

# **DEVELOPMENT CONTROL COMMITTEE**

Friday, 13 October 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 छिह समउावेन्न उगठु विमे वेर ब्रामा विच नां विमे वेर वुप विच चगीदा वै, नां ने उगठु गॉलघाउ ममझाउरु छयी विमे छिंटरपैटर ची छेइ वै, उां उमीं माठुं छेमे।

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 15<sup>th</sup> September 2006 (Pages 5 - 10)

**4. APPLICATIONS - BOROUGH MATTERS**

To consider the attached schedule of applications, which are to be determined by this Council. (Pages 11 - 60)

**5. DEVELOPMENT CONTROL - ADDITIONAL APPLICATIONS**

To consider any applications which need to be determined as a matter of urgency.

**Members are reminded that the applications to be considered under Items 4 and 5 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.**

**6. DELEGATED DECISIONS**

A schedule of applications, which have been determined by Officers by virtue of their delegated powers, is attached for information (Pages 61 - 74)

**7. APPEALS**

A schedule of appeals outstanding up to 4<sup>th</sup> October 2006 is attached for information. (Pages 75 - 76)

**8. TREE PRESERVATION ORDER NO 40/2006 WINDLESTONE HALL, WINDLESTONE**

Report of Head of Planning (Pages 77 - 80)

**9. TREE PRESERVATION ORDER NO 41/2006 LAND ADJACENT TO WINDLESTONE HOME FARM COTTAGES, WINDLESTONE**

Report of Head of Planning (Pages 81 - 84)

**10. TREE PRESERVATION ORDER NO 42/2006, 1 THE VILLAS, DEAN BANK, FERRYHILL**

Report of Head of Planning (Pages 85 - 88)

**11. TREE PRESERVATION ORDER NO 44/2006, GRAYSON ROAD, MIDDLESTONE MOOR**

Report of Head of Planning (Pages 89 - 92)

## **EXEMPT INFORMATION**

The following item is not for publication by virtue of Paragraphs 1 and 6 of Part 1 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 93 - 94)

### **13. ERECTION OF FENCE ENCLOSING OPEN SPACE ADJACENT TO 1 PARKDALE, SPENNYMOOR**

Report of Director of Neighbourhood Services (Pages 95 - 102)

### **14. 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

4<sup>th</sup> October 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](mailto: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.

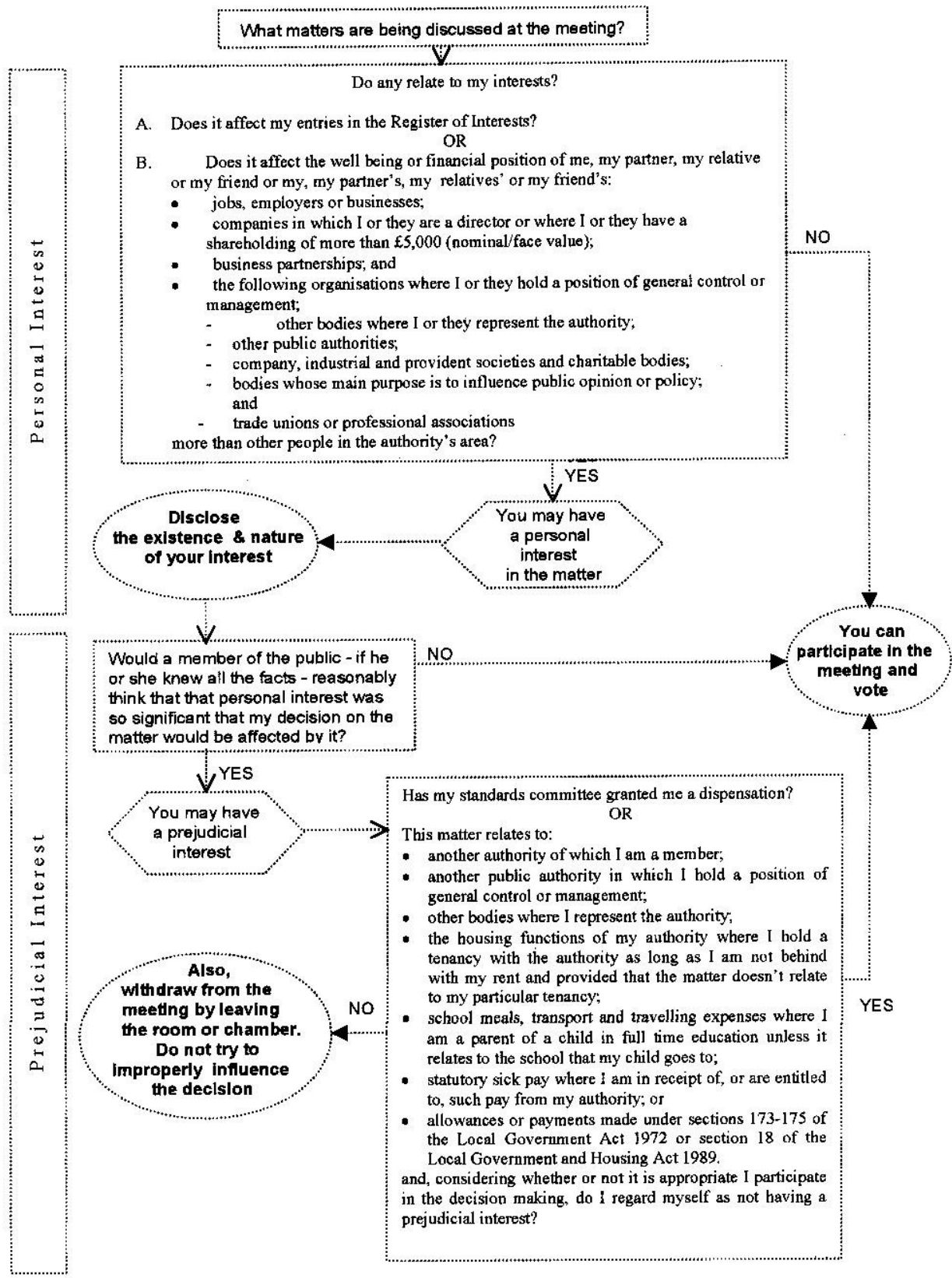
A Member with a prejudicial interest in any matter must also:

- 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,  
15 September 2006

Time: 10.00 a.m.

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

Councillors Mrs. A.M. Armstrong, W.M. Blenkinsopp, Mrs. B.A. Clare, Mrs. K. Conroy, Mrs. J. Croft, V. Crosby, M.A. Dalton, Mrs. A.M. Fleming, Mrs. B. Graham, A. Gray, G.C. Gray, Mrs. J. Gray, B. Hall, J.E. Higgin, A. Hodgson, M.T.B. Jones, B. Meek, G. Morgan, D.A. Newell, K. Noble, B.M. Ord, R.A. Patchett, Mrs. E.M. Paylor, Mrs. I. Jackson Smith, Mrs. C. Sproat, K. Thompson, T. Ward and J. Wayman J.P

**Apologies:** Councillors B.F. Avery J.P, D.R. Brown, J. Burton, R.S. Fleming, T.F. Forrest, D.M. Hancock, K. Henderson, Mrs. L. Hovvels, G.M.R. Howe, J.G. Huntington, M. Iveson, J.M. Khan, J.P. Moran, J.K. Piggott, Mrs. C. Potts, Ms. M. Predki, J. Robinson J.P, G.W. Scott, J.M. Smith, Mrs. L. Smith and W. Waters

#### **DC.41/06 DECLARATIONS OF INTEREST**

The following Councillors indicated that they would be declaring an interest in the following items :-

|                              |   |  |
|------------------------------|---|--|
| Councillor G.C. Gray         | - | Item 7 – Consultation from Durham County Council – Personal and prejudicial interest – Member of Durham County Council |
| Councillor Mrs. A.M. Fleming | - | Item 7 – Consultation from Durham County Council – Personal – School Governor  |

#### **DC.42/06 MINUTES**

The Minutes of the meeting held on 18<sup>th</sup> August, 2006 were confirmed as a correct record and signed by the Chairman.

#### **DC.43/06 APPLICATIONS - BOROUGH MATTERS**

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

In respect of Application No : 1 – Residential Development (Outline Application – Land North East of High Street, Byers Green – A. Watson, 99, Mayfields, Spennymoor – Plan Ref : 7/2006/0407/DM – it was explained that Mrs. M. Oliver and Mr. D. Anderson were present at the meeting to outline their objections and concerns with the proposed development.

Mrs. Oliver informed the Committee that she had a number of concerns in relation to the proposals. One of her main concerns was the loss of amenity within the village. There had been housing development in the village. However, the amenities within the village, such as shops etc. had reduced. The increased traffic which would be generated from the proposed development would also be a danger particularly for children. It was explained that for children to access the adjacent recreation ground they would need to cross the entrance to the estate which would be a potential danger.

The proposed development could also destroy the habitat for wildlife. Also during the development there would be dust and noise nuisance from the heavy plant and machinery. Mrs. Oliver envisaged that the proposed development would also place a strain on services with resultant reduction in gas pressures, etc.

Nearby properties would also suffer with loss of light to the rear of their properties.

Mr. Anderson explained that his concerns related to the significant house growth in the area. He was also concerned for the safety of children en route to the play area. He considered that the development would be intrusive and was taking place in what was a particularly peaceful area. The value of properties in the near vicinity would also be reduced by the development. The area was also a habitat for wildlife and birds and the development would be detrimental.

Mr. T. Lavender, the applicant's agent, was present at the meeting to clarify details of the proposals. He expressed his disappointment with the recommendation for refusal and the manner in which the recommendation had come about. The proposals had been under discussion for two years with officers on the basis of a positive outcome. The applicant was under the impression that the development was wholly in the residential area of Byers Green and the only issue to be resolved was access to the site. Discussions had been held with Durham County Council and the applicant believed that all aspects of the proposals were satisfactory. The issue of the settlement boundary had only been raised within the last few weeks. In respect of the ecological study, he explained that one had not been requested. He considered that there was a lack of consistent approach.

In respect of highway concerns, Mr. Lavender explained that there had been lengthy consultations with the County Highways Department which had resolved matters of highway design and safety. Furthermore, the childrens play area would not be divorced and would in fact bring a development adjacent to it. Parking provision would be something which would be properly designed into the scheme.

In response officers clarified the situation in respect of the boundary. The Committee was informed that the application had been difficult to deal with and it was not until a few weeks ago that issue with relation to the boundary had been highlighted. Advice had been taken and officers were of the opinion that the hedge formed a clear physical boundary to the

settlement. It was this boundary which needed to be considered and not the village boundary defined on the Local Plan Proposals map. This boundary was considered to be out-dated and to allow residential development beyond the hedge would result in encroachment into the countryside.

In respect of Application No : 2 – Residential Development comprising 58 dwellings and associated means of access, new changing facilities, resurfacing of football pitch and provision of a play area (Outline Application) – Land off Amble Way, Trimdon Grange – McInerney Homes NE Limited – Plan Ref : 7/2006/0430/DM – it was noted that this application had been withdrawn.

Dealing with Application No : 4 – Retention of Garage Incorporating Raised Decking and Erection of 1<sup>st</sup> Floor Extension to the rear – 12, Kensington Gardens, Ferryhill – Gary Atkinson, 12, Kensington Gardens, Ferryhill – it was explained that Mr. Rowsley, a local resident, was present at the meeting to express his concerns in relation to the development. Mr. Rowsley explained that his concerns related to the loss of privacy for neighbouring properties and the eyesore which the development caused

Mr. Atkinson, the applicant, was also present at the meeting and he explained that the development had been done in consultation with Development Control who had informed him that he did not require planning consent. An application had been made to the One Stop Shop. And he had been guided through a full plan application by officers. In respect of privacy Mr. Atkinson explained that there had been minimal loss of privacy and furthermore that there was no right to privacy in common law. Mr. Atkinson circulated a series of photographs to support his case.

The key point, however, was whether planning permission was required at all. The garage extension did not go any further than the existing back wall and incorporated the original outbuilding. If permitted development rights had been correctly interpreted then no planning application was needed for the garage and therefore no planning application was needed for the raised decking.

In relation to the first floor extension this would bring No : 12 Kensington Gardens in line with the rest of the street. The T-Plan roof ensured minimal impact upon daylighting. No comment or objection had been received during consultation.

In conclusion he explained that he had consulted with Development Control at appropriate points and their advice had been followed and all requests duly complied with.

In response officers explained that they considered that the development was not appropriate as it would cause a loss of privacy. Grounds for refusal could be defended.

- RESOLVED :*
- 1. That in respect of Application No : 2 – residential development comprising 58 dwellings and associated means of access, new changing facilities, resurfacing of football pitch and provision of a play area – Land off Amble Way, Trimdon Grange – McInerney Homes NE Limited – Plan Ref : 7/2006/0430/DM – it be noted that this application had been withdrawn.*
  - 2. That the remainder of the applications detailed in schedule be adopted.*

**DC.44/06**

**DEVELOPMENT CONTROL - ADDITIONAL APPLICATIONS**

Consideration was given to a schedule detailing an additional application for consent to develop (for copy see file of Minutes) relating to the erection of 9 No. industrial warehouse units with ancillary offices and associated forecourt and service yard – Land at Long Tens Way, Millennium Way, Aycliffe Industrial Estate – Easter Properties, 4, Grosvenor Place, London – Plan Ref : 7/2005/0826/DM.

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

**DC.45/06**

**DEVELOPMENT BY SEDGFIELD BOROUGH COUNCIL**

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

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

**DC.46/06**

**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 G.C.Gray and Mrs. A.M. Fleming 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 the 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.47/06**

**DELEGATED DECISIONS**

A schedule of applications which had been determined by officers by virtue of their delegated powers was considered. (For copy see file of Minutes).

*RESOLVED :* That the schedule be received.

**DC.48/06 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.49/06 APPEALS**

Consideration was given to a schedule detailing outstanding appeals upto 6<sup>th</sup> September, 2006. (For copy see file of Minutes).

*RESOLVED : That the information be received.*

**DC.50/06 RECENT PLANNING APPEAL DECISIONS**

Consideration was given to a report of the Director of Neighbourhood Services (for copy see file of Minutes) detailing recent planning appeal decision by Mr. C. Crosby against the refusal of planning permission for a single storey extension to the front of the existing garage at 28, Spring Lane, Sedgefield.

It was noted that the Inspector had upheld the appeal.

The Inspector's decision needed to be taken into account when considering similar applications elsewhere.

**EXCLUSION OF PRESS AND PUBLIC**

*RESOLVED: That in accordance with Section 100(a)(4) of the Local Government Act 1972 the press and public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraphs 1 and 6 of Part 1 of Schedule 12a of the Act.*

**DC.51/06 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.*

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**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. 7/2006/0152/DM APPLICATION DATE: 9 March 2006

PROPOSAL: **ERECTION OF 112 HOUSES AND APARTMENTS WITH ASSOCIATED MEANS OF ACCESS AND LANDSCAPING (OUTLINE APPLICATION)**

LOCATION: **LAND EAST OF SWAINBY ROAD TRIMDON VILLAGE CO DURHAM**

APPLICATION TYPE: Outline Application

APPLICANT: Trimdon Estates  
c/o 30 Front Street South, Trimdon Village, Co Durham

#### CONSULTATIONS

1. Cllr. T. Ward
2. Cllr. J. Burton
3. Cllr. Mr K. Noble
4. TRIMDON P.C.
5. DCC (PLANNING)
6. DCC (PROWS)
7. POLICE HQ
8. VALUER
9. ENV. HEALTH
10. L.PLANS
11. WILDLIFE TRUST
12. ENV AGENCY
13. BUILDING CONTROL
14. NORTHUMBRIAN WATER
15. WILDLIFE TRUST
16. Lee White
17. Countryside - DCC
18. DESIGN
19. English Her
20. ENGLISH NATURE
21. Countryside Team
22. Durham County Badger Group
23. ENGINEERS
24. LANDSCAPE ARCH
25. One North East
26. DCC (TRAFFIC)
27. Durham Police

#### NEIGHBOUR/INDUSTRIAL

Three Ways  
Three Ways  
Boynston House  
Fields View  
The Gables  
East End Cottage

## SEDGEFIELD BOROUGH COUNCIL

### PLANNING APPLICATIONS - TO BE DETERMINED

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Front Street South:60,61,62,63,64,65,66,67,68,69,70,71,72,Hillcrest House,Manor House

Hebden Road:109

Birkett Terrace:1,2,3,4

Skerne Avenue:25

Front Street North:47,48,49,50,51,52,53,54,55,56,57,58,

East House Farm

Sandgate House

Byfields

Swainby

Road:55,54,53,52,51,50,49,48,47,46,45,44,43,42,41,40,39,38,37,36,35,34,33,32,31,81,79,77,75,73,71,69,67,65,63,61,59,57

Hart View:15,16,17,18,19,20,21,22,23,24

### BOROUGH PLANNING POLICIES

|     |   |
|-----|---|
| H8  | Residential Frameworks for Larger Villages                      |
| H12 | Housing in the Countryside for Agricultural or Forestry Workers |
| E18 | Preservation and Enhancement of Conservation Areas              |
| D7  | Structural Landscaping around Major Developments                |

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### THE PROPOSAL

This application seeks outline planning permission for residential development with details of design and external appearance reserved for approval at a later date. The application has been accompanied by supporting information including a planning statement, design statement, traffic impact assessment, ecological survey and conservation area analysis and seeks planning permission for the erection of 112 dwellings consisting of detached, semi-detached, and terraced dwellings, on the site.

The application site consists of a 3.33 ha Greenfield site (approximately 34 dwellings to the hectare) located in a prominent location to the east of Trimdon Village and which is bound to the north by 4 residential properties and Hurworth Burn Road (the C24), to the east by agricultural land and farm track, to the south by agricultural land and allotment gardens and to the west by Borough Council owned land beyond which are existing residential properties in Swainby Road. The application site is part bound by full height mature hedgerows and occasional hedgerow trees, on relatively high ground that gently falls away to the south with gently undulations and a distinctive dry valley and then springhead to the River Skerne to the east. The site is screened by the hedgerows that bound the site to the north and east and more intermittently to the west by fragmented hedgerows with none to the south. Currently the site is not visible from Hurworth Burn Road or the bridleway along the eastern boundary or from road level in Springwell Avenue however the site is exposed and highly visible from the south.



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

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Access to the development is from a new roundabout on Hurworth Burn Road. Within the development access points are shown for future access to the Borough Council owned land to the west and agricultural land to the south although it should be noted that this application does not seek planning permission for development on these areas of land. Pedestrian access is proposed to link the development with Swainby Road by a new pedestrian link across the Council owned land to the west with new footway provision along Hurworth Burn Road. Along the front boundary adjacent to Hurworth Burn Road is a mature hedgerow that is to be removed for the highway improvement works and a new hedgerow is proposed to be planted.

