

# **DEVELOPMENT CONTROL COMMITTEE**

Friday,

10 November 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

ਜੇ ਇਹ ਦਸਤਾਵੇਜ਼ ਤੁਹਾਨੂੰ ਕਿਸੇ ਹੋਰ ਭਾਸ਼ਾ ਵਿਚ ਜਾਂ ਕਿਸੇ ਹੋਰ ਰੂਪ ਵਿਚ ਚਾਹੀਦਾ ਹੈ, ਜਾਂ ਜੇ ਤੁਹਾਨੂੰ ਗੱਲਬਾਤ ਸਮਝਾਉਣ ਲਈ ਕਿਸੇ ਇੰਟਰਪ੍ਰੈਟਰ ਦੀ ਲੋੜ ਹੈ, ਤਾਂ ਤੁਸੀਂ ਸਾਨੂੰ ਦੱਸੋ।

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 meetings held on

(a) **13th October 2006** (Pages 5 - 14)

(b) **20th October 2006** (Pages 15 - 22)

**4. TREE PRESERVATION ORDER NO. 45/2006 2 MIDDRIDGE ROAD, RUSHYFORD**

Report of Head of Planning. (Pages 23 - 32)

**5. APPLICATIONS - BOROUGH MATTERS**

To consider the attached schedule of applications, which are to be determined by this Council. (Pages 33 - 42)

**6. DEVELOPMENT CONTROL - ADDITIONAL APPLICATIONS**

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

**7. CONSULTATIONS FROM DURHAM COUNTY COUNCIL**

To consider the attached schedule of applications which are to be determined by Durham County Council. The view and observations of this Council have been requested. (Pages 43 - 46)

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

**8. DELEGATED DECISIONS**

A schedule of applications, which have been determined by Officers by virtue of their delegated powers, is attached for information (Pages 47 - 64)

**9. COUNTY DECISIONS**

A schedule detailing an application that has been determined by Durham County Council is attached for information. (Pages 65 - 66)

**10. APPEALS**

A schedule of appeals outstanding up to 31<sup>st</sup> October 2006 is attached for information. (Pages 67 - 70)

**11. RECENT PLANNING APPEAL DECISIONS**

Report of Director of Neighbourhood Services. (Pages 71 - 74)

**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 75 - 76)

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

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

B. Allen  
Chief Executive

Council Offices  
SPENNYMOOR  
2<sup>nd</sup> November 2006

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

All other Members of the Council

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ACCESS TO INFORMATION

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**Liz North 01388 816166 ext 4237 email:enorth@sedgefield.gov.uk**

# Item 2

## MEMBER'S DISCLOSURE OF INTEREST

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

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

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

(2)

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

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

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

OR (5) [Delete if not applicable]

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

SIGNED: .....

Dated .....

