons given below, I allow the appeal and grant planning permission for a single storey extension to front of existing garage in accordance with the terms of the application (ref. 7/2005/0441/DM), dated 26 June 2005, and the plans submitted therewith, subject to the following conditions:
  - 1) The development hereby permitted shall be begun before the expiration of three years from the date of this decision.
  - 2) The materials to be used in the construction of the extension hereby permitted shall match those used in the existing building, including matters of colour, size, shape and texture.

## Reasons for the Decision

2. The application site includes one half of several pairs of semi-detached 2-storey dwellings characterised by their hipped roofs and feature bay windows at both ground and first floor levels. A number of the houses have been extended to the side with one or 2-storey additions. The appeal property has a 2-storey side extension that includes an integral garage at ground floor level and accommodation above.
3. Although the proposed extension to the garage would project forward of the main building line, it would be modest - only a single storey and only projecting by about 0.85m - and it would stand broadly in line with the existing bay window. It would also have a tiled roof reflecting the character of the main dwelling. Its proportions and form would be entirely subordinate to the existing house and its architectural style would be in keeping with the existing dwelling. It would enhance the rather bland expanse of front elevation resulting from the 1989 side extension and would not materially unbalance the pair of semi-detached properties. Modest tiled roof garage extensions of this type are already an established part of the local street scene and, in my view, they do not detract from the pleasing appearance

of the dwellings including the feature bay windows. The proposal would largely mirror similar existing extensions including those at the neighbouring pair of dwellings, Numbers 30 and 32 Spring Lane.

4. I conclude that the scheme would have an appropriate scale and design and would be in keeping with the appearance and character of the host dwelling and the street scene of which it forms part. Therefore, there would be no conflict with the relevant provisions of Policies H15 and H16 and Supplementary Planning Guidance Note 4 of the Sedgefield Borough Local Plan adopted in 1996 or the draft Supplementary Planning Document for Residential Extensions (2006) which allows forward projections in exceptional circumstances, which are met here.
5. I consider that the standard condition suggested by the Council regarding compliance with the plans is unnecessary since any material change would not have planning permission. However, I am imposing a condition requiring the use of matching materials in the interests of the appearance of the area. I have taken account of all the other matters raised, but none have led me to a different conclusion.

*C J Checkley*

INSPECTOR

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By virtue of paragraph(s) 1, 6 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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