The applicants in their supporting statement state that Trimdon Village has social and economic deprivation with a poor 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. In order to regenerate Trimdon Village the applicant is also offering, through a Section 106 agreement:

## **SEDGEFIELD BOROUGH COUNCIL**

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

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- The provision of an element (10% of the dwellings, para 3.32 of the supporting statement) of affordable housing at a percentage of the open market value although at this stage the number of affordable units has not been provided.
- A financial contribution of £130,000 for the replacement of the all weather pitches for the community college and school playground.
- A financial contribution of £448,000 towards the erection of a new school or to improving/upgrading the existing school prior to occupation of any dwelling on the site.
- The varying of covenants on land north of the existing community college to allow the erection of a new school and health centre to take place. (This is subject to the commencement of development and Durham County Council obtaining planning permission for the new school).

### **CONSULTATION AND PUBLICITY RESPONSES**

The North East Assembly has advised that having had regard to Regional Planning Guidance and Submission Draft Regional Spatial Strategy the proposed development, despite the contribution to education facilities, is not considered to be in conformity with RPG1 and the submission draft RSS as the proposal is on a windfall Greenfield site and subsequently does not conform with policies DP1 and DP2 of RPG1 and the locational strategy set out in the draft RSS. The local authority must be certain that this site will not hinder other more sustainable sites on brownfield land coming forward. In addition concern is raised that the development does not contain any appropriate provision of affordable housing, the local authority needs to ensure that the development does not detract from the character of the conservation area and that it does not include energy efficiency and embedded renewable measures.

One North East has advised that the application falls outside the threshold for consultation and therefore have no comments to make.

The County Engineer originally raised a number of concerns regarding the layout of the proposal, the access arrangement off the C24 and that a traffic impact assessment is required to assess the effect the proposed development would have. In addition concern was raised over the width of the highways and the internal layout of the development.

Following discussions the applicant has amended the layout of the proposal and the County Engineer has confirmed that the C24 would need widening upto 6.1 metres from in front of the Vicarage up to the proposed roundabout. This widening will need to continue for up to 300 metres beyond the eastern boundary to the site with the area of village green provided elsewhere. These off site works are required before the occupation of the first house and should planning permission be granted a condition should be imposed that requires this.

Durham Constabulary originally advised that they could not support the application as it is outside the confines of Trimdon Village and gives access onto Hurworth Burn road which has a 60mph speed limit and the footpath originally proposed did not join up with the existing footpath. Following receipt of amended plans and the Traffic Impact Assessment Durham Constabulary advise that the mini roundabout junction is not an acceptable means of access and they are not convinced that it would reduce the speed of traffic. As such it is advised that they cannot lend support to the proposal as many road safety issues, some of which may in fact be exacerbated by the development should it go ahead in its present form.

Trimdon Parish Council has not offered any comments.

## **SEDFIELD BOROUGH COUNCIL**

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

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Durham County Council Policy Section have advised that Policy 3 of the Structure Plan states that priority should be given to the provision of new development on sites within or well related to the County's main towns. This site is a Greenfield site beyond the settlement boundary and is not allocated in the Sedgfield Borough Local Plan and is in conflict with Structure Plan Policies 3 'Development in Main Towns', 4 'Protecting the Character and Appearance of the Countryside', 9 'New Housing Within or Well Related to Main Towns' and 14 'New Housing in the Countryside for Agricultural / Forestry Workers'.

English Heritage originally advised that the northern edge of the application site is visible in views eastwards from the historic core of the village. Concerns were raised over the intensity of the proposed development and the impact this is likely to have upon the character and appearance of the Conservation Area and it's setting. They were especially mindful that the development has the potential to substantially increase the volume of vehicular traffic passing through the centre of the village and the detrimental effect this will have upon the character of the village green and on the grade II listed church. English Heritage therefore recommended that an analysis of the historic village core be undertaken.

A Conservation Area Analysis and Impact Assessment was subsequently submitted by the applicant and English Heritage advised that the changes are broadly welcome and that it would be important to ensure that the design and appearance of the spaces around the buildings are considered as part of a coherent whole. The design of the junction will require careful handling given the rural character of Hurworth Burn Road and that whilst English Heritage continue to have reservations about the impact of increased vehicular flows upon the character and appearance of the conservation area they are content to defer to the specialist advice of the highways authority with regard to the Transport Impact Assessment.

English Nature has raised no objections to the development but recommended that if planning permission be granted a condition stipulating that no site clearance works or development shall be carried out between March and July in order to protect habitats that may support breeding birds.

The Durham Wildlife Trust originally raised an objection to the development on the grounds that insufficient information had been submitted with the application to assess the ecological value of the site.

The Environment Agency has advised that the Local Planning Authority must fully consider the impact of surface water drainage and recommended a condition relating to surface water drainage from parking areas.

Environmental Health has raised no objections but suggested several conditions in respect of hours of construction, no burning of materials and the control of dust on the site.

Northumbrian Water has raised no objections but offered comments regarding the connections and surface water drainage.

The Assistant Archaeology Officer originally advised that given the size of development and that the site is Greenfield land a full archaeological desk based assessment be carried out. The applicant was informed of this requirement and subsequently submitted a full archaeological statement that confirmed that the land has not been subject to any known historical development and the potential for archaeological remains of any period is low. As such no

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objections are raised to the development but advise that a condition could be imposed to require a mitigation strategy to be submitted should any archaeological remains be subsequently found.

Durham County Council Rights of Way Officer has advised that no public rights of way would be directly affected by the development of this site.

The Police Architectural Liaison Officer has offered comments and raised concern regarding the extent of the public open space and the number of footpaths and advised that care must be taken in the design and lighting of these areas.

Site notices were erected, an advertisement placed in the local press and letters sent to neighbouring occupiers advising of the application. To date 10 letters of objection have been received. The principal issues raised in the letters of objection are summarised below and a more detailed breakdown of the objections received can be viewed in Appendix 1 of the committee report.

- The Borough Local Plan- proposal is outside the residential framework for Trimdon Village as defined on the Local Plan Proposals map, there is no special justification for the new Greenfield development, and there are a number of Brownfield sites elsewhere within the borough.
- Impact on village residents- the local community could not support a development of this size, which would spoil some resident's views across open countryside. There are insufficient schools, shops and community centres/facilities to accommodate all the new residents. Additional noise and disturbance would also be created harming the tranquillity of the village. All the negative impacts the new development would bring could lead to a drop in house prices.
- Integration with Village and poor design- the proposal is poorly located on eastern side of village that as a result will provide residents with poor access to local shops and other amenities. The three-storey housing on the site would be intrusive and totally out of keeping with the rest of the village, and as a consequence the quality and amenity value of the adjacent conservation area and the villages overall historic character would be affected. An adjacent medieval field would also be negatively affected.
- Environment- Increased bird and mammal life in the local area has recently led to EEC grants, although the new development would eradicate a large area of natural habitat which would effect the local ecosystem. The area is also used extensively by the local community for recreational use.
- Road Safety- There are significant road safety issues raised by the proposed single entrance and additional traffic on local roads, and traffic calming measures would be needed. Also construction traffic would be noisy and add to the congestion.
- Employment and road infrastructure- The development does not relate well to existing and planned employment in the borough and there are sequentially better sites for housing. Accommodating the proposal would require an upgrade of the road from Trimdon to the A19 at Elwick, and Hurworth Burn Road and East Lane already have to cope with a large volume of traffic, often travelling at high speeds. In the main local

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roads do not have the capacity to accommodate a development of this scale which would be a major generator of traffic.

In support of the application 1 letter of support has been received from neighbouring occupiers and one petition of support with 1071 signatures. The petition expressed support for new family housing and that the proposed housing development is the only plan to invest in the village and will help make sure that the village will have a new school, health centre and sports pitch and that the shops and other facilities will stay in business and continue to serve the whole village.

In addition letters from Rt Hon Tony Blair MP, Sedgefield Borough Council Sports Development Officer and Trimdon Community College Association in support of the provision of the all weather pitch, Trimdon Junior School, Trimdon 2000 and Trimdon Parish Council have all been submitted with the application. Copies of these letters can be viewed in Appendix 2 of this report.

#### 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.
- Proposed Planning Gain
- Impact on the Conservation Area
- Design, layout and impact on residential amenity, including landscaping
- Affordable Housing Provision
- Access and Car parking
- Impact on Protected Species

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

The application site is peripheral Greenfield land that is not located within the residential framework of Trimdon Village, 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:

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- 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 proposed development is considered to be the unsustainable use of Greenfield land, and therefore the development of this site is well down the sequential list in terms of the priority for development and therefore is considered unacceptable.

Paragraph 31 of PPG3 states that 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.

Whilst it is considered that parts (a) and (c) are likely to be easily satisfied, the key issue is whether the site complies with part (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 Village. 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.

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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 'Sequential Approach to Development' 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 'The Locational Strategy' 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 seven year supply of housing thereby indicating that the release of a Greenfield site outside a residential framework and which encroaches into open countryside is unacceptable and not required.

**Planning Gain**

In assessing this proposal regard must be given to whether what is being offered in the legal agreement is consistent with legal and planning policy considerations for such documents. Essentially planning obligations are intended to make development acceptable which otherwise would be unacceptable in planning terms and are governed by the fundamental principle that planning permission may not be bought or sold. As such there are five tests in Circular 05/2005 that all planning obligations must meet and are as follows:

- Relevant to planning
- Necessary to make the proposed development acceptable in planning terms
- Directly related to the proposed development
- Fairly and reasonably related in scale and kind to the proposed development
- Reasonable in all other aspects

In this case it is considered that what is being offered as planning gain is a material planning consideration that meets the five tests contained within Circular 05/2005. This issue is therefore what amount of weight can be given to the planning obligation and whether this outweighs the other planning objections to the proposal.

It has already 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 financial contributions towards a new school, replacement of the all weather pitches the removal of covenants and the potential regeneration benefits from the development by providing greater choice in housing mix and supporting local facilities such as the school and local shops is enough justification to override the clear policy objections. As such each of the issues will be addressed in turn.

**Provision of Health Centre and release of covenant**

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Firstly, it must be stressed that the applicant is not proposing the construction of a new health centre in Trimdon. What is proposed is the removal of a covenant (Deed of Variation) on land owned by the applicant that would enable the construction of a new health centre.

In a letter from Nigel Porter of Sedgefield PCT it is stated that *'there has been a lack of suitable sites in Trimdon for some considerable time and this has impeded progress on developing proposals for the modernisation of health provision in the community. Consequently I very much welcome the opportunity you have created for developing a new health centre. I am not aware of any other suitable sites in Trimdon Village'*.

The letter goes on to confirm that *'the PCT is bound to offer all proposals for development of its own premises to the Tees Valley & South Durham NHS LIFT (Local Improvement Finance Trust) consortium. LIFTCo can decide to relinquish the development opportunity if it considers that the proposed scheme does not fit with its business model, or to include it within its forward business plan...If the LIFTCo does not wish to take up the option of the development, I welcome the offer of commercially acceptable terms for funding from Trimdon Estates'*.

Clearly it is recognised that Trimdon has poor levels of health within the village and the provision of health care facilities in Trimdon Village is below standard with the doctor's surgery operating from a council house converted to a surgery approximately 50 years ago. The Parish Council have also stated that following a meeting the local GP advised that the surgery would close due to sub standard facilities. The Council's Regeneration Section they have advised that in terms of health Trimdon Village is in common with the other targeted communities with the proportion of permanently sick or disabled. The rate in New Trimdon and Trimdon Grange (15%) is - alongside Thickley at Shildon - the highest of any of the targeted communities while the rate in Old Trimdon is almost as high at 14%; the Sedgefield average is 10% while the England average is only 5%.

However, it is considered that even though a new health centre would be a benefit and welcomed within the village there is currently no guarantee that if permission was granted for residential development that the development of the health centre would take place as it is heavily reliant on third parties firstly to find funding for the health centre and secondly to secure planning permission. To date there has been no discussion on whether the site shown on the indicative plans provided by the developer is acceptable. The proposal by the developer to release the covenant on land within his ownership to allow the possible development of a health centre is not enough to justify the granting of planning permission for residential development in an unacceptable site. It is also worth considering that should the County Council close the existing schools it may be that any of the three vacated sites would be more suitable for a health centre. This possibility would need to be investigated.

#### **Contribution to New School and release of covenant**

The applicant is proposing to contribute £448,000, prior to occupation of any dwelling, towards the erection of a new school or to upgrade/improve the existing schools and to release a covenant on land owned by the developer to enable a new school to be built.

As with the release of the covenant on the land for the development of a health centre the same issues apply for the provision of a new school. Again the construction of a new school is heavily dependant on third parties, specifically Durham County Council, to find the funding for a new school and planning permission being granted. Clearly this cannot be guaranteed at this



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stage. To date there has also been no discussion on whether the site shown on indicative plans provided by the developer is acceptable.

Whilst it is considered that the contribution to either a new school or an improvement to the existing schools would be a benefit, it is not significant enough to override other planning objections. Information from Durham County Council as Education Authority indicate that there is currently a large number of surplus places both in primary and secondary education for the area with 190 primary surplus places and 217 secondary surplus places. Durham County Council have advised that new housing development of 112 houses would have little impact on the situation as primary rolls are generally expected to fall for the next few years. The proposed housing development may only produce 2-3 new children based on 4-5 years of research i.e a development of 251 houses produced 3 new pupils and a development of 150 houses produced 2 new pupils.

In the long term there are plans to reorganise education in the Trimdon area. This would involve Trimdon Juniors, Trimdon Village Community Infants and possibly Trimdon Grange Infant and Nursery. This reorganisation will possibly involve the building of a new school for the area and the possible closure of existing buildings. This process will take place whether the new housing development occurs or not, because of the surplus place situation and the condition of the existing school premises.

In a letter to the applicant from the Head of Corporate Estates at Durham County Council it is stated *'that a replacement school is coming to the fore in our capital programme, though as yet without the funding to implement this. Further government funding allocations for the purpose are being monitored but any contributions from planning gain, if this should be possible, could enhance the prospect of delivering new accommodation'*. Whilst any contribution of funding towards improving facilities is a benefit the issue of school provision in Trimdon Village is already being addressed and it is considered that a contribution towards this provision through the capital programme, whilst a benefit, is not enough justification in allowing housing on a greenfield site that would encroach into the open countryside.

#### Astro Turf Pitch

The applicant is proposing to make a contribution of £130,000 towards the replacement of the all weather pitches for the community college. A letter of endorsement for the development of the pitch from Sedgefield Borough Sports Development Officer was submitted with the application and states that the existing all weather pitch provides numerous coaching sessions both during and after school and in the school holiday period. Without this facility the Leisure Section, Trimdon United Juniors and indeed the infrastructure of a number of adult football teams will be greatly affected. The nearest all weather facility is Sedgefield and it is currently at capacity.

This is certainly a contribution that would be welcomed as the emerging advice within the Open Space Needs Assessment recognises that the existing pitch is in a state of poor repair as endorsed by the signatures that have signed the petition of support.

However, it should be noted that the applicant is proposing the contribution towards the new all weather pitch in lieu of providing a reduced amount of public open space on the application site.

Under Policy L2 of the Sedgefield Borough Local Plan a total provision of 0.66ha (6600sqm) should be provided. Currently the applicant proposes to provide approximately 30% of the open

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space required in the form of a central village green of some 0.2ha (2000sqm). There is therefore a shortfall of 4600sqm (approximately 70%) in on site open space provision. To be consistent with other proposals in the Borough a contribution would be payable to the provision of off site play provision/open space at £700 per dwelling. This would equate to a contribution of £54,600 to be provided off site. It is therefore considered that in real terms the applicant is offering £75,400 over and above what would normally be required.

#### **Impact on Trimdon Conservation Area**

In terms of the impact of the proposed development on Trimdon Conservation Area a detailed Conservation Area Analysis and Impact Assessment was carried out by the applicant. As the submitted analysis correctly recognises there has been significant new building and to the south and, to the west, the main entrance into the historic core of the village. From the west the Conservation Area is approached through a short corridor of 1930's housing with broad grass verges in keeping with the village green. To the north, behind the historic boundary of the village, the land remains undeveloped and to the east where the application site is located remains markedly unchanged.

Whilst it is accepted, and as stated in the analysis, that the new 20<sup>th</sup> Century housing, constructed before the designation of the Conservation Area in 1993, to the south of the old village has been developed intensively resulting in the village being masked by new housing with the boundary of the village becoming blurred it is considered that this should not be seen as a justification for allowing more new development to the east of the village, an approach that has changed little over time. As is stated in the applicant's submission the approach to the village from the east is via Hurworth Burn Road which is a *'rural road winding its way between fields and lined with hedges and with a broad verge on its south side.....this approach has changed little over time and confirms the agricultural origins of the village'*. It is considered this approach to the village should not be eroded further by the encroachment of modern residential development into open countryside and which would weaken and further detract from the historic character of the village. In addition, the need to carry out significant highway improvements including the formation of a roundabout and the need to widen the existing carriageway from the proposed access east up to The Vicarage and the resulting loss of village green all contributes to urbanising the approach to the historic core of the village.

Although the submitted analysis gives some suggested principles to mitigating any negative impact on the Conservation Area, including setting the new housing back from the road at least in line with the adjacent modern housing and preferably further, and the retention of the hedgerow adjacent to Hurworth Burn Road it is still considered that whilst the proposed development is not within the Conservation Area it is a significant development that adjoins the Conservation Area and would have a detrimental impact on its setting particularly from the significant and intrusive highway improvements and encroachment of new development to the east side of the village. Allowing new development to the east of the village that has seen little change over the years would have a significant urbanising affect to the detriment of the Conservation Area and its setting contrary to Policy E18 'Preservation and Enhancement of Conservation Areas' of the Sedgfield Borough Local Plan.

#### **Design, layout, landscaping and impact on residential amenity**

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Whilst the application site has an element of screening from existing hedgerows, which the applicant has classed as being relatively poor in diversity, the site still benefits from long-range views of the site from the countryside from the south and east. Although the hedgerows are proposed to be retained (except to the boundary fronting Hurworth Burn Road where a new native hedgerow would be planted) and new hedgerows to the southern boundary it is still considered that the proposed development would be highly visible as an encroachment into open countryside. It should also be noted that there is also an existing 20m wide belt of young trees along the whole length of the eastern boundary of the site that is not identified on any plans. It is considered that this is an important feature and would act as a buffer to the surrounding countryside and should be retained and enhanced. The applicant was advised of the need to have a landscape buffer to the site in order to provide screening however the retention of this existing tree belt is not proposed and it is considered that although some new screen planting with trees to hedgerows is proposed this will be intermittent and in no way substitute for the buffer strip that would have been created by the existing maturing 20m tree belt.