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

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

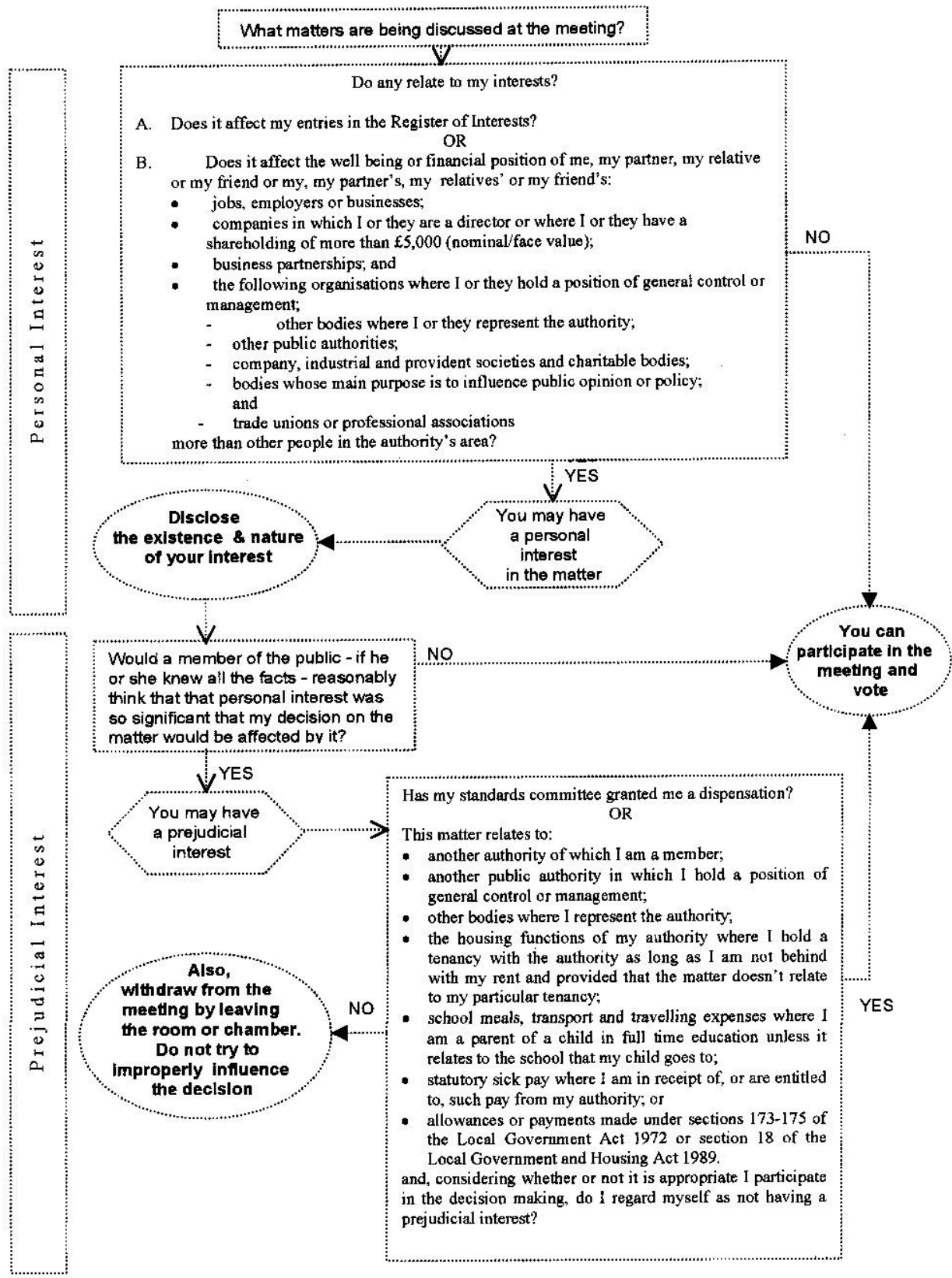
A Member with a prejudicial interest in any matter must also:

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

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

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



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# Item 3a

## SEDGEFIELD BOROUGH COUNCIL

### DEVELOPMENT CONTROL COMMITTEE

Council Chamber,  
Council Offices,  
Spennymoor

Friday,  
13 October 2006

Time: 10.00 a.m.

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

Councillors Mrs. A.M. Armstrong, B.F. Avery J.P, W.M. Blenkinsopp, J. Burton, Mrs. B.A. Clare, Mrs. J. Croft, M.A. Dalton, Mrs. A.M. Fleming, T.F. Forrest, Mrs. J. Gray, B. Hall, K. Henderson, J.E. Higgin, M. Iveson, M.T.B. Jones, J.M. Khan, B. Meek, G. Morgan, K. Noble, B.M. Ord, R.A. Patchett, Mrs. E.M. Paylor, Ms. M. Predki, J.M. Smith, Mrs. I. Jackson Smith, Mrs. C. Sproat, T. Ward and J. Wayman J.P

**Apologies:** Councillors D.R. Brown, Mrs. K. Conroy, V. Crosby, R.S. Fleming, Mrs. B. Graham, A. Gray, G.C. Gray, D.M. Hancock, A. Hodgson, Mrs. L. Hovvells, G.M.R. Howe, J.G. Huntington, J.P. Moran, D.A. Newell, J.K. Piggott, Mrs. C. Potts, J. Robinson J.P, G.W. Scott, Mrs. L. Smith, K. Thompson and W. Waters

#### DC.52/06 DECLARATIONS OF INTEREST

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

Councillor J. Burton	-	Item 4 – Application 1	Personal and prejudicial interest – Member of Trimdon Parish Council and Trimdon 2000
Councillor J.M. Khan	-	Item 13 -	Personal and prejudicial – acquainted with the applicant
Councillor A. Smith	-	Item 13	Personal and prejudicial – acquainted with applicant
Councillor Mrs. A.M. Armstrong	-	Item 13	Personal and prejudicial – acquainted with applicant

#### DC.53/06 MINUTES

The Minutes of the meeting held on 15<sup>th</sup> September 2006 were confirmed as a correct record and signed by the Chairman. (For copy see file of Minutes).