It should also be noted if this site had been an allocated site then areas of structural landscaping, normally in the form of a tree belt, would have been required under Policy D7 'Structural Landscaping around Major Developments' of the Sedgefield Borough Local Plan in order to provide a transition between the new residential development and the open countryside. In addition, if this existing landscaping were to be retained then this would also increase the amount of on site open space on the site that is required under Policy L2 'Provision of Open Space in New Housing Development' of the Sedgefield Borough Local Plan and, like the tree belt at the recently approved Grayson Road, Middlestone Moor site, be publicly accessible.

Although, as previously explained, the principle of development in this location is not acceptable and that what is being offered as planning gain does not outweigh the policy objections the actual internal layout of the development in terms of the siting of units and spaces created, notwithstanding the need for a landscape buffer, is considered acceptable.

Given that this site is a large site located in a prominent location on the edge of Trimdon Village it is essential that a high quality scheme both in terms of layout and architectural quality is achieved. In terms of the design and layout of the scheme the proposal must not only comply with the design policies, specifically policies D1 'General Principles for the Layout and Design of New Developments' and D5 'Layout of New Housing Development' contained within the local plan but also the new CABI guidance recently endorsed by the Council.

In order to promote a higher quality of design Management Team has endorsed the CABI and Home Builders Federation 'Building for Life' standard in order to seek higher design standards and good place making in residential developments. The 'Building for Life' standard asks a series of 20 questions for developers to answer to show how they will deliver high quality residential schemes. The standard identifies that schemes do not need to answer all 20 questions but that it will be used to assess overall design quality and allow the Local Planning Authority to negotiate with developers to ensure that high quality design is secured and poor quality design is rejected.

In this case the layout and form of dwellings proposed in terms of the scale and siting is acceptable. Although the scale and external appearance of the dwellings is yet to be assessed it was acknowledged in the Conservation Area Analysis that the dwellings must be of small

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scale and discreet and that *'it will be necessary to select a massing, building type and form of detailing which will harmonise with the Conservation Area'* (Section 3, par 3 of the Conservation Area Analysis). The siting of units that wrap prominent corner sites within the scheme, the central green space with linked dwellings fronting it and car parking courts behind dwellings all creates a strong identity and sense of place.

In terms of the impact on residential amenity clearly there will be a loss of outlook to the four properties fronting Hurworth Burn Road but it is considered that the amenity distance of approximately 21 metres is acceptable. In addition, the applicant is proposing a landscaped buffer strip between the proposed development and these properties as a means of protecting the existing residents amenity however some of these residents are still raising fundamental objections on a variety of points to the proposed development.

#### **Affordable Housing Provision**

The applicant states that the "affordable" provision will be discounted market value dwellings. Whilst PPG3 allows discounted market value dwellings as affordable, there has been a significant change in the definition of affordable housing through the draft PPS3. Discounted market value housing has now been excluded from the updated definition of affordable housing and as such the discounted market dwellings proposed in this scheme do not meet the definition of affordable housing. In the draft PPS 3 affordable dwellings are defined as either social rented dwellings or intermediary dwellings e.g. shared equity and therefore if a need can be demonstrated the applicant should provide a combination of the two affordable housing tenure types on the site the proportion of which would require further debate.

The need for affordable housing is determined by assessing the following:

- Housing Needs Survey
- House Price Data
- Household Incomes
- Housing Waiting Lists
- Housing Provision surrounding site

The last complete Housing Needs Survey was produced in 2003. This identified that there was a shortfall in affordable stock in 2-bed flats, 2-bed bungalows, 1-bed houses and 3-bed houses in the Sedgefield/Trimdons sub-area. To overcome the shortfall in affordable provision a minimum of 20% affordable provision should be sought.

In terms of house price date over the period since the questionnaire on the Housing Needs Survey in 2002, the house prices within the specific Trimdon postcode area TS29 6 have risen significantly.

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|                | Detached Price |                                    | Semi Detached Price |                                    | Terrace Price |                                    | Flat/Maisonette Price |                                | Overall Price |                                  |
|----------------|----------------|------------------------------------|---------------------|------------------------------------|---------------|------------------------------------|-----------------------|--------------------------------|---------------|----------------------------------|
| Apr - Jun 2002 | £113068        | <b>+61.55%</b><br><b>(+51.89%)</b> | £49811              | <b>+72.12%</b><br><b>(+56.64%)</b> | £33357        | <b>+89.21%</b><br><b>(+55.62%)</b> | £<3 Sales             | <b>+0%</b><br><b>(+34.43%)</b> | £64844        | <b>+34.7%</b><br><b>(+37.6%)</b> |
| Apr - Jun 2006 | £182666        |                                    | £85733              |                                    | £63115        |                                    | £<3 Sales             |                                | £87348        |                                  |

Table showing % changes in prices for the period Apr-Jun 2002 to Apr-Jun 2006 inclusive. (Figure in parentheses is the overall England & Wales figure)

The Housing Needs Desktop Update that was carried out in 2005 identifies that household income has increased by 7.6% between 2003 and 2005. This figure applies to the Borough and it cannot be broken down into sub-areas. This research identifies that 49.1% of the Borough's households have an income level below £16,140. Even more important is the information for concealed households. The data states that 67% of these concealed households have an income level below £16,140. The primary reason for concealed households is the fact that they cannot gain access to the private housing market.

It is clear from the up-to-date housing data from the Land Registry that the concealed households would not be able to enter the private sector housing market, even at entry terraced level (assuming a mortgage of 3 times income).

The Housing Department have also provided information regarding the demand and supply of Council-owned houses and bungalows in Trimdon. This suggests that there is a demand for 1 & 2-bed bungalows and 2, 3 & 4-bed houses. A brief comparison of the two would suggest that 2-bed bungalows and 3 & 4-bed houses have the greatest mismatch of demand and supply.

It is considered that the evidence clearly demonstrates that there is a need for the provision of affordable housing, comprised of a mixture of social rented and shared equity/ownership dwellings and of a type that would address the overall housing needs and waiting lists. However, what the applicant is offering does not meet these requirements as discounted market value dwellings are not classed as affordable and the number (10%) of units is less than required.

#### **Impact on Protected Species**

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 an Ecological report to assess the impact of the development on protected species has been submitted and the views of English Nature and the Durham Wildlife Trust have been sought and no objections have been raised. As such it is considered that no protected species are likely to be affected by this development.

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**CONCLUSION**

Following information from the Council's Regeneration Section it is recognised that the Trimdon Village South is within 10-20% of the most deprived wards nationally. However, the Trimdons are not as deprived as the other targeted communities as measured by the Indices of Deprivation.

Trimdon Village also has a lack of local job opportunities, is isolated from major employment centres and has suffered from a loss of local services. However, it should be noted that the population of the Trimdons (New Trimdon, Trimdon Grange and Old Trimdon wards) is a combined 4,900. The population structure is very similar to that of Sedgfield and England. The working age population in both wards, Sedgfield and England is 65% and there are no less young people in the Trimdon area currently than there are elsewhere in the Borough. In addition, in terms of Coalfield Housing Renewal, Trimdon Village is not considered an immediate priority for investment given the scale of issues identified elsewhere in the Borough.

Trimdon Village is part of the Durham Coalfield communities Area, and is an area that suffers from significant long standing problems, which require investment. However, the Submission Draft RSS recognises that in County Durham the towns in the regeneration areas continue to be the main focus for development and recognises the importance of ensuring that the function vitality of these places is not threatened and their facilities put at risk. RSS Policy 7 takes this further identifying and supporting the regeneration of Newton Aycliffe, Spennymoor and Shildon for sustainable indigenous growth provided it would not adversely impact on the regeneration initiatives with the Tees Valley conurbation. Trimdon is not identified as a strategic focus for regeneration.

The applicant considers that the proposed development would help regenerate Trimdon Village which they consider is in decline with *'features such as an ageing population and skewed gender profiles with a concentration of income and health problems all of which affect the potential of the village to retain the goods and services that are an essential part of a sustainable community'*. In addition the applicant has advised that Trimdon 2000 undertook a survey that indicated that car ownership in the village is low with only 40% of households owning a car.

However, it has been demonstrated in this report that the proposed development will not necessarily result in the regeneration of Trimdon Village. Whilst, the provision of a new astro turf pitch would be welcomed and the contribution to a new school or upgrading existing schools is a benefit it is not felt that these contributions are a significant justification to allow a development of this scale on a Greenfield site on the edge of a village. In addition, the application site is located in an area where access to jobs is limited and therefore the new development is likely to increase car borne travel from an unsustainable location.

Finally, the following points give an overview of what are the key considerations in determining that the proposed development is unacceptable in planning terms:

- The proposal seeks permission for the development of a peripheral Greenfield windfall site outside the residential framework of Trimdon Village that would result in the encroachment of development into open countryside.

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- Developments of this scale should be located in the Boroughs main towns and not on the edge of small rural villages.
- The development would have a detrimental impact on the character and setting of the Trimdon Conservation Area by urbanising the approach to the historic core of the village.
- The applicant is offering a contribution towards a new school or for improvements to the existing schools however, the application relies heavily on third parties obtaining funding for the provision of a new school and health centre and as such there can be no guarantee that these will be provided by this application.
- The internal highway layout of the development is substandard particularly the internal road and footway design.
- The development fails to provide an acceptable landscaping scheme in the form of a landscaping buffer to the east and south of the site.

Finally, should Members be minded to grant planning permission for the development the application will need to be referred to the Government Office for the North East (GONE) under the Town and Country Planning (Development Plans and Consultation) (Departures) Directions 1999 as the proposal does not accord with the Local Plan in force in that area.

#### 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 officers consider that the proposal will not undermine crime prevention or the promotion of community 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.

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

1. The proposed development is located outside of the defined residential framework for Trimdon Village 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 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 proposed development would have a detrimental urbanising affect on the character and setting of the adjacent Trimdon Village Conservation Area. The east side of the village is currently approached via a winding country lane, has seen little change in terms of development and confirms the agricultural origins of the village. The proposed development would

**SEDGEFIELD BOROUGH COUNCIL**

**PLANNING APPLICATIONS - TO BE DETERMINED**

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detrimentally affect the character and setting of the Conservation Area with the introduction of significant highway alterations including a roundabout and road widening that would result in the loss of part of the designated village green. The development is therefore contrary to Policy E18 'Preservation and Enhancement of Conservation Areas' of the adopted Sedgefield Borough Local Plan.

3. The proposed landscaping of the development is inadequate in that a landscaped buffer to the east and south of the site has not been provided. Such a landscaped buffer to new residential development provides an attractive setting and an appropriate transition between the countryside and housing. Without this buffer the development would be highly visible as an encroachment into open countryside and contrary to the principles of Policy D 7 'Structural Landscaping around Major Developments' of the adopted Sedgefield Borough Local Plan.



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

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Appendix 1

25 Skerne Avenue Trimdon Village

- Supports housing development in Trimdon, feels it will help to regenerate the village

Manor House, Front Street South, Trimdon Village (2 letters)

- The site is not part of Trimdon Village and the development shows a complete lack of integration with the rest of the village and in no way does it encourage a sense of identity.
- There are very grave highway safety matters and the proposed development will increase the amount of traffic using Hurworth Burn Road.
- The development is situated at the wrong end of the village as most people travel in and out of Trimdon via the three exit roads of the crossroads.
- Doubts over Tony Blair's support for the scheme as I have been advised that this letter was not written by Mr Blair but written by others. This casts doubt on the Prime Ministers support.
- Some local residents have stated that the developer's agent has visited some of them to offer compensation for the removal of their view should the development go ahead. This is fine in principal however the condition that every one of the households must withdraw their objections is very disturbing. If this were the case then this situation is surely immoral and does not show the proposal in good light.
- Will damage appearance of the Conservation Area.
- Shows a lack of integration with rest of village
- The development would create extra noise and disturbance to the quietest part of the village.
- Would result in nearby properties losing light and south facing views
- Property values in the village will plummet
- Pedestrian access to schools etc would be over a medieval field and would destroy links to our historical heritage.
- Local Community could not support such a size of development with the school capacity being tight.
- The development will be on a Greenfield site outside of the village boundary
- Local wildlife would be negatively affected.

Boyston House East Lane, Trimdon Village (2 letters)

- To consider opening green belt land for large scale development requires a desperate need for housing and there is no need for new development in the village.
- This development would bring in new families when there are already insufficient amenities in the village for existing residents.
- There are serious contradictions in the applicant's submission
- The local road network cannot accommodate the vast increase in vehicles the development will bring and the proposed roundabout is out of character with the village especially the Conservation Area.
- There will be an increase in pollution from private vehicles travelling to their place of work.

## **SEDGEFIELD BOROUGH COUNCIL**

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

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- Three storey apartment blocks are of an inappropriate scale for the site and Trimdon Village

#### **Three Ways, East Lane, Trimdon Village (2 letters)**

- New housing will erode the character of the village and nearby conservation area and the image of the village will be forever and irreparably changed.
- The proposal is outside the village envelope and encroaches onto Greenfield sites.
- There would be increased volume of traffic for which the roads surrounding the development are poorly equipped to deal with.
- Questions need and demand for new housing in the village as there are already houses for sale.
- It is questionable that modern buildings should be positioned in such an old part of the village where some buildings date back to the 17<sup>th</sup> Century.
- Additional residents will ruin tranquillity, and village hasn't the capacity to absorb more residents.
- Loss of amenity would result in reductions in property values and will be a blight on a landscape that presently affords breathtaking views of the surrounding countryside.
- This area of the village has always been well maintained with effort to keep its character.
- A previous decision by SoS for the environment ruled against housing in the area in 1992 as there was no compelling need for more housing land in the village to be released, the development would alter the eastern approach and would dominated houses in East Lane.

#### **Fields View, East lane, Trimdon Village**

- A previous decision by the SoS ruled against housing in the area in 1992
- Questions need and demand for new housing in the village as there are many houses for sale in the area.
- The shopping area in Church Road is inadequate to cater for the development.
- The development would devalue our property.

#### **Bonningtons, 109 Hebden Road, Haworth West Yorkshire BD22 8RE**

- The supporting statement (SS) indicates that the application site is currently identified as under used grassland, however the application form indicates it is agricultural land
- Notes that the whole area of the application site is outside of the residential framework area that is designated for residential development.
- Until the current planning guidance is formally replaced with new Local and Structure Plans their policies must remain fully operational and applications determined accordingly
- The SS quotes from Policy 1 of the structure plan but fails to highlight that new development should have an unacceptable impact on the existing infrastructure

## SEDGEFIELD BOROUGH COUNCIL

### PLANNING APPLICATIONS - TO BE DETERMINED

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- The SS quotes from Policy 4 of the structure plan but fails to identify important aspects as *“the countryside should be protected from development which does not need to be located there”*
- The SS is correct where it states Policy H11 resists sporadic ribbon development, however it fails to state why Policy H11 does not operate in this particular case
- Suggests that a combined increase of 19.5% of the area of Trimdon Village is significant and not modest and arguments in this regard should be rejected
- The SS indicates the sudden loss of employment from mining has imposed significant social and economic strains on the community but fails to quantify and state what these are.
- Contrary to the SS there are already a range of house types in Trimdon
- The SS does not give any factual specific evidence to suggest Trimdon is anything other than thriving
- Considers that the supporting statement is flawed in many fundamental areas and does not give adequate factual data to support the application
- If approved there should be a strict condition that there is not to be vehicular access provided from the development leading to Swainby Road

#### 69 Front Street South, Trimdon Village

- Concerns regarding increase in traffic and noise during construction, which as a consequence would make the roads more dangerous particularly with the amount of dust and dirt on them.

#### 62 Front Street South, Trimdon Village

- The land should continue to be used for agricultural purposes
- There are other sites in the area that are more suitable for housing
- The site is outside of the village boundary
- New housing would spoil the approach from Hurworth Burn Road into the village and would look out of place. This approach will be totally destroyed forever with an out of place housing estate, because Trimdon Estates own land at Old Trimdon does not justify building a new housing estate.
- This development would start the future demise of a once ancient village.
- Amount of houses proposed is too large
- There is no work in Trimdon Village and residents of the new development would own two cars each and use them to travel further a field to get to work.
- Hurworth Lane has already seen several accidents, a situation which would be potentially exacerbated by the development, also the footpath is in need of renovation
- Development would cause unacceptable light pollution
- Local wildlife may come under pressure with the increase in disturbance that the development would bring

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

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The Gables East Lane, Trimdon Village

- The development is not within the settlement boundary for the village.
- The Council should abide by the existing Local Plan or expedite the production of a revised strategy.
- The plan should be assessed against draft Spatial strategy and existing brownfield sites within the Local Plan.
- The development shows a complete lack of integration with the rest of the village and subsequent additional phases would be even less integrated.
- The proposal relies heavily on having good access to local shops and amenities yet it relies on access across ancient meadow. This is not a practical route and paths from the edge of the meadow to the schools are quite convoluted.
- The Council needs to ensure that this plan is considered alongside potential implications for the protection of the meadow. Without development on the meadow the proposed plan does not integrate with the village.
- Traffic calming measures would be needed to lessen the chance of accidents
- The development does not relate well to existing and planned employment
- Development will invade privacy of nearby residents
- Development may cause property values to decrease
- The development should be set in context of the needs of other villages that have far less amenities, greater social problems and issues of sustainability that do not have the heritage of Trimdon
- Wildlife habitats would be damaged as a result of the housing

71 Front Street South Trimdon Village

- The local road network doesn't have the capacity for the traffic the development is expected to generate

64 Front Street South Trimdon Village

- Reservations regarding the site layout. No formal made up footpath or cycleways exist across the green land between the proposed development and shopping precinct.
- Contrary to the supporting statement no formal access exists across the green land between the proposed development and the shopping precinct.
- An ancient field will have to be landscaped destroying some of the rig and furrow features
- This development will lead to the bounding of the rig and furrow field leading to possible future housing development
- Three storey flats will look out of place in the village

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

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Appendix 2



Mr. John Quinn,  
Architectural Services,  
30 Front St. South,  
Trimdon Village,  
Co. Durham.

HOUSE OF COMMONS  
LONDON SW1A 0AA

Myrobella House,  
Farfield Terrace,  
Trimdon Station,  
Co. Durham.  
TS29 6DU  
10<sup>th</sup> October 2005

Dear John,

I am pleased to hear that the Council is concerned to respond to the increasingly urgent social problems in Trimdon Village. The lack of affordable attractive housing for young people is resulting in an ageing population, and this means that the community is finding it difficult to sustain existing services.

The local Infant and Junior Schools have both had a fall in pupil numbers that has led to the loss of teachers, and what is urgently needed is an influx of young children so that future planning and programming can be put in place.

At the moment it appears there is a danger of the village declining to the point where shopping facilities could be affected, and this in turn would create problems for the other "Trimdons" as they rely on the Village for these services. The fact that the area has the lowest car ownership in the County makes it imperative that local services are maintained.

I understand that there are two possible sites for future housing development, one being the land south of Trimdon Road, and the other being the land south of Broadway Avenue., and while both sites have their merit, it seems there would be less local opposition to the Trimdon Road site.

However, with the future development of "Net Park" being assured, quality housing will be needed for future workers, and both of these sites could therefore be utilized.

Given that the need for younger people to stay or come into the village is now urgent, it would be pleasing to see the Council make speedy plans for the development necessary to secure the village's future as a sustainable community.

Yours sincerely,

Rt. Hon. Tony Blair MP  
Email:myrobellahouse@hotmail.com

1.

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

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**PHILLIP K. BALL M.B.A.**  
*Director of Leisure Services*

Council Offices,  
Spennymoor,  
DL16 6JQ

Telephone: (01388) 816166  
Fax: (01388) 815374  
E-mail: [gcooper@sedgefield.gov.uk](mailto:gcooper@sedgefield.gov.uk)  
Our Ref: LS/GC/

Your Ref:

This matter is being dealt with by:  
Mr. G. Cooper ext. 4488

31/5/06

Dear Sir/Madam

**TRIMDON COMMUNITY COLLEGE – ALL WEATHER SURFACE  
DEVELOPMENT**

Sedgefield Borough Council's Leisure section have used Trimdon Community College and its facilities for over ten years to provide access to quality play, sporting, cultural and social activities.

Leisure Services has used the existing all weather pitch to provide numerous coaching sessions which have included football, hockey, tennis and cricket. These sessions have been carried out both during and after school as well as most school holiday periods. We have managed to work with hundreds of young people over the years and are well aware of the existing Trimdon United Juniors FC and how they are currently using this facility to coach children and young people between the ages of 5 and 18 years.

We have been informed by the Community Colleges management committee that the existing all weather pitch is past its predicted lifespan and that they are working closely with Trimdon Estates (who are looking to develop housing near the site) to secure funding to enable the development of a new all weather pitch.

This letter is an endorsement to the development of the above scheme. Without this facility the Leisure Section, Trimdon United Juniors and indeed the infrastructure of a number of adult football teams will be greatly effected. The nearest all weather facility is Sedgefield and they are currently at capacity and although adults may be able to travel to this facility it would be very difficult for young people.

2.



**SEDGEFIELD BOROUGH COUNCIL**

**PLANNING APPLICATIONS - TO BE DETERMINED**

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The Governments targets regarding Children and Young People via its 'Every Child Matters' agenda highlights two areas which will be greatly effected if we were to loose this facility, they include 'improve access to regular physical exercise' and 'improve access to safe leisure and recreational facilities'. The Trimdons are in the top 5% nationally most deprived wards when it comes to health and top 10% when it comes to income.

We feel by supporting this new development it will enable us to continue to deliver high quality physical activity coaching to the young people of Trimdon and start to make in roads in decreasing the health problems within our most rural area.

Thank you.

Yours faithfully



Gary Cooper  
**YOUTH/SPORTS DEVELOPMENT OFFICER**

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

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# Trimdon Community College

REGISTERED CHARITY NUMBER 1053363

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Warden : T. CLOGG  
Fax No.: 01429-880349

c/o COUNTY JUNIOR SCHOOL  
ELWICK VIEW  
TRIMDON VILLAGE  
CO. DURHAM  
TS29 6JU  
© 01429-881521

5<sup>th</sup> June 2006

Dear Sir/Madam,

***TRIMDON COMMUNITY COLLEGE***  
***ALL WEATHER SURFACE***

Trimdon Community College was established nearly twenty years ago with the responsibility of delivering community led services to the residents of all three Trimdon's. The College focused on the social and recreational elements of community development, establishing a number of different sporting clubs.

To further this development the College managed to secure a loan from Sedgfield Borough Council to enable them to build an all weather, state of the art, playing pitch facility. The facility allowed the development and participation in a number of different sports which could be accessed at minimum cost and during all weathers as well as on an evening (floodlights).

This facility has enabled thousands of children, young people and adults alike to develop their sporting skills as well as improve their health. Football stars including Middlesbrough's Colin Cooper and Sunderland's Tommy Miller both started their footballing careers with Trimdon United Juniors who use this facility day in and day out.

Our links with other partners including Sedgfield Borough Council's Leisure Services, who have used the all weather pitch for over ten years to deliver sporting activities. This is also the same for Houghall and Peterlee colleges who use their student sports coaches to deliver sessions during the school holidays.

The pitch is also the college's major income earner which allows us to provide numerous activities for the community including carpet bowls, junior clubs, holiday activities, etc. either free or at a very minimal cost to the user (50p).

The College has been aware for the past couple of years that the facility is deteriorating rapidly and needs to be renewed, however after costing out the provision of new all weather pitch it became apparent the cost of doing so was well past the means of the college (£200/2500,000).

3.



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

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- 2 -

The College has been made aware of the proposed housing development that Trimdon Estates are looking to implement next to the College. Trimdon Estates have identified in writing that if they are successful in receiving planning permission then they would rebuild the all weather surface and make a substantial investment into the Trimdons community.

Having identified all of the above I am sure you can see the immense possibilities for the College and its future if the Trimdon Estates bid was to be supported. Even outside of the colleges benefits the general increase in population and in turn the financial and economical input into the local community would be tremendous.

I would be grateful if you would accept this letter as a letter of support to the Trimdon Estates bid and would appreciate it if you would keep us updated of its progress.

Thank you.

Yours sincerely,

P.P. 

Andy Coulthard  
Trimdon Community College Association  
Chairman

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

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**TRIMDON JUNIOR SCHOOL**



**Mr D R Craig**  
**Headteacher**

Elwick View  
Trimdon  
Trimdon Station  
Co Durham  
TS29 6JU

Phone: 01429 880349  
Fax: 01429 880349  
Email:  
d.craig100@durhamlea.org.uk

Monday 22nd May 2006

Dear Mr Quinn,

Thank you for visiting school recently - I am sorry that I was out of school at a meeting elsewhere and therefore unable to talk to you personally.

With regard to the proposed housing scheme to the East of Swainby Road, Trimdon Village, I am writing to give you our full support for these proposals. Over the last few years there has been a distinct trend of falling rolls at our school. For example, this time last year the roll of our school was 210; as from September 2006 it will be 176. Therefore, I feel it would be beneficial for there to be new housing in the village for a whole host of reasons, not least the educational provision and viability of the Trimdon Village schools.

If I can be of any further assistance regarding this matter, please do not hesitate to contact me.

Yours sincerely,

Mr D R Craig  
Head Teacher

PAUL: INFO RE  
FALLING ROLLS  
AT JUNIOR SCHOOL.

*John*  
4.

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

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**TRIMDON 2000 LIMITED**

Registered Office: Trimdon House, Landreth Grove, Trimdon Village,  
Co Durham, TS29 6QH Telephone: 01429 883033 Fax: 01429 882333  
E – Mail: [t2kmanager@btconnect.com](mailto:t2kmanager@btconnect.com)

Mr. Quinn  
Architectural Services  
30 Front Street South  
Trimdon  
Co Durham  
TS29 6LY

Dear Mr. Quinn

**Development of land east of Swainby Road**

I write on behalf of Trimdon 2000 Ltd to express support for the proposed housing development by Trimdon Estates ( T/a Town and City Holdings) on land east of Swainby Road Trimdon.

For a number of years the village has received EU money to support the local infrastructure based on 'deprivation' indicators.

The size of a development such as this will provide much-needed economic stimulus in the village to help halt the decline in local amenities and services.

Yours sincerely



Chair  
Trimdon 2000 Ltd.

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A Company Limited by Guarantee Registration Number 3600383  
A Registered Charity Number 1086675  
VAT Registration Number 734223066  
A project supported by the Northern Rock Foundation



**New Opportunities Fund**  
YOUR LOTTERY • YOUR COMMUNITY



5.

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

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**TRIMDON PARISH COUNCIL**

Tel. (01429) 880224

L Oliver  
Clerk to the Parish Council

C/o The Junior School  
Elwick View  
Trimdon Village  
Co. Durham.  
TS29 6JU

21 October 2005

J Quinn  
Architectural Services  
30 Front Street South  
Trimdon

Dear Mr Quinn

**Development of land east of Swainy Road**

The Parish Council has agreed that it wishes to support wholeheartedly the proposed housing development by Trimdon Estates (T/a Town and City Holdings) on land east of Swainby Road.

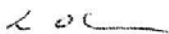
The development is much needed in the village in order to arrest the decline in pupils at the local junior and infants schools as well as to support the local economy.

The increased income to the Parish Council from a substantial development such as this will enable the Parish Council to provide much needed additional facilities for the village.

In particular the benefit of new housing in a small parish is substantially out of proportion with the benefit provided in the larger towns that already have much greater precepts at their disposal.

The Parish Council therefore wishes to urge Trimdon Estates to continue with the proposed development and the Borough Council to support the proposal.

Yours sincerely



6.

**SEDGEFIELD BOROUGH COUNCIL**

**PLANNING APPLICATIONS - TO BE DETERMINED**

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2. 7/2006/0312/DM APPLICATION DATE: 9 May 2006

PROPOSAL: **ERECTION OF 121 DWELLING AND 12 APARTMENTS WITH ASSOCIATED INFRASTRUCTURE AND LANDSCAPING**

LOCATION: **THRISLINGTON DEPOT STATION ROAD WEST CORNFORTH FERRYHILL CO DURHAM**

APPLICATION TYPE: Detailed Application

APPLICANT: Justin Hancock  
H J Banks & Company, Inkerman Road, Tow Law, Co Durham, DL13 4HG

**CONSULTATIONS**

1. Cllr. A. Hodgson
2. Cllr. M. Predki
3. DCC (PLANNING)
4. DCC (TRAFFIC)
5. NORTHUMBRIAN WATER
6. CORNFORTH P.C.
7. ENV AGENCY
8. ENGINEERS
9. ENV. HEALTH
10. L.PLANS
11. DESIGN
12. LANDSCAPE ARCH
13. POLICE HQ
14. DCC (PROWS)
15. ENGLISH NATURE

**NEIGHBOUR/INDUSTRIAL**

Birch Road:1,2,3,4,5,6,7,8,9,10  
P.O Box 36 Flat 14, High Street The Victoria, High Street Kier Northern, High Street H J Banks, High Street Spennymoor Car & Van Hire, High Street St Marks Warehouse, High Street Thrislington Cottage, High Street Scarlet Band Motors, High Street District Community Centre, High Street Community Centre, High Street Thrislington Works, High Street The Leas, High Street The Bungalow, High Street  
The Oaks:1,20,19,18,17,16,15,14,12,11,10,9,8,7,6,5,4,3,2  
Ash Terrace:1,2,3,4,6,8,10,12,14,16,18,20,22,24,26,3a,4a  
Station Road:14,16,15,13,12,11,10,2,1  
Cedar Terrace:1,2,3,4,5,6,7,8,9,10,11,12,13,14  
High Street:6,17,11,23,19,25,21,10,15,14,13,9,7,5,4,3,2,1  
Laburnum Road:1,2,3,4,5,6,7,8  
Thurstan  
Grange: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

## SEDGEFIELD BOROUGH COUNCIL

### PLANNING APPLICATIONS - TO BE DETERMINED

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Hawthorne

Road: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

Stobb Cross Villas:9,8,7,6,5,4,3,2,1

Maple Grove:1,2,24,25,26,27,28,29,30,31

Stobb Cross Road:4,3,2,1,26,25,24,23,22,22A,21,20,19,18,17,16,15,14,13,12,11,10,9,8,7,6,5

Poplar

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

Sycamore Road:6,5,4,3,2,1

North View:1

29A Oak Terrace,

High Street

Oak Terrace:33,31,29,22,20,18,16,14,12

### BOROUGH PLANNING POLICIES

|     |  |
|-----|--|
| E14 | Safeguarding Plant and Animal Species Protected by Law           |
| H8  | Residential Frameworks for Larger Villages                       |
| IB2 | Designation of Type of Industrial Estates                        |
| T6  | Improvements in Road Safety                                      |
| T6  | Improvements in Road Safety                                      |
| D1  | General Principles for the Layout and Design of New Developments |
| D5  | Layout of New Housing Development                                |
| D10 | Location of Potentially Polluting Developments                   |

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### THE PROPOSAL

This application seeks planning permission for the erection of 121 dwellings and 12 apartments, associated infrastructure and landscaping on the Thrislington Depot site at Station Road, West Cornforth. The application site is bound to the north and east by a tree belt with agricultural land beyond, to the east by Station Road, to the south by the C24 road that links West Cornforth with the bypass.

Access to the site is proposed via two access points off the C24 road and a pedestrian access direct to Station Road.

### CONSULTATION AND PUBLICITY RESPONSES

Cornforth Parish Council has advised that they support the development and consider that the proposed development will improve the housing mix within West Cornforth, considerably assist the regeneration of the village and enhance its viability as a settlement.

The County Highway Engineer has offered comments regarding footpath and highway widths and arrangements. Following the receipt of amended plans no objections are now raised.

Environmental Health has raised no objections but advised that issues such as contamination, noise from machinery and hours of operation should be addressed and this can be done by imposing relevant planning conditions.

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

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Durham County Council Rights of Way Officer has advised that no public rights of way will be affected by this development.

Northumbrian Water has advised that the foul flows from the proposed development can discharge unrestricted into the public sewer and that there is capacity at the Sewage Treatment Works. However, surface water flows cannot discharge to the public sewerage system and should discharge to the watercourse north of the site. The developer should consult with the Environment Agency regarding these flows.

The Environment Agency has raised no objections but suggested several conditions relating to contaminated land and advised that discharging into the watercourse is acceptable.

English Nature has advised that based on the information provided that the proposal is unlikely to have an adverse affect in respect of protected species. They have also specified a condition stating that the development shall take place in accordance with the mitigation set out in the ecological report.

The County Council Policy Section has advised that the application site would constitute a significant residential extension to Cornforth. The application site also lies within the Mineral consultation Area surrounding Thrislington Quarry. Policy 78 and M14 of the Minerals Plan seek to prevent the sterilisation of mineral deposits. In this case the development would lie outside the consented area for mineral extraction therefore the proposal would not sterilise significant quantities.

The County Council has yet to agree a restoration strategy for the quarry and therefore the Council is unable to predict the magnitude or duration of any potential adverse impacts associated with the restoration or future use in accordance with the allocation in the Waste Local Plan. The proposed residential development would introduce a sensitive land use in close proximity to the Waste Local Plan allocation at Thrislington Quarry. In terms of minerals and waste planning matters the proposed development is considered to be a sensitive land use that could potentially encroach upon an operational quarry which has yet to be fully restored. However, the amendment to delete housing in the most sensitive section of the site would assist in mitigating such potential effects so that, on balance, it would be sufficient to overcome a policy objection in relation to Policies W5 and W58 of the Waste Local Plan.

Site notices were erected, an advertisement placed in the local press and letters sent to neighbouring occupiers advising of the application. To date one letter has been received from Lafarge Aggregates who raised the following concerns:

- Any perceived environmental impact on future homeowners would severely impact on the day to day operation of the existing quarrying and mineral processing operations and would prejudice any planning application submitted in line with the adopted Waste Local Plan (WLP).
- Notwithstanding the distances from the WLP boundary to the application site this may give little comfort to new residents on the site should a subsequent application be lodged and it would not be unreasonable for Lafarge to expect considerable objection from occupiers of land which was, at the time of the WLP public inquiry, designated as Industrial Use.
- The development is a departure from the Local Plan.

## **SEDGEFIELD BOROUGH COUNCIL**

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

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- The proposal should be considered as a whole when assessing the impact on the WLP allocation for Thrislington Quarry. The removal of some of the nearest properties is not considered to be relevant and may not alleviate conflict from other future residents.

#### **PLANNING CONSIDERATIONS**

The main planning considerations in this case are as follows:

- Compliance with National Planning Policy and Guidance and Local Plan Policies.
- Affordable Housing Provision
- Design, layout and impact on residential amenity
- Impact on Protected Species

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

The application site is located outside the residential framework of West Cornforth identified in Policy H8 'Residential Frameworks for Larger Villages' and is allocated as a Local Industrial Area under Policy IB2 'Designation of Type of Industrial Estates' of the Borough Local Plan. Therefore as the application does not accord with the provisions of the Development Plan in force in the area it has been advertised as a Departure.

As the land is currently designated for industrial purposes, its redevelopment for other uses is covered by the revised Paragraph 42(a) of PPG3. This paragraph stipulates that LPAs should consider favourably planning applications for housing or mixed-use developments that concern land allocated for industrial or commercial use but which is no longer needed for such use, unless any of the following apply:

- 1) The proposal fails to reflect the policies in PPG3 (inc Para 31), particularly those relating to a site's suitability for development and the presumption that previously-developed sites should be developed before Greenfield sites;
- 2) The housing development would undermine the planning for housing strategy set out in the Regional Spatial Strategy or the development plan document where this is up-to-date, in particular if it would lead to over-provision of new housing and this would exacerbate the problems of, or lead to, low demand;
- 3) It can be demonstrated, preferably through an up-to-date review of employment land that there is a realistic prospect of the allocation being taken up for its stated use in the plan period or that its development for housing would undermine regional and local strategies for economic development and regeneration.

#### **In response to point 1**

It is considered that the application site performs well against paragraph 31 of PPG3 that 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:



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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.

It is considered given the location of the application site although outside the residential framework the development of the village is acceptable as it is in close proximity to local facilities and would represent a sustainable urban extension as the proposal would result in housing occupying land that is immediately to the West of Cornforth. As such, when appraised against the principles of Draft PPS3 and criteria from paragraph 31 of PPG3, this location performs well.

#### **In response to Point 2**

In terms of how the proposal accords with the Submission Draft Regional Spatial Strategy (RSS) the proposal is considered to be in accordance with Policy 3 in that the development meets the sequential test in terms of prioritising sites for development. In this case the development of this Brownfield site is in a sustainable location.