#### DC.54/06 APPLICATIONS - BOROUGH MATTERS

**NB :** In accordance with Section 81 of the Local Government Act 2000 and the Member's Code of Conduct Councillor J. Burton declared a personal and prejudicial interest in Application No : 1 and left the meeting.

In respect of Application No : 1 – Erection of 112 Houses and Apartments with Associated means of Access and Landscaping (Outline Application) – Land East of Swainby Road, Trimdon Village – Trimdon Estates, c/o 30 Front Street South, Trimdon Village – Plan Ref : 7/2006/152/DM – the Committee was informed that since the preparation of the report correspondence had been received indicating that four of the objectors to the proposed development had requested that their detailed objections be withdrawn after due consideration of the benefits arising from the proposals.

However, five further letters of objection from residents in Elwick View had been received. The main thrust of their objections was based on the issue of the land, the subject of the application, being used as a playing field and it being a greenfield site. Houses, which had recently been built, were still for sale. There was already a school in the village, another one was not needed. There was also already a health centre in the village. The site was used as a playing field and there would be nowhere for children to play. It was considered that the cost of the housing would not be affordable to many local people and would, therefore, not be of benefit. The proposals did not appear to offer anything that was likely to happen. The proposed three storey development, within the application, would be detrimental to the visual amenity. The proposed roundabout would also cause traffic congestion and be detrimental to the approach to the east of the village leading to the historic core of the village.

It was explained that two further letters of objections had been received from housebuilders, Wimpey and Barratts, and details contained in their letters of objection were read out to the Committee.

In respect of the objections from Wimpey it was explained that they were based on planning policy and procedure. The site was on greenfield land, outside the development boundary for Trimdon, which made the site least favoured in a sequential approach dictated by latest government guidance PPS 3. The proposed development would have a detrimental effect on the amenity value of the area and, as the site was adjacent to a conservation area, it would not be in keeping with the local vernacular.

The letter from Wimpeys also pointed out that the school was identified by the Local Education Authority to receive funding in the future.

National guidance was focused on residential development on brownfield land and increasing the proportion of development on such sites. This site did not contribute to that key driver whilst other sites in the locality could. The site had not been identified in the Urban Capacity Study 2003. A site analysis, of previously developed land in the locality, had not been submitted with the application. There were other sites in the locality that could provide the same housing opportunity, whilst maintaining the local amenity value of the area.

It was pointed out that there was currently an outline application for development in the Trimdons, which would be submitted to the Committee

in November, which was on brownfield land and a significantly more sustainable site.

Public consultation had taken place in relation to the proposed development. Feedback from the process included the following comments:-

Redevelopment of Greenfield land should always be left if brown-field sites are available

the development is good for the village.....that does not take up Greenfield land and nor does it impose on existing homes

I approve of the use of brownfield land

We would prefer Sedgefield Borough Council to build on brownfield land where available rather than green.

The approach of offering planning gain had a number of flaws. The affordable housing proposal makes no reference to Housing Association, and, therefore, the maintenance and management in perpetuity was questionable and appeared to have issues

In relation to the development of the school, this was also very limited as further funding was required. Also school information suggested that there was plentiful capacity.

The proposed development contradicted national and local planning policy and would question the purpose of any existing and future planning policies. Therefore the developers were supporting the officers recommendation for refusal.

The objections from Spawforth Associates on behalf of Barratts related to :-

- The site performs poorly in relation to the locational strategy laid out in the Draft Regional Spatial Strategy, in that it is an unallocated Greenfield site beyond the defined village framework.
- Policy 3 of the Structure Plan stipulates that priority should be given to the provision of new development on sites which is within or well related to the County's main towns, of which Trimdon is not one. Although it is acknowledged that deprivation occurs in the village, the size of the village, and services within, are insufficient to assimilate a development of this size in a manner which would lead to a sustainable community. Accordingly the site does not comply with the core planning principles laid out in PPS1, PPG3 and Draft PPS3 which seek to create sustainable communities.
- The release of this site for residential development would hinder more sustainable sites coming forward, including Whitworth Park, which is allocated in the Local Plan and is clearly in a significantly

more sustainable location within one of the identified main towns. It is acknowledged that the 4 main towns have the best facilities and services, and the development of Whitworth Park would seek to secure their viability.

Officers explained that the proposals were not within the residential framework of Trimdon Village and were not consistent with Regional or National Planning Policy Guidance. Proposals did not meet with the criteria of the Sequential Test which needed to be fulfilled under the Regional Spatial Strategy.