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. Although the Borough currently has just under a seven year supply of housing it is considered that the release of a Brownfield site beyond the residential framework is acceptable.

#### **In response to Point 3**

The Council is due to undertake a review of employment land to determine if land is no longer needed for employment purposes before it is contemplated for other uses in Autumn this year. However, if the Borough were to identify a surplus of industrial land, it is considered that when

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looking for previously-developed industrial sites to meet the need for housing, it is better that local industrial estates in sustainable locations are de-allocated and lost to housing before general or prestige employment areas. This would be the case with this local industrial estate.

#### Affordable Housing Provision

It is considered that having assessed the land registry data for residential property prices within West Cornforth over the last three years it is apparent that there is not currently an affordability issue within the village. It is therefore not necessary to request for an element of affordable homes within this scheme.

#### Design, layout and impact on residential amenity

As with all large housing developments it is essential that a high quality scheme both in terms of layout and architectural quality be achieved. In terms of the design and layout of the scheme the proposal must not only comply with the design policies, specifically policies D1 'General Principles for the Layout and Design of New Developments' and D5 'Layout of New Housing Development' contained within the local plan but also the new CABI guidance recently endorsed by the Council. CABI is the government advisor on architecture, urban design and public space and some of their recent reports demonstrate that a significant number of new housing developments in the North of England are failing to deliver higher design quality in new developments.

In order to promote a higher quality of design Management Team has endorsed the CABI and Home Builders Federation 'Building for Life' standard in order to seek higher design standards and good place making in residential developments. The 'Building for Life' standard asks a series of 20 questions for developers to answer to show how they will deliver high quality residential schemes. The standard identifies that schemes do not need to answer all 20 questions but that it will be used to assess overall design quality and allow the Local Planning Authority to negotiate with developers to ensure that high quality design is secured and poor quality design is rejected.

In this instance the proposed development is outward looking with a strong frontage of a mix of three storey town houses and two storey terraced properties in a crescent overlooking areas of public open space. In the southwest corner of the site, the area where housing was deleted due to its proximity to the quarry, this area is to be planted for short rotation coppicing and which will provide an attractive green space. As there are several constraints within the site such as an existing pumping station, access route for Lafarge and electricity substations it has meant that a specifically designed layout has resulted with areas of open green space. Within the development it is proposed to erect a mix of house types varying from specifically designed house types wrapping the corner sites thereby creating a gateway feature in prominent corner locations to detached houses and apartments adjacent to Station Road. The house types have been specifically designed to create a sense of place with a mix of brick, render and timber cladding and bay windows.

In terms of landscaping it is proposed to create areas of public open space and plant many of the boundaries with hedging that will contribute to creating a distinctive interesting layout.

**In terms of overlooking to existing properties proposed cross sections have been submitted with the application that indicate existing and proposed levels. Whilst there is**

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**a slight difference in level between the application site and existing properties in Station Road** it is not considered that the three storey apartment block would not cause any significant loss of privacy as they are set back approximately 6 metres from Station Road and the existing landscaping that currently exists between the application site and Station Road is to be retained.

In terms of open space provision a total of 7980sqm (0.798ha) of open space should be provided on site to be in accordance Policy L2 'Provision of Open space in New Housing Development'. However, as this policy was written before the introduction of government guidance on densities for new housing developments a more flexible approach has been adopted and as such half of the required amount is now sought. In this instance 0.71ha (89%) of open space is being provided on site and therefore there is a shortfall of approximately 800sqm (10%) of open space. A commuted sum of £9100 (£700 per dwelling) is therefore sought towards off site play provision / environmental improvements in lieu of the open space that should be provided on site. The applicant has been informed of the commuted sum required and a suitable condition is proposed.

#### Impact on Protected Species

As part of the application the applicant was asked to submit an Ecological report to assess the impact of the development on protected species. A report has been submitted and the views of English Nature have been sought. English Nature have responded to state that they have no objection to the proposal in relation to species specifically protected by law subject to the following condition being imposed:

#### CONCLUSION

It is considered that the development meets the requirements of PPG3 in terms of layout, design, density and car parking but also reflects the character and setting of existing development in the surrounding area. The developers have responded to the CABE criteria that has resulted in a scheme that has been individually designed for the site and which has regard to its setting and surroundings. The design of the development and buildings, including the creation of an area of public open space helps the development to have a specific character.

Finally, should Members be minded to grant planning permission for the development the application will need to be referred to the Government Office for the North East (GONE) under the Town and Country Planning (Development Plans and Consultation) (Departures) Directions 1999 as the proposal does not accord with the Local Plan in force in that area.

The notification requirements of the Direction provide GONE an opportunity to check general compliance with the guidance set out in Government, Regional and Local Plan Policy and to consider whether the application should be called in for determination.

#### 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 officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

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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 granted subject to 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: amended site layout Rev C received 25th September 2006. House Types E Special HJB/608/PA27, B special HJB/608/PA29, H special HJB/608/PA30, N special 2 HJB/608/PA31 and N special 3 HJB/608/PA32.

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

3. Notwithstanding the provisions of Class A of Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order) details of any walls or fences or other means of enclosure shall be approved by the Local Planning Authority.

Reason: In the interests of safeguarding the visual amenity of the residential area, and to comply with Policy D1 (General Principles for the Layout and Design of New Developments) and Policy D5 (Layout of New Housing Development), of the Sedgfield Borough Local Plan.

4. 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.

5. 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 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.

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7. 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 Sedgefield Borough Local Plan.

8. 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.

9. 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.

10. 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 Sedgefield Borough Local Plan.

11. No development shall be commenced until details of all means of enclosure on the site have been submitted in writing and approved by the Local Planning Authority. The development shall be undertaken in accordance with these approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity, and to comply with Policy D1 (General Principles for the Layout and Design of New Developments), and Policy D5 (Layout of New Housing Development), of the Sedgefield Borough Local Plan.

12. 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 details.

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Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal, to prevent pollution of the water environment and to comply with Policy D13 (Development affecting watercourses) of the Sedgefield Borough Local Plan.

13. No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been submitted to and approved in writing by the Local Planning Authority. The drainage works shall be completed in accordance with the details and timetable agreed.

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal and to comply with Policy D13 (Development affecting watercourses) of the Sedgefield Borough Local Plan.

14. Notwithstanding the plans hereby approved the finished floor levels of the development allowed by this permission shall be no lower than 600mm above existing ground level.

Reason: To minimise the risk of flooding and to comply with Policy D13 (Development affecting watercourses) of the Sedgefield Borough Local Plan.

15. No development shall take place unless in accordance with the mitigation detailed within Sections 3.3 and 3.5 of the ecological assessment (Thrislington Works, West Cornforth: Ecological Walkover Survey and Assessment, Applied Ecological Services Ltd, 22 June 2006) including, but not restricted to adherence to timing and spatial restrictions and/or undertaking confirming surveys.

Reason: To avoid works during the bird breeding season and to comply with Policy E11 (Safeguarding of Sites of Nature Conservation Interest) of the Sedgefield Borough Local Plan.

16. No development approved by this permission shall be commenced until:

a) a desk top study has been carried out which shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information. And using this information a diagrammatical representation (Conceptual Model of the geology and hydrogeology) for the site of all potential contaminant sources, pathways and receptors has been produced.

b) A site investigation has been designed for the site using the information obtained from the desktop study and any diagrammatical representations (Conceptual Model of the geology and hydrogeology). This should be submitted to, and approved in writing by the LPA prior to that investigation being carried out on the site. The investigation must be comprehensive enough to enable:

- a risk assessment to be undertaken relating to ground and surface waters associated on and off the site that may be affected, and

- refinement of the Conceptual Model, and

- the development of a Method Statement detailing the remediation requirements

c) The site investigation has been undertaken in accordance with details approved by the LPA and a risk assessment has been undertaken.

d) A Method Statement detailing the remediation requirements, including measures to minimise the impact on ground and surface waters, using the information obtained from the Site Investigation has been submitted to the LPA. This should be approved in writing by the LPA prior to that remediation being carried out on the site.

Reason: To protect Controlled Waters and ensure that the remediated site is reclaimed to an appropriate standard.

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17. 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.

18. Upon completion of the remediation detailed in the Method Statement a report shall be submitted to the LPA that provides verification that the required works regarding contamination have been carried out in accordance with the approved method Statement(s). Post remediation sampling and monitoring results shall be included in the report to demonstrate that the required remediation has been fully met.

Future monitoring proposals and reporting shall also be detailed in the report.

Reason: To protect Controlled Waters by ensuring that the remediated site has been reclaimed to an appropriate standard.

19. No diesel-powered plant or equipment shall be used on the site on any Sunday, Saturday afternoon or Bank holiday nor at other times other than between the hours of 8.00am and 6.00pm and no building, packing or other materials shall be allowed to blow off the site. No fires shall be burned within 100 metres of occupied dwellings.

Reason: To protect the amenities of the occupiers of nearby premises and to comply with Policy D10 (Location of Potentially Polluting Developments) of the Sedgefield Borough Local Plan.

20. The development hereby approved shall not commence by the undertaking of a material operation as defined by Section 56(4) of the Town and Country Planning Act 1990 until the completion of a legal agreement/planning obligation to secure the payment of a commuted sum of £9100 in lieu of the provision of open space. No development shall commence until the applicant, or subsequent developer has received written confirmation from the Local Planning Authority that the payment of the commuted sum has been paid.

Reason: The development fails to provide adequate open space or play provision within the site and in order to satisfy the requirements of Policy L2 (Provision of Open Space in New Housing Development) of the Sedgefield Borough Local Plan a contribution is being sought for off site play provision and/or environmental improvement works in the form of a commuted sum

21. The development of the site should be carried out in accordance with the approved Method Statement.

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

#### **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, access, parking and design.

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

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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:

E14 Safeguarding Plant and Animal Species Protected by Law

H8 - Residential Frameworks for Larger Villages

IB2 Designation of Type of Industrial Estates

T6 - Improvements in Road Safety

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

D5 - Layout of New Housing Development

D10 - Location of Potentially Polluting Developments



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3. 7/2006/0479/DM APPLICATION DATE: 26 July 2006

PROPOSAL: **ERECTION OF INDUSTRIAL LEARNING CENTRE**

LOCATION: **LAND AT HEIGHTINGTON LANE AYCLIFFE INDUSTRIAL ESTATE  
NEWTON AYCLIFFE DL5 6AL**

APPLICATION TYPE: Detailed Application

APPLICANT: Vocational Learning Trust  
c/o County Durham Business Learning Partnership, Broom Cottages  
Primary School, Ferryhill, Co Durham, DL17 8AN

**CONSULTATIONS**

1. GREAT AYCLIFFE TC
2. Cllr. J.P. Moran
3. Cllr. W.M. Blenkinsopp
4. Cllr. Mr. J.K. Piggott
5. DCC (TRAFFIC)
6. NORTHUMBRIAN WATER
7. ENGLISH NATURE
8. BUILDING CONTROL
9. ENV AGENCY
10. WILDLIFE TRUST
11. ENGINEERS
12. ENV. HEALTH
13. L.PLANS
14. ECONOMIC DEV
15. DESIGN
16. LANDSCAPE ARCH
17. POLICE HQ
18. DCC (PROWS)

**NEIGHBOUR/INDUSTRIAL**

Durham Precision Engineering  
Tyne Tees Packaging Ltd  
ALM Products Ltd  
Travik Chemicals Ltd  
M & M Plasline  
Waste Transfer Station  
PWS Distributors Ltd  
Xcel Holdings

**BOROUGH PLANNING POLICIES**

IB2 Designation of Type of Industrial Estates  
IB5 Acceptable uses in Prestige Business Areas  
D4 Layout and Design of New Industrial and Business Development

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| D1  | General Principles for the Layout and Design of New Developments |
| D2  | Design for People  |
| D3  | Design for Access  |
| D7  | Structural Landscaping around Major Developments                 |
| E14 | Safeguarding Plant and Animal Species Protected by Law           |
| D13 | Development Affecting Watercourses                               |
| D10 | Location of Potentially Polluting Developments                   |

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#### **PROPOSAL**

This is a full application that seeks to erect an Industrial Learning Centre, an educational establishment tailored to the needs of providing training and qualifications required for employees in local industry. The site is 1.055 ha in area and allocated for prestigious business uses primarily intended to attract uses such as office development, research and development, and light industry within the remit of Class B1 of the Use Classes Order.

The stated purpose of this application is to provide an educational establishment (use Class D1) with a curriculum designed to meet to the training needs of local industry and business in the area in which it will be situated. Durham County Council will operate the Educational Trust in partnership with local business to provide vocational training for 14 to 19-year-old students and post-graduate teacher training facilities.

Located on the Aycliffe Industrial Estate close to the junction of Heighington Lane with Long Tens Way, a number of businesses already have their offices in the area. A conference centre has recently been granted permission on land to the north of the site across Heighington Lane. Within this context, a high standard of landscaping and building design is required.

Details of the proposal include the erection of a 400sqm area 2 storey centrally positioned teaching and administration block within landscaped grounds. Vehicular access to the main highway system will be via an improved existing access road with pedestrian footway constructed to adoptable standard with 42 parking spaces provided to the front of the building.

#### **CONSULTATION AND PUBLICITY RESPONSES**

Great Aycliffe Town Council have no comment to make on planning grounds and would add that initiatives if this type are welcome in their area.

The County Highways Engineer has indicated that the nearest bus stop on Durham Way South is approximately 550 metres away and investigations on provision of a bus stop closer to the site should be made. Confirmation of a 1.8 metre wide footway link to adoptable standard, including street lighting provision will be required under a Section 38 Agreement and the proposed access up to the 6 metres radius tangent points should be constructed to adoption standard with the carriageway surface to demark the entry into a private access road arrangement. Subject to these provisions being made, the Highways Authority would have no objections to the development.

English Nature advises that, on the information provided by the applicant, the proposal is unlikely to have an adverse affect in respect of species subject to protection by law but require

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

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that mitigation measures contained within the submitted protected species report be put in place before commencement of the development.

The Police Architectural Liaison Officer has offered comments on crime prevention methods both internally and externally. A copy has been forwarded to the applicant.

The Environment Agency has no objection to this proposal subject to conditions pertaining to drainage of the site and the production of a desktop study to identify any potential contaminants that may be in place on the site.

Environmental Health requires that, where necessary, means of noise attenuation be placed on machinery and the burning combustible materials on site should be prohibited unless it is not reasonably practicable to dispose of the material in any other suitable manner.

#### **PLANNING CONSIDERATIONS**

##### **Compliance with National and Local Plans Policy**

The site is located within a commercial and business area with the land designated under Policy IB2 (Designation of Industrial Estates) of the Borough Local Plan as an existing prestige business area where the primary objective is to encourage manufacturing and service industries. Both Policies IB1 (Types of Industry & Business Areas) and IB5 (Acceptable Uses in Prestige Business Areas) are designed to encourage development within Use Classes B1 (business), B2 (manufacturing) and B8 (warehousing/distribution). It is considered that the proposed development will accord with the aims of these policies.

The Draft Regional Spatial Strategy (2004) is supportive in its efforts to embrace further education and, by encouraging greater links with local business particularly in terms of work-force development, research and development opportunities the proposal will be likely to serve the needs of the wider community. Though an educational establishment (Use Class D1), its primary purpose will be to provide the vocational training for future employment needs forged by close links with the business community. In this respect, the proposal will satisfy both the requirements of the Borough Local Plan and emerging Regional Planning Policy.

Under Policy D4 (Layout & Design) of the Borough Local Plan, new business developments are expected to have a layout and design appropriate to a setting within a prestige business area. They should accommodate resultant generated traffic and refrain from causing danger or inconvenience to other road users. Landscaping should be of the highest standard and regard paid to Policies D1 (General Principle of Layout and Design), D2 (Design for People) and D3 (Design for Access). It is important that new business developments are laid out and designed so to project an attractive image of the Borough and in this case the proposal will comply with the requirement of these policies in providing an accessible development of good design in this location.

Given the scale and requirements of the Industrial Learning Centre it is considered that it would be difficult to place it in a town centre location, even if a flexible and realistic approach was taken with regard to the building's scale and format in order to fit the building onto a more central site. The chosen location within the Aycliffe Industrial Estate is an edge of centre location which is well connected with the town centre, but which is also well placed to provide a facility to its "targeted audience", the businesses based on the industrial estate.

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Currently take up rates of the undeveloped industrial land at Aycliffe Industrial Estate have reduced. As such, the proposed training centre may have the potential to act as a catalyst for revitalising the overall industrial estate and, any initiative that may encourage the 'levering in' of other inward investment to Aycliffe Industrial Estate, should be encouraged.

### **Design and Layout**

The main building will comprise of two parallel 45 metre long by 12 metre wide two storey blocks linked centrally utilising a contemporary design contained beneath an arched roof and horizontal glazing concentrated on the upper floors of the main building. Externally, the ground floor will be clad in a facing brick with wood cladding used on the upper floor. By way of contrast, the central section will have vertically orientated glazing on both floors and a two storey entrance canopy with subsidiary atrium will be positioned on the front elevation of the building. Overall, the building will present a contemporary building of good design that will compliment the prestige location in compliance with Policy D4 of the Borough Local Plan.

With regard to landscaping, the site benefits from a strong tree belt along on the boundaries, which will be retained in large part by the landscape scheme with the exception of a small section of trees on the eastern boundary to form the entrance to the site. Additional trees will be planted on small groups within the site. New planting within the site will be limited to native species. Hard landscaping will centre on the formation of parking and pedestrian routes using porous brick. Following discussions with the Councils' Landscape Architect the landscaping master plan is considered to be acceptable in accordance with Policy D7 of the Borough Local Plan

### **Highways and Access to the Site**

Access to the site from Heighington Lane will be via an existing roadway serving the waste transfer station. County Highways have no objection to the principle of the access layout but require that the 1.8 metre wide footway be constructed from the junction radius on Heighington Lane be to adoptable standard, including street lighting, and be undertaken under the aegis of a Section 38 Agreement (Highways Act 1980). The first 6 metres of the proposed access up to the 6-metre radius tangent should be constructed to adoption standard, with a 100 x 150mm pre-cast channel block laid flush with the carriageway surface to demark the entry into a private access road.

The addition of a bus stop closer to the centre will assist in further improving accessibility to the site and an informative to this end can be appended to any planning permission granted

### **Ecology**

Based on the information provided in the Durham Wildlife Report on the presence of Great Crested Newts on the site English Nature are of the opinion that the proposal is unlikely to have an adverse affect upon the habitat of this species but would require that the mitigation detailed in the report be supported by a planning condition.

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**CONCLUSION**

The proposal will provide a well placed vocational training facility to provide for the needs of the local business community that complies with the aims of both Borough Local Plan policy and regional and national planning guidance in respect of supporting of local industry, promoting vocational education and forging closer links between business and the community. In terms of its design, the proposal will provide a high quality of building within landscaped grounds that is commensurate with the character and appearance of the prestige business sites that are emerging nearby. The development will not have an adverse environmental impact, performs well against the sequential test, is accessible to non-car users and can be serviced appropriately.

**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 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 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 approved plans, specifications and conditions hereby imposed.

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

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. 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.

## **SEDGEFIELD BOROUGH COUNCIL**

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

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5. 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 Sedgefield Borough Local Plan.

6. 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.

7. 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 Sedgefield Borough Local Plan.

8. 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 Sedgefield Borough Local Plan.

9. Prior to the commencement of development on site a detailed tree survey shall be carried out and submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the recommendations of the tree survey unless otherwise agreed in writing by the Local Planning Authority. No trees on the site shall be lopped, topped, pruned or felled, without the prior consent of the Local Planning Authority. Any trees which are removed with consent shall be replaced with trees of such size and species as may be agreed with the Local Planning Authority.

Reason: To preserve the visual amenity of the area, and to comply with Policy E15 (Safeguarding of Woodlands, Trees and Hedgerows) of the Sedgefield Borough Local Plan.

10. No development shall take place unless it is in accordance with the mitigation detailed within Sections E1 - E 13 of the protected species report (Proposed Industrial Learning Centre, Newton Aycliffe, Great Crested Newt Report by Durham Wildlife Services, July 2006) including but not restricted to obtaining a DEFRA licence; adherence to timing and special restrictions; provision of mitigation in advance at receptor site and abhorrence to precautionary working methods

Reason: In order to conserve protected species and their habitat in accordance with the requirements of Policy E14 of the Sedgefield Borough Local Plan.

## **SEDGEFIELD BOROUGH COUNCIL**

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

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11. No development shall be commenced until a detailed scheme for the disposal of drainage has been submitted to and approved in writing by the Local Planning Authority. Thereafter no part of the development shall be occupied or brought into use until the approved Scheme has been fully implemented. The scheme shall be retained throughout the life of the development unless otherwise agreed in writing with the LPA.

Reason: To prevent pollution of the water environment in compliance with the requirements of Policy D13 of the Sedgefield Borough Local Plan.

12. No development approved by this permission shall be commenced until:

a) a desk top study has been carried out which shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information. And using this information a diagrammatical representation (Conceptual Model of the geology and hydrogeology) for the site of all potential contaminant sources, pathways and receptors have been produced.

b) A site investigation has been designed for the site using the information obtained from the desktop study and any diagrammatical representations (Conceptual Model of the geology and hydrogeology). This should be submitted to, and approved in writing by the LPA prior to that investigation being carried out on the site. The investigation must be comprehensive enough to enable:

- a risk assessment to be undertaken relating to ground and surface waters associated on and off the site that may be affected, and
- refinement of the Conceptual Model, and
- the development of a Method Statement detailing the remediation requirements

c) The site investigation has been undertaken in accordance with details approved by the LPA and a risk assessment has been undertaken.

d) A Method Statement detailing the remediation requirements, including measures to minimise the impact on ground and surface waters, using the information obtained from the Site Investigation has been submitted to the LPA. This should be approved in writing by the LPA prior to that remediation being carried out on the site.

Reason: To protect Controlled Waters and ensure that the remediated site is reclaimed to an appropriate standard in accordance with Policy D10 of the Sedgefield Local Plan.

INFORMATIVE: The applicant should liaise with Andrew Leadbetter of Durham County Council's Public Transport Section in order to ascertain whether bus stop provision can be created in the vicinity of Heighington Lane. The contact telephone number is 0191-383-3410

INFORMATIVE: The applicant will be required to enter into a Section 38 Agreement under the Highways Act 1980 with the Highways Authority, Durham County Council, in respect of producing a highway link to an adoptable standard to the site from the junction with Heighington Lane.

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# Item 6

## SEDGEFIELD BOROUGH COUNCIL

### PLANNING APPLICATIONS - DELEGATED DECISIONS

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1. 7/2005/0515/DM OFFICER:Craig Miles

APPLICATION DATE: 20 July 2005

PROPOSAL: DEMOLITION OF EXISTING WORKSHOP AND ERECTION OF REPLACEMENT BUILDING FOR THE PURPOSES OF LIGHT INDUSTRIAL/RESIDENTIAL

LOCATION: THE BRYN BURN LANE NEWTON AYCLIFFE DL5 4PG

APPLICANT: Mr L Jones  
The Bryn, Burn Lane, Newton Aycliffe, Co Durham, DL5 4PG

DECISION: STANDARD APPROVAL on 15 September 2006

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2. 7/2006/0544/DM OFFICER:Simon Miller

APPLICATION DATE: 23 August 2006

PROPOSAL: ERECTION OF SINGLE STOREY EXTENSION TO REAR

LOCATION: 16 STATION ROAD SEDGEFIELD STOCKTON-ON-TEES TS212DA

APPLICANT: Zoe Passfield  
16 Station Road, Sedgfield, Stockton on Tees

DECISION: STANDARD APPROVAL on 19 September 2006

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3. 7/2006/0540/DM OFFICER:Simon Miller

APPLICATION DATE: 22 August 2006

PROPOSAL: ERECTION OF REPLACEMENT GARDEN ROOM TO REAR AND GRANNY ANNEX

LOCATION: 7 ROOKWOOD HUNT NEWTON AYCLIFFE DL5 7LS

APPLICANT: Mr & Mrs R Barnes  
7 Rookwood Hunt, Newton Aycliffe, Co Durham

DECISION: STANDARD APPROVAL on 19 September 2006

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## SEDGEFIELD BOROUGH COUNCIL

### PLANNING APPLICATIONS - DELEGATED DECISIONS

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4. 7/2006/0539/DM OFFICER:Mark O'Sullivan

APPLICATION DATE: 16 August 2006

PROPOSAL: ALTERATIONS TO EXISTING ROOF AND CONSTRUCTION OF 2 NO. DORMER WINDOWS

LOCATION: 44 BROOM ROAD FERRYHILL DL178AF

APPLICANT: Mrs Foster  
28 Bertha Street, Ferryhill, Co Durham, DL17 8AZ

DECISION: STANDARD APPROVAL on 27 September 2006

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6. 7/2006/0533/DM OFFICER:Simon Miller

APPLICATION DATE: 28 September 2006

PROPOSAL: ERECTION OF SINGLE STOREY SIDE EXTENSION

LOCATION: 9 BEDALE HUNT NEWTON AYCLIFFE DL5 7LT

APPLICANT: Mr P Thompson  
9 Bedale Hunt, Newton Aycliffe, Co Durham

DECISION: STANDARD APPROVAL on 29 September 2006

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7. 7/2006/0528/DM OFFICER:Mark O'Sullivan

APPLICATION DATE: 29 August 2006

PROPOSAL: ERECTION OF DETACHED GARAGE

LOCATION: 11 ST. PAULS GARDENS SPENNYMOOR DL167LR

APPLICANT: Mr A Mattimore  
11 St Pauls Gardens, Spennymoor, Co Durham

DECISION: STANDARD APPROVAL on 26 September 2006

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## SEDGEFIELD BOROUGH COUNCIL

### PLANNING APPLICATIONS - DELEGATED DECISIONS

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8                                      7/2006/0524/DM                                      OFFICER:Rachel Allum

APPLICATION DATE:      15 August 2006

PROPOSAL:                      ERECTION OF 11NO. TERRACED BUNGALOWS AND ASSOCIATED CAR PARKING

LOCATION:                        SHILDON COURT ALMA ROAD SHILDON DL4 1PW

APPLICANT:                      Railway Housing Association  
Bank Top House, Garbutt Square, Neasham Road, Darlington, DL1 4DR

DECISION:                        STANDARD APPROVAL on 27 September 2006

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9.                                      7/2006/0518/DM                                      OFFICER:Steve Teasdale

APPLICATION DATE:      14 August 2006

PROPOSAL:                        ERECTION OF CAR SPRAYING BOOTH

LOCATION:                        COMPOUND 18 TUDHOE INDUSTRIAL ESTATE SPENNYMOOR CO DURHAM

APPLICANT:                        Mr Fletcher  
9 Whitworth Meadows, Binchester Moor, Spennymoor, DL16 7BH

DECISION:                        STANDARD APPROVAL on 2 October 2006

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10.                                      7/2006/0516/DM                                      OFFICER:Steve Teasdale

APPLICATION DATE:      7 August 2006

PROPOSAL:                        ERECTION OF SIGNAGE

LOCATION:                        MCDONALDS RESTAURANT THINFORD CO DURHAM

APPLICANT:                        McDonalds Restaurant  
11-59 High Street, East Finchley, London, NZ 8AW

DECISION:                        STANDARD APPROVAL on 2 October 2006

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## SEDGEFIELD BOROUGH COUNCIL

### PLANNING APPLICATIONS - DELEGATED DECISIONS

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11. 7/2006/0515/DM OFFICER:Mark O'Sullivan

APPLICATION DATE: 4 August 2006

PROPOSAL: ERECTION OF PORCH TO FRONT AND EXTENSION TO SIDE

LOCATION: 11 ULLSWATER ROAD FERRYHILL DL178HH

APPLICANT: J G Wiffen  
11 Ullswater Road, Ferryhill, Co Durham, DL17 8HH

DECISION: STANDARD APPROVAL on 18 September 2006

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12. 7/2006/0513/DM OFFICER:Steve Teasdale

APPLICATION DATE: 15 August 2006

PROPOSAL: ERECTION OF TWO STOREY REAR EXTENSION

LOCATION: 33 FRONT STREET NORTH TRIMDON TRIMDON STATION TS296PG

APPLICANT: Mrs M Kenny  
31 Front Street North, Trimdon Village, Co Durham

DECISION: STANDARD APPROVAL on 2 October 2006

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13. 7/2006/0512/DM OFFICER:Mark O'Sullivan

APPLICATION DATE: 4 August 2006

PROPOSAL: ERECTION OF SIDE EXTENSION

LOCATION: 14 TUDHOE VILLAGE SPENNYMOOR DL166LH

APPLICANT: Mr & Mrs Park  
The Croft , 186 Tudhoe Village, Spennymoor, Co Durham

DECISION: STANDARD APPROVAL on 26 September 2006

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## SEDGEFIELD BOROUGH COUNCIL

### PLANNING APPLICATIONS - DELEGATED DECISIONS

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14. 7/2006/0510/DM OFFICER:Mark O'Sullivan

APPLICATION DATE: 4 August 2006

PROPOSAL: ERECTION OF SINGLE STOREY REAR EXTENSION

LOCATION: 4 DEAN PARK FERRYHILL DL178HP

APPLICANT: Mr N Reed  
4 Dean Park, Ferryhill, Co Durham, DL17 8HP

DECISION: STANDARD APPROVAL on 18 September 2006

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15. 7/2006/0507/DM OFFICER:Steve Teasdale

APPLICATION DATE: 2 August 2006

PROPOSAL: CONVERSION OF PUBLIC HOUSE INTO 4 NO. APARTMENTS

LOCATION: THE CARRS 8 BRIDGE ROAD WEST CORNFORTH FERRYHILL DL179JL

APPLICANT: John D Davies  
High Grange Farm, Shincliffe, DH1 2TD

DECISION: STANDARD APPROVAL on 26 September 2006

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16. 7/2006/0506/DM OFFICER:Steve Teasdale

APPLICATION DATE: 2 August 2006

PROPOSAL: ERECTION OF 2 NO. DETACHED BUNGALOWS WITH DETACHED GARAGES (OUTLINE APPLICATION)

LOCATION: METHODIST CHURCH FRONT STREET FISHBURN CO DURHAM

APPLICANT: Mr D Cowans & Mr G Smith  
c/o 24 Stone Cross, Fishburn, Co Durham

DECISION: STANDARD APPROVAL on 26 September 2006

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## SEDGEFIELD BOROUGH COUNCIL

### PLANNING APPLICATIONS - DELEGATED DECISIONS

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17. 7/2006/0502/DM OFFICER:Mark O'Sullivan

APPLICATION DATE: 2 August 2006

PROPOSAL: ERECTION OF DETACHED GARAGE TO THE SIDE AND CONVERSION OF EXISTING GARAGE TO HABITABLE ROOM

LOCATION: 4 ROOKERY GARDENS RUSHYFORD FERRYHILL DL170LR

APPLICANT: Stuart Taylor  
4 Rookery Gardens, Rushyford , Co Durham,

DECISION: STANDARD APPROVAL on 26 September 2006

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18. 7/2006/0497/DM OFFICER:Steve Teasdale

APPLICATION DATE: 28 July 2006

PROPOSAL: ADVERTISEMENT CONSENT FOR THE ERECTION OF 6 NO. ADVERTISEMENT BOARDS

LOCATION: VARIOUS LOCATIONS AROUND FERRYHILL CO DURHAM

APPLICANT: Jamie Corrigan  
Ferryhill Town Council, Town Hall, Ferryhill, Co Durham

DECISION: STANDARD APPROVAL on 20 September 2006

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19. 7/2006/0545/DM OFFICER:Mark O'Sullivan

APPLICATION DATE: 25 August 2006

PROPOSAL: ERECTION OF GARAGE

LOCATION: 8 ASH GROVE SPENNYMOOR DL167SR

APPLICANT: Mr S Ryder  
8 Ash Grove, Spennymoor, Co Durham, DL16 8SR

DECISION: STANDARD APPROVAL on 29 September 2006

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## SEDGEFIELD BOROUGH COUNCIL

### PLANNING APPLICATIONS - DELEGATED DECISIONS

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20. 7/2006/0495/DM OFFICER:Graeme Smith

APPLICATION DATE: 31 July 2006

PROPOSAL: ERECTION OF EMERGENCY FIRE STAIR AND INSERTION OF 4NO. WINDOWS

LOCATION: NEWTON AYCLIFFE LEISURE CENTRE STEPHENSON WAY NEWTON AYCLIFFE DL5 4EW

APPLICANT: Competition Line (UK) Ltd  
6 Sky Business Park, Egham, Surrey, TW20 8RF

DECISION: STANDARD APPROVAL on 22 September 2006

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21. 7/2006/0486/DM OFFICER:Mark O'Sullivan

APPLICATION DATE: 27 July 2006

PROPOSAL: ERECTION OF SUN ROOM AND DETACHED GARAGE TO THE REAR

LOCATION: 6 FERN GROVE SPENNYMOOR DL167DR

APPLICANT: Mr M McNamara  
6 Fern Grove, Spennymoor, Co Durham, DL16 7DR

DECISION: STANDARD APPROVAL on 13 September 2006

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22. 7/2006/0485/DM OFFICER:Steve Teasdale

APPLICATION DATE: 24 July 2006

PROPOSAL: CROWN LIFTING OF 29 TREES TO ALLOW GROUNDS MAINTENANCE OPERATIONS AND REMOVE OVERHANGING BRANCHES FROM NEW PROPERTIES

LOCATION: FORMER GLEBE HOUSE GLEBE CLOSE FISHBURN CO DURHAM

APPLICANT: Lanching Homes  
Unit 125, Tedco Business Works, Henry Robson Way, South Shields, NE33 1RF

DECISION: STANDARD APPROVAL on 15 September 2006

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## SEDGEFIELD BOROUGH COUNCIL

### PLANNING APPLICATIONS - DELEGATED DECISIONS

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23. 7/2006/0483/DM OFFICER:Steve Teasdale

APPLICATION DATE: 25 July 2006

PROPOSAL: INSTALLATION OF NEW SHOP FRONT

LOCATION: SPEEDO DISCOUNT ACCESSORIES 19 KING STREET SPENNYMOOR  
DL166QQ

APPLICANT: Speedo Motor Accessories  
12 South Street, Crook, Co Durham

DECISION: STANDARD APPROVAL on 18 September 2006

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24. 7/2006/0481/DM OFFICER:Graeme Smith

APPLICATION DATE: 26 July 2006

PROPOSAL: ERECTION OF CONSERVATORY TO REAR

LOCATION: 2 BLUEBELL MEADOW NEWTON AYCLIFFE DL5 7LY

APPLICANT: Mr Cox  
2 Bluebell Meadow, Newton Aycliffe, Co Durham

DECISION: STANDARD APPROVAL on 20 September 2006

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25. 7/2006/0474/DM OFFICER:Simon Miller

APPLICATION DATE: 11 August 2006

PROPOSAL: ERECTION OF CONSERVATORY

LOCATION: 17 OFFICE ROW ELDON CO DURHAM

APPLICANT: John Gibson  
17 Office Row, Eldon, Co Durham, DL14 8XA

DECISION: STANDARD APPROVAL on 18 September 2006

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## SEDGEFIELD BOROUGH COUNCIL

### PLANNING APPLICATIONS - DELEGATED DECISIONS

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26. 7/2006/0472/DM OFFICER:Graeme Smith

APPLICATION DATE: 26 July 2006

PROPOSAL: ERECTION OF TWO STOREY SIDE EXTENSION

LOCATION: 19 WELBURY GROVE NEWTON AYCLIFFE DL5 5AY

APPLICANT: Mrs I Upton  
19 Welbury Grove, Newton Aycliffe, Co Durham

DECISION: STANDARD APPROVAL on 19 September 2006

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27. 7/2006/0470/DM OFFICER:Graeme Smith

APPLICATION DATE: 24 July 2006

PROPOSAL: ERECTION OF SINGLE STOREY REAR EXTENSION AND CONVERSION OF GARAGE TO STUDY

LOCATION: 21 HASLEWOOD ROAD NEWTON AYCLIFFE DL5 4XF

APPLICANT: Mr D Archer  
21 Haslewood Road, Woodham, Newton Aycliffe, Co Durham

DECISION: STANDARD APPROVAL on 15 September 2006

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28. 7/2006/0468/DM OFFICER:Rachel Allum

APPLICATION DATE: 24 July 2006

PROPOSAL: VARIATION OF CONDITION 10 OF PLANNING PERMISSION REFERENCE 7/2005/0816/DM TO ALLOW PLANTING FOLLOWING COMPLETION OF DEVELOPMENT

LOCATION: INNOVATION VILLAGE PLOT 2 NETPARK SEDGEFIELD STOCKTON-ON-TEES TS213NN

APPLICANT: Helios Properties Plc  
2 Berkeley Square, London, W1J 6EB

DECISION: STANDARD APPROVAL on 19 September 2006

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## SEDGEFIELD BOROUGH COUNCIL

### PLANNING APPLICATIONS - DELEGATED DECISIONS

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29. 7/2006/0458/DM OFFICER:Graeme Smith

APPLICATION DATE: 25 July 2006

PROPOSAL: ERECTION OF SUN LOUNGE TO REAR

LOCATION: 9 VALLEY VIEW COURT SHILDON DL4 1RD

APPLICANT: Mr P Wade  
9 Valley View Court, Shildon, Co Durham

DECISION: STANDARD APPROVAL on 18 September 2006

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30. 7/2006/0451/DM OFFICER:Graeme Smith

APPLICATION DATE: 12 July 2006

PROPOSAL: ERECTION OF CONSERVATORY TO FRONT

LOCATION: 12 WHITEHEAD WALK NEWTON AYCLIFFE DL5 4BD

APPLICANT: Mr & Mrs Herriott  
12 Whitehead Walk, Newton Aycliffe, Co Durham

DECISION: STANDARD REFUSAL on 11 September 2006

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31. 7/2006/0445/DM OFFICER:Steve Teasdale

APPLICATION DATE: 31 July 2006

PROPOSAL: INSTALLATION OF NEW TIMBER SHOP FRONT AND INTERNAL ALTERATIONS

LOCATION: SHOEFAYRE LTD 31 HIGH STREET SPENNYMOOR DL166AA

APPLICANT: Shoefayre Ltd  
Wigston House, Kirkdale Road, South Wigston, Leicester, LE18 4SU

DECISION: STANDARD APPROVAL on 22 September 2006

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## SEDGEFIELD BOROUGH COUNCIL

### PLANNING APPLICATIONS - DELEGATED DECISIONS

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32. 7/2006/0441/DM OFFICER:Graeme Smith

APPLICATION DATE: 7 July 2006

PROPOSAL: ERECTION OF FIRST FLOOR SIDE EXTENSION

LOCATION: 6 FOWLER ROAD NEWTON AYCLIFFE DL5 5AJ

APPLICANT: Mr Bain  
6 Fowler Road, Newton Aycliffe, Co Durham

DECISION: STANDARD APPROVAL on 21 September 2006

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33. 7/2006/0349/DM OFFICER:Graeme Smith

APPLICATION DATE: 21 July 2006

PROPOSAL: ERECTION OF CONSERVATORY TO REAR

LOCATION: 4 HOLDERNESS NEWTON AYCLIFFE DL5 7PL

APPLICANT: Mr & Mrs Reynolds  
4 Holderness , Newton Aycliffe, Co Durham

DECISION: STANDARD APPROVAL on 19 September 2006

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34. 7/2006/0304/DM OFFICER:Craig Miles

APPLICATION DATE: 11 May 2006

PROPOSAL: EXTENSION TO FRONT OF HOTEL TO PROVIDE OFFICES AND  
LOUNGE FACILITIES

LOCATION: SLEEP INN HOTEL NEWTON PARK SERVICES COATHAM MUNDEVILLE  
CO DURHAM

APPLICANT: Aston Hotels Limited  
Newton Park, Coatham Mundeville, Co Durham, DL1 3NL

DECISION: STANDARD APPROVAL on 11 September 2006

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## SEDGEFIELD BOROUGH COUNCIL

### PLANNING APPLICATIONS - DELEGATED DECISIONS

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35. 7/2006/0295/DM OFFICER:Craig Miles

APPLICATION DATE: 8 May 2006

PROPOSAL: ERECTION OF 1NO. DETACHED DWELLING

LOCATION: LAND REAR OF 30 THE LANE SEDGEFIELD STOCKTON-ON-TEES  
TS213BE

APPLICANT: Mr P Turner  
30 The Lane, Sedgfield, Stockton on Tees

DECISION: STANDARD APPROVAL on 28 September 2006

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36. 7/2006/0264/DM OFFICER:Simon Miller

APPLICATION DATE: 26 April 2006

PROPOSAL: ERECTION OF SHED TO PROVIDE STABLING AND STORAGE

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

APPLICANT: M Abel & J Craggs  
The Conifers, Foxton, Sedgfield, TS21 2HX

DECISION: STANDARD APPROVAL on 11 September 2006

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37. 7/2006/0488/DM OFFICER:Graeme Smith

APPLICATION DATE: 28 July 2006

PROPOSAL: ERECTION OF SECURITY FENCE

LOCATION: PERMOID INDUSTRIES LTD HORNDALE AVENUE AYCLIFFE  
INDUSTRIAL PARK NEWTON AYCLIFFE DL5 6DW

APPLICANT: Permoid Industries Ltd  
Horndale Avenue, Aycliffe Industrial Estate, Newton Aycliffe, Co Durham,  
DL5 6DW

DECISION: STANDARD APPROVAL on 21 September 2006

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## SEDGEFIELD BOROUGH COUNCIL

### PLANNING APPLICATIONS - DELEGATED DECISIONS

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38. 7/2006/0557/DM OFFICER: Steve Teasdale

APPLICATION DATE: 1 September 2006

PROPOSAL: ERECTION OF LEAN-TO GENERAL PURPOSE BUILDING

LOCATION: TUDHOE HALL FARM TUDHOE VILLAGE SPENNYMOOR DL166LH

APPLICANT: M W Anderson & Son  
Tudhoe Hall Farm, Tudhoe Village, Spennymoor, Co Durham

DECISION: PRIOR APPROVAL NOT REQUIRED on 29 September 2006

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# Item 7

## SEDGEFIELD BOROUGH COUNCIL

### APPEALS OUTSTANDING UP TO 3<sup>rd</sup> OCTOBER 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/2006/0005  
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 Public Inquiry.

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Ref.No. AP/2006/0011  
Location ST LUKES CHURCH SEDGEFIELD STOCKTON-ON-TEES TS213NN  
Proposal APPLICATION FOR LISTED BUILDING CONSENT TO UNDERTAKE  
INTERNAL ALTERATIONS TO FACILITATE CHANGE OF USE TO  
HEALTH AND FITNESS CENTRE  
Appellant Ms C Moore  
Received 15<sup>th</sup> September 2006

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

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Ref.No. AP/2006/0012  
Location 2 SOUTH FARM COTTAGES MAINSFORTH FERRYHILL DL179AA  
Proposal CREATION OF LAYBY TO PROVIDE OFF STREET PARKING  
Appellant C Dobbing  
Received 28<sup>th</sup> September 2006

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



# Item 8

ITEM NO.

REPORT TO DEVELOPMENT CONTROL

13 October 2006

REPORT OF HEAD OF PLANNING

## Planning and Development Portfolio

### Tree Preservation Order No. 40/2006 Windlestone Hall, Windlestone

#### 1. SUMMARY

- 1.1 A provisional Tree Preservation Order (TPO) was made at the above site on 12 June 2006. The purpose of this report is therefore to consider whether it would be appropriate to make the Order permanent.
- 1.2 The Town and Country Planning Act 1990 enables Local Planning Authority (LPA) to make a TPO if it appears to be “expedient in the interests of amenity to make provision for the preservation of trees and woodlands in their area”. The Order must be confirmed within 6 months of being made or the Order will be null and void. The serving of the TPO is normally a delegated function, whilst the confirmation is by members.
- 1.3 The trees which are the subject of the Order provides amenity value to the area and are considered worthy of protection to preserve the character of the landscape and protect the setting of the Conservation Area.

#### 2 RECOMMENDATIONS

- 2.1 It is recommended that Committee authorise confirmation of the Order.

#### 3. BACKGROUND

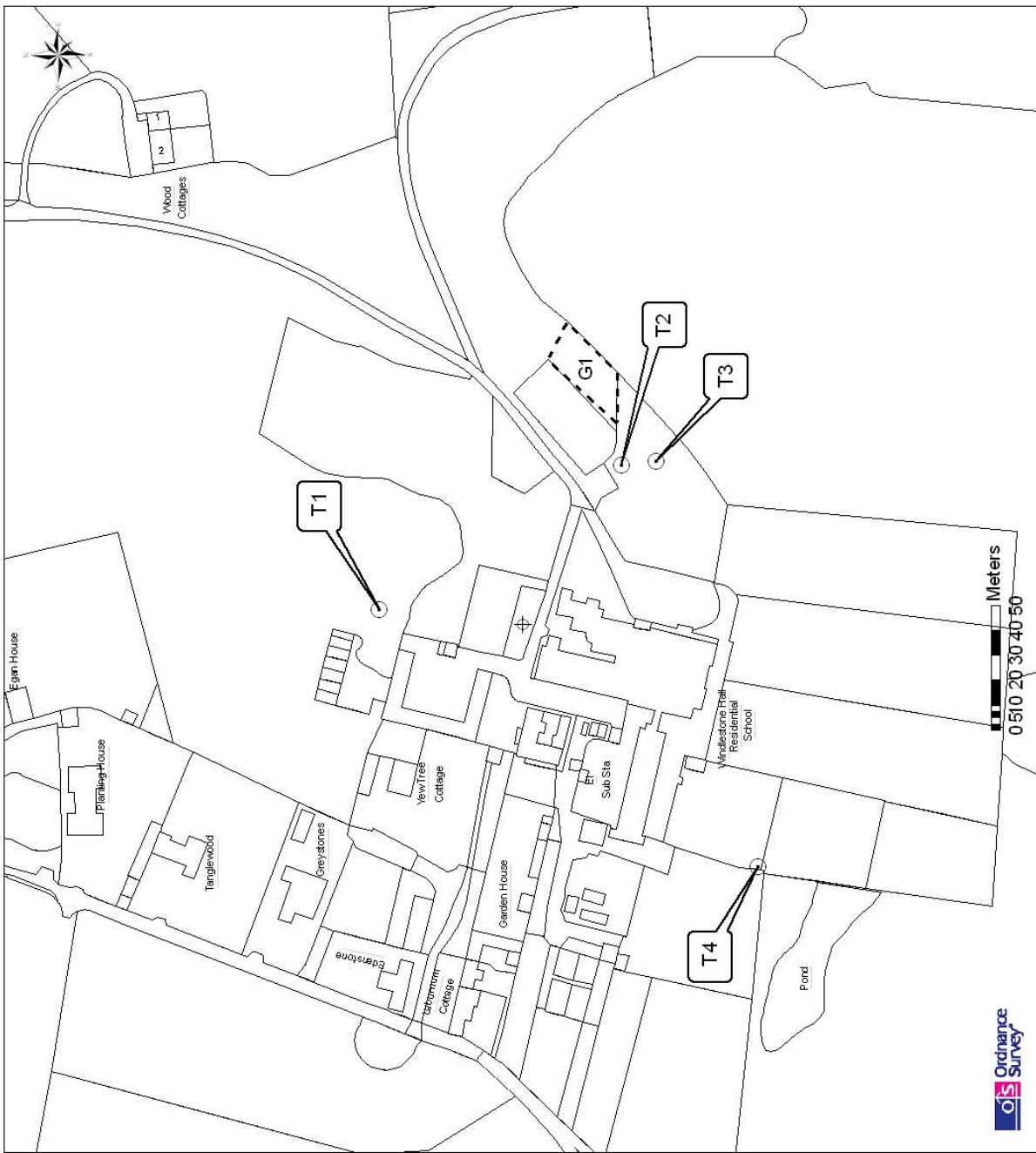
- 3.1 At the time that the Order was served the site was subject to informal planning enquiries following the vacation of the site by Durham County Council.
- 3.2 The trees are within an area designated as Historic Parkland in the Local Plan of the Borough Council. The trees are within an area designated as of Special Landscape Value in the County Structure Plan and within a Conservation Area.

## **4 CONSULTATIONS**

- 4.1 Under the terms of the Town and Country Planning Act 1990 and the Town and Country Planning (Trees) Regulations 1999, the Order was served on the owners of the land, and the owner/occupiers of all adjacent properties that may be affected by the Order. The parties were invited to make representations within 28 days of the date the Order was served, in order that comments could be reported to Committee.
- 4.2 No representations were received.

### **Background Papers**

Item a Tree Preservation Order 40/2006: Plan and Schedule



|  |  |
|--|--|
| <b>SEDFIELD BOROUGH COUNCIL</b><br><b>TREE PRESERVATION ORDER</b><br>40/2006   |  |
| Location:<br>Windlestone Hall  | This map is referred to in the<br>Sedgfield Borough Council<br>Tree Preservation Order 40/2006 |
| OS Grid Reference<br>NZ 426380, 528727   | <b>Legend</b><br>● Individual Tree eg T1 etc.<br>--- Group of trees eg G1 etc<br>Scale 1:1,500 |
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| Signed<br>Mayor: .....   | Authorised Signatory: .....<br>Date: .....   |
| Glyn Hall, Director<br>Neighbourhood Services<br>Sedgfield Borough Council<br>Council Offices<br>Spennymoor<br>DL16 6JQ  |  |



SCHEDULE 1

SPECIFICATION OF TREES

Trees specified individually  
(encircled in black on the map)

| <b>Reference on TPO 40/2006 map</b> | <b>Description</b>              | <b>Location</b>  |
|-------------------------------------|---------------------------------|--|
| <b>T1</b>                           | <i>Beech (Fagus sylvatica)</i>  | <b>North of clock tower</b>                                    |
| <b>T2</b>                           | <i>Holly Oak (Quercus ilex)</i> | <b>Adjacent to tennis court</b>                                |
| <b>T3</b>                           | <i>Ash (Fraxinus excelsior)</i> | <b>On lawn south of tennis court</b>                           |
| <b>T4</b>                           | <i>Holly Oak (Quercus ilex)</i> | <b>South of western wing extension adjacent to listed wall</b> |

Groups of Trees  
(within a broken black line on the map)

| <b>Reference on map</b>             | <b>Description (including number of trees in the group)</b> | <b>Location</b>                           |
|-------------------------------------|---|---|
| <b>Reference on TPO 40/2006 map</b> | <b>4 Holly Oak (Quercus ilex)</b>                           | <b>South eastern edge of tennis court</b> |

Trees specified by reference to an area  
(within a dotted black line on the map)

| <b>Reference on map</b> | <b>Description</b> | <b>Location</b> |
|-------------------------|--------------------|-----------------|
|                         | <b>None</b>        |                 |

Woodlands  
(within a continuous black line on the map)

| <b>Reference on map</b> | <b>Description</b> | <b>Location</b> |
|-------------------------|--------------------|-----------------|
|                         | <b>None</b>        |                 |

# Item 9

ITEM NO.

REPORT TO DEVELOPMENT CONTROL

13 October 2006

REPORT OF HEAD OF PLANNING

## Planning and Development Portfolio

### Tree Preservation Order No. 41/2006 Land adjacent to Windlestone Home Farm Cottages, Windlestone

#### 1. SUMMARY

- 1.1 A provisional Tree Preservation Order (TPO) was made at the above site on 1 June 2006. The purpose of this report is therefore to consider whether it would be appropriate to make the Order permanent.
- 1.2 The Town and Country Planning Act 1990 enables Local Planning Authority (LPA) to make a TPO if it appears to be “expedient in the interests of amenity to make provision for the preservation of trees and woodlands in their area”. The Order must be confirmed within 6 months of being made or the Order will be null and void. The serving of the TPO is normally a delegated function, whilst the confirmation is by members.
- 1.3 The tree that is the subject of the Order provides amenity value to the area and is considered worthy of protection to preserve the character of a redevelopment site.

#### 2 RECOMMENDATIONS

- 2.1 It is recommended that Committee authorise confirmation of the Order.

#### 3. BACKGROUND

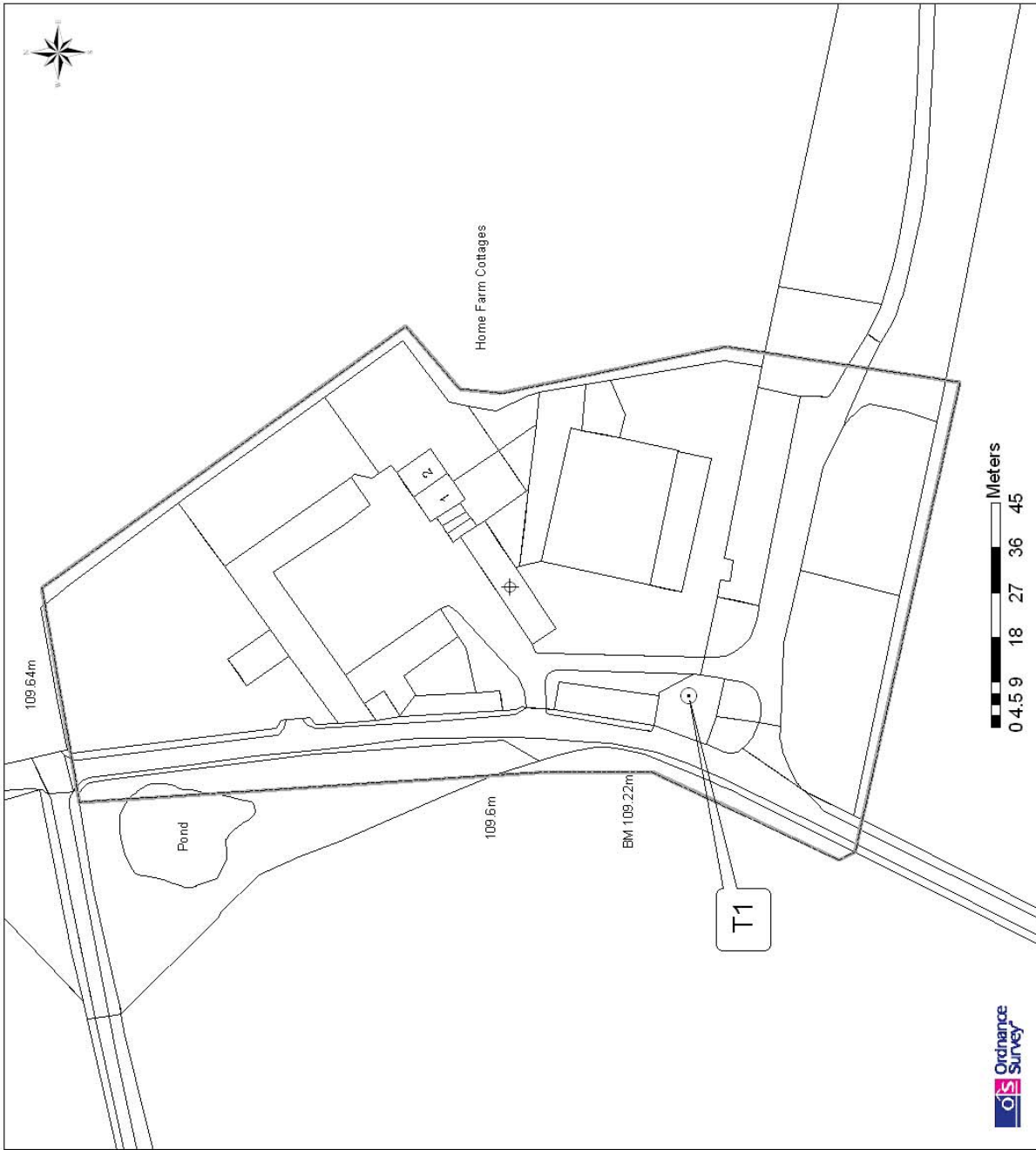
- 3.1 At the time that the Order was served the site was subject to a formal planning application to redevelop a group of redundant farm buildings into residential accommodation.
- 3.2 The single large ash tree is the only mature tree within the site and forms a gateway feature to the farm courtyard.




## **4 CONSULTATIONS**

- 4.1 Under the terms of the Town and Country Planning Act 1990 and the Town and Country Planning (Trees) Regulations 1999, the Order was served on the owners of the land, and the owner/occupiers of all adjacent properties that may be affected by the Order. The parties were invited to make representations within 28 days of the date the Order was served, in order that comments could be reported to Committee.
- 4.2 No representations were received.

### **Background Papers**

Item a Tree Preservation Order 41/2006: Plan and Schedule



|  |  |  |   |  |   |   |
|--|--|--|---|--|---|---|
| <p><b>SEDFIELD BOROUGH COUNCIL</b><br/> <b>TREE PRESERVATION ORDER</b><br/>         41/2006<br/>         Location:<br/>         Land adjacent to Windlestone Farm Cottages</p> | <p>This map is referred to in the Sedgefield Borough Council Tree Preservation Order 41/2006</p> | <p><b>OS Grid Reference</b><br/>         NZ 427167, 527910</p> | <p><b>Legend</b></p> <ul style="list-style-type: none"> <li> Indicative Boundary</li> <li> Individual Tree eg T1 etc.</li> </ul> <p>Scale 1:750</p> | <p>This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office (C) Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. (1000242870). (2006).</p> | <p>Signed<br/>         Mayor: .....</p> <p>Authorised Signatory: .....</p> <p>Date: .....</p> | <p>Glyn Hall, Director<br/>         Neighbourhood Services<br/>         Sedgefield Borough Council<br/>         Council Offices<br/>         Spennymoor<br/>         DL16 6JQ</p>  |
|--|--|--|---|--|---|---|

Trees specified individually  
(encircled in black on the map)

| <b>Reference on TPO 41/2006 map</b> | <b>Description</b>                | <b>Location</b>                          |
|-------------------------------------|-----------------------------------|--|
| T1                                  | Ash ( <i>Fraxinus excelsior</i> ) | Between estate entrance and building 'D' |

Groups of Trees  
(within a broken black line on the map)

| <b>Reference on map</b> | <b>Description (including number of trees in the group)</b> | <b>Situation</b> |
|-------------------------|---|------------------|
|                         | None  |                  |

Trees specified by reference to an area  
(within a dotted black line on the map)

| <b>Reference on map</b> | <b>Description</b> | <b>Situation</b> |
|-------------------------|--------------------|------------------|
|                         | None               |                  |

Woodlands  
(within a continuous black line on the map)

| <b>Reference on map</b> | <b>Description</b> | <b>Situation</b> |
|-------------------------|--------------------|------------------|
|                         | None               |                  |



# Item 10

ITEM NO.

REPORT TO DEVELOPMENT CONTROL

13 October 2006

REPORT OF HEAD OF PLANNING

## Planning and Development Portfolio

### Tree Preservation Order No. 42/2006 1 The Villas, Dean Bank, Ferryhill

#### 1. SUMMARY

- 1.1 A provisional Tree Preservation Order (TPO) was made at the above site on 25 May 2006. The purpose of this report is therefore to consider whether it would be appropriate to make the Order permanent.
- 1.2 The Town and Country Planning Act 1990 enables Local Planning Authority (LPA) to make a TPO if it appears to be “expedient in the interests of amenity to make provision for the preservation of trees and woodlands in their area”. The Order must be confirmed within 6 months of being made or the Order will be null and void. The serving of the TPO is normally a delegated function, whilst the confirmation is by members.
- 1.3 The tree that is the subject of the Order provides amenity value to the area and is considered worthy of protection to preserve the street scene.

#### 2 RECOMMENDATIONS

- 2.1 It is recommended that Committee authorise confirmation of the Order.

#### 3. BACKGROUND

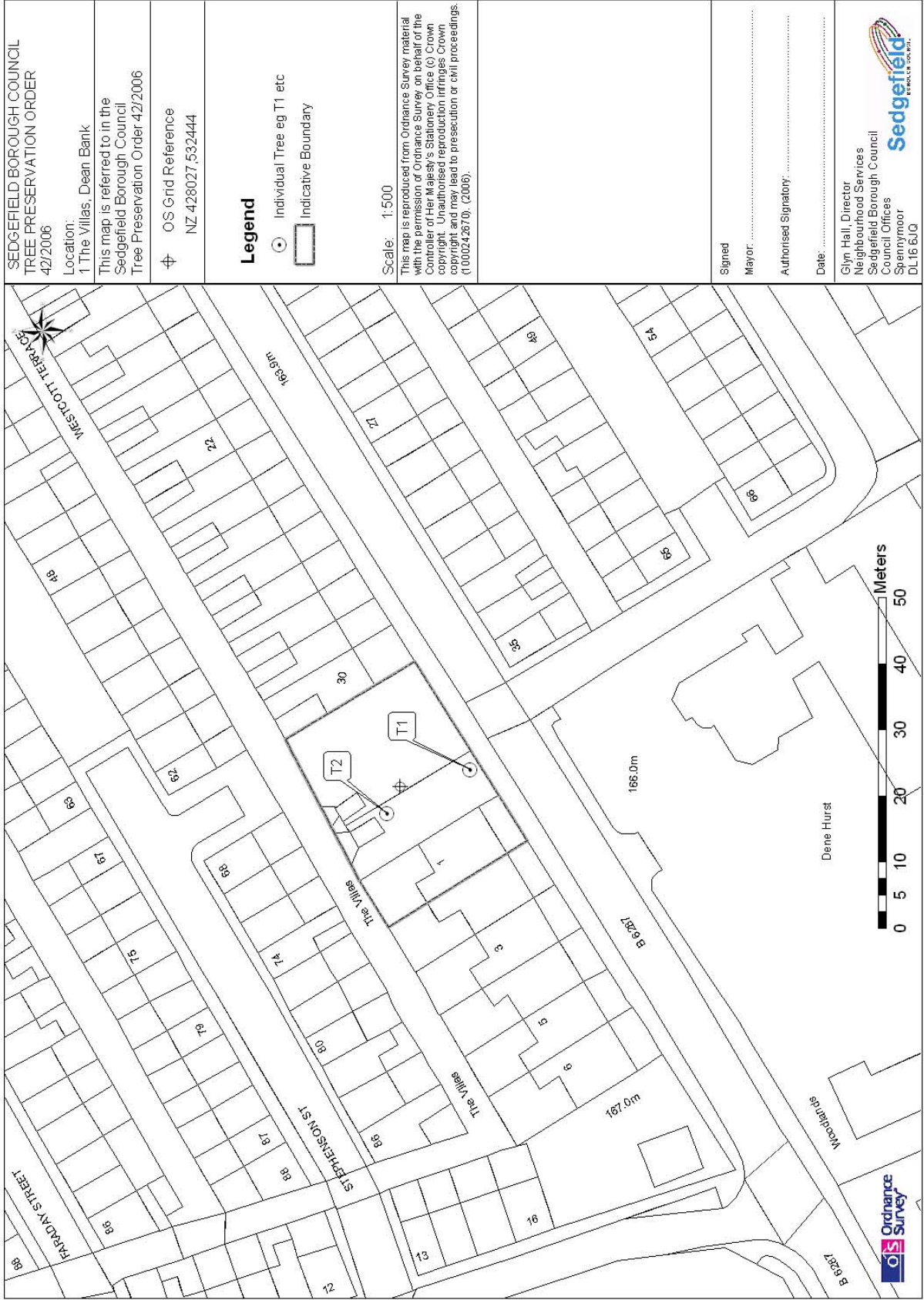
- 3.1 At the time that the Order was served the site was the subject of an outline planning enquiry to build dwellings within a large garden.
- 3.2 The two mature trees within the site form a significant landscape feature and their preservation should inform the site layout and management.

## **4 CONSULTATIONS**

- 4.1 Under the terms of the Town and Country Planning Act 1990 and the Town and Country Planning (Trees) Regulations 1999, the Order was served on the owners of the land, and the owner/occupiers of all adjacent properties that may be affected by the Order. The parties were invited to make representations within 28 days of the date the Order was served, in order that comments could be reported to Committee.
- 4.2 No representations were received.

### **Background Papers**

Item a Tree Preservation Order 42/2006: Plan and Schedule



**SEDGFIELD BOROUGH COUNCIL  
TREE PRESERVATION ORDER  
42/2006**

Location:  
1, The Villas, Dean Bank

This map is referred to in the  
Sedgfield Borough Council  
Tree Preservation Order 42/2006

OS Grid Reference  
NZ 428027, 532444

**Legend**

- ⊕ Individual Tree eg T1 etc
- Indicative Boundary

Scale: 1:500

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Signed: .....  
Mayor: .....  
Authorised Signatory: .....  
Date: .....

Glyn Hall, Director  
Neighbourhood Services  
Sedgfield Borough Council  
Council Offices  
Spennymoor  
DL16 6JQ

**Sedgfield**  
BOROUGH COUNCIL

SCHEDULE 1

SPECIFICATION OF TREES

Trees specified individually  
(encircled in black on the map)

| <b>Reference on TPO 42/2006 map</b> | <b>Description</b>                    | <b>Location</b>                          |
|-------------------------------------|---------------------------------------|--|
| <b>T1</b>                           | <i>Ash (Fraxinus excelsior)</i>       | <b>Within garden to side of dwelling</b> |
| <b>T2</b>                           | <i>Sycamore (Acer pseudoplatanus)</i> | <b>Within garden to side of dwelling</b> |

Groups of Trees  
(within a broken black line on the map)

| <b>Reference on map</b> | <b>Description (including number of trees in the group)</b> | <b>Situation</b> |
|-------------------------|---|------------------|
|                         | <b>None</b>   |                  |

Trees specified by reference to an area  
(within a dotted black line on the map)

| <b>Reference on map</b> | <b>Description</b> | <b>Situation</b> |
|-------------------------|--------------------|------------------|
|                         | <b>None</b>        |                  |

Woodlands  
(within a continuous black line on the map)

| <b>Reference on map</b> | <b>Description</b> | <b>Situation</b> |
|-------------------------|--------------------|------------------|
|                         | <b>None</b>        |                  |

# Item 11

ITEM NO.

REPORT TO DEVELOPMENT CONTROL

13 October 2006

REPORT OF HEAD OF PLANNING

## Planning and Development Portfolio

### Tree Preservation Order No. 44/2006 Grayson Road, Middlestone Moor

#### 1. SUMMARY

- 1.1 A provisional Tree Preservation Order (TPO) was made at the above site on 14 August 2006. The purpose of this report is therefore to consider whether it would be appropriate to make the Order permanent.
- 1.2 The Town and Country Planning Act 1990 enables Local Planning Authority (LPA) to make a TPO if it appears to be “expedient in the interests of amenity to make provision for the preservation of trees and woodlands in their area”. The Order must be confirmed within 6 months of being made or the Order will be null and void. The serving of the TPO is normally a delegated function, whilst the confirmation is by members.
- 1.3 The trees that are the subject of the Order provides amenity value to the area and is considered worthy of protection to preserve the character of a development site.

#### 2 RECOMMENDATIONS

- 2.1 It is recommended that Committee authorise confirmation of the Order.

#### 3. BACKGROUND

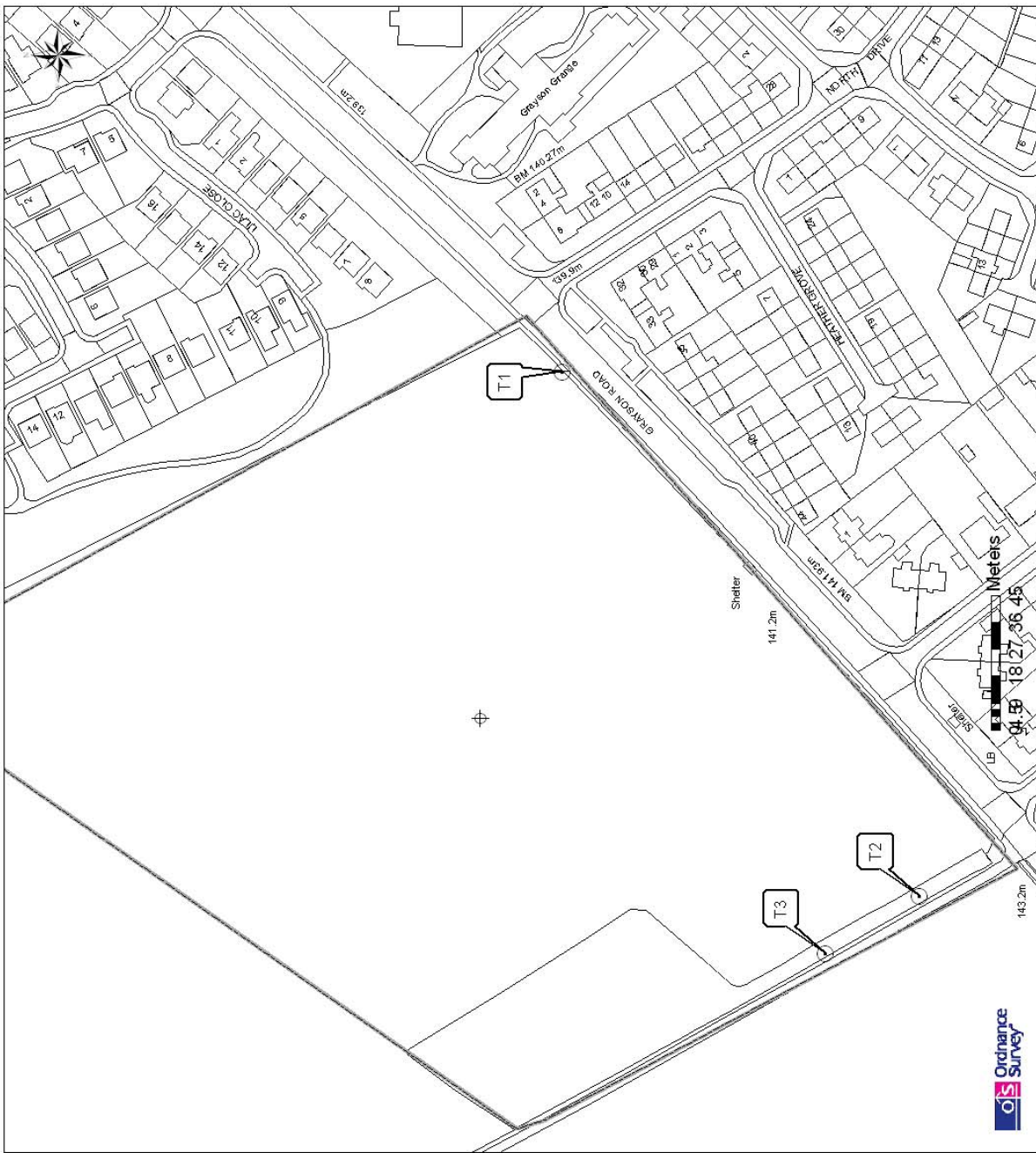
- 3.1 At the time that the Order was served the site was subject to a formal planning application to develop a greenfield site into residential estate.
- 3.2 The trees stand within the boundary hedgerow and will provide the only mature landscape feature for the new site.


## **4 CONSULTATIONS**

- 4.1 Under the terms of the Town and Country Planning Act 1990 and the Town and Country Planning (Trees) Regulations 1999, the Order was served on the owners of the land, and the owner/occupiers of all adjacent properties that may be affected by the Order. The parties were invited to make representations within 28 days of the date the Order was served, in order that comments could be reported to Committee.
- 4.2 No representations were received.

### **Background Papers**

Item a Tree Preservation Order 42/2006: Plan and Schedule



|   |  |
|---|--|
| <p><b>SEDFIELD BOROUGH COUNCIL</b><br/> <b>TREE PRESERVATION ORDER</b><br/>         44/2006</p> <p>Location:<br/>         Grayson Road, Middlestone Moor</p> <p>This map is referred to in the<br/>         Sedgfield Borough Council<br/>         Tree Preservation Order 44/2006</p>  |  |
| <p>⊕ <b>OS Grid Reference</b><br/>         NZ 424504, 532949</p>  | <p><b>Legend</b></p> <ul style="list-style-type: none"> <li>○ Individual Tree eg T1 etc.</li> <li>▭ Indicative Boundary</li> <li>⊕ OS Grid Reference</li> <li>Scale 1:1,250</li> </ul> |
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| <p>Signed<br/>         Mayor: .....</p> <p>Authorised Signatory: .....</p> <p>Date: .....</p>   |  |
| <p>Glyn Hall, Director<br/>         Neighbourhood Services<br/>         Sedgfield Borough Council<br/>         Council Offices<br/>         Spennymoor<br/>         DL16 6JQ</p>   |  |

SCHEDULE 1

SPECIFICATION OF TREES

Trees specified individually  
(encircled in black on the map)

| <b>Reference on TPO 44/2006 map</b> | <b>Description</b> | <b>Location</b>   |
|-------------------------------------|--------------------|---|
| T1                                  | Ash                | In hedgerow along northern boundary of Grayson Road. 20m from centre of North Drive junction. |
| T2                                  | Sycamore           | In hedgerow approx. 38m perpendicular from Grayson Road                                       |
| T3                                  | Sycamore           | In hedgerow approx 73m perpendicular from Grayson Road  |

Groups of Trees  
(within a broken black line on the map)

| <b>Reference on map</b> | <b>Description (including number of trees in the group)</b> | <b>Situation</b> |
|-------------------------|---|------------------|
|                         | None  |                  |

Trees specified by reference to an area  
(within a dotted black line on the map)

| <b>Reference on map</b> | <b>Description</b> | <b>Situation</b> |
|-------------------------|--------------------|------------------|
|                         | None               |                  |

Woodlands  
(within a continuous black line on the map)

| <b>Reference on map</b> | <b>Description</b> | <b>Situation</b> |
|-------------------------|--------------------|------------------|
|                         | None               |                  |



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