The development was considered to be unacceptable in planning terms in that it was a large modern housing development on an unallocated greenfield windfall site, outside the residential framework of the village, that would result in the encroachment of unjustified development into the open countryside. It would have an impact on the character of Trimdon Village Conservation Area. There was no guarantee that the enhanced facilities could be provided. The development lacked landscaping cover to the east and south and was not in conformity with Regional Planning Guidance or the Regional Spatial Strategy.

The key considerations in determining that the proposed development was unacceptable in planning terms were :-

- It is a large modern housing development of 112 dwellings on an unallocated, peripheral, greenfield, windfall site outside the defined and recognised residential framework of the village that would result in the encroachment of unjustified development into the open countryside.
- Developments of this magnitude should be located in the Boroughs 4 main towns in demonstrably more sustainable locations and not on the edge of small rural villages.
- The development would have a devastating impact on the character and appearance of the Trimdon Conservation Area by urbanising the country lane leading to the historic heart of the village.
- Whilst the applicant's financial contributions towards new facilities are noted there can be no guarantee that these can be provided by this application and 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 and the development lacks a landscape buffer to the east and south
- In planning policy terms fundamental objections have been raised at regional level because it is not conforming with the Regional Planning Guidance or the emerging Regional Spatial Strategy, and at county level as it is in conflict with the Structure Plan
- It is an unacceptable development which cannot be made acceptable simply by offering substantial financial contributions in support of it.

Paul Trippett, County Councillor for Trimdon, addressed the Committee and outlined his reasons for supporting the application. He explained that there were proposals for the expansion of Netpark which would have an impact on housing in the area. Trimdon Village did not have an appropriate brownfield site available for development which would mean that, if greenfield land was not used, there would be no investment in Trimdon Village. In relation to development of the infant school, Mr. Trippett explained that he did not believe Durham County Council's assessment of the number of school children and that housing development was needed to increase the number of children using the school and also to increase usage of other facilities such as the library etc., and for the general regeneration of the area.

Local Development Framework Major Allocations Draft Search Sequence and Detailed Assessment, which was out for consultation, stated that identification of sites should be founded on robust and credible assessment of the suitability, availability and accessibility of land. It set out the key sustainability tests against which potential housing sites would be assessed. The emphasis for larger villages was on previously developed land sites and buildings, Greenfield sites within villages, previously developed land extensions and lastly Greenfield extensions. Judged against the detailed selection process the site would perform poorly

Les Oliver, Parish Clerk to Trimdon, outlined his support for the application. He explained that the Parish Council was supporting the application and considered that the public support for the application was not being taken into account. Officers recommendations did not acknowledge that the application had received considerable public support. He pointed out that officers had given advice to the developers in relation to revised proposals and yet remained of the opinion that the scheme was not appropriate.

Facilities within Trimdon Village were diminishing due to the need for a more sustainable population. The doctors surgery was to close which would mean that residents would need to travel. In respect of the school facilities there may need to be re-organisation of primary education. An increase of even 3 or 4 children attending the school could mean the difference between losing a teacher or having mixed age group children.

In respect of the Regional Spatial Strategy, Mr. Oliver considered that there were issues, within the Strategy in relation to the rural areas, which should be challenged. Conservation did mean standing still but moving forward.

He requested the opportunity for Members to visit the site to enable them to clarify various aspects of the proposals.

In response officers explained that engaging with the local community to understand their aspirations etc., had to be considered alongside proposals that were acceptable in principle in planning terms in the first place. The timescale for the Local Development Framework was

constrained by the number of careful and proper assessments which needed to be undertaken in relation to sustainability etc on a Borough wide basis.

Mr. Sedgewick, a planning consultant for the applicant outlined the benefits of the proposals. He explained that the application had been supported by the community. He had a petition of over 1,000 people in support of the application. Facilities in Trimdon Village were diminishing, recreational facilities were outdated etc. The proposals would improve the sustainability of Trimdon Village. An influx of new people would give a better chance of investment in education and health facilities in the village.

With regard to the comments from the two housebuilding firms, he explained that they were not concerned with the issue of sustainability of the community.

He expressed his concern that the entire presentation had been negative.

In response officers explained that in relation to sustainability Planning Policy Statement 1 dealt with sustainable development and Planning Policy Statement 7 dealt with delivering sustainable communities in rural areas. Local development would be dealt with in the Local Development Framework, which made reference to achievable sustainable development. Greenfield development was discouraged.

The Committee was informed that Ian Grimley from Trimdon Junior Football Club was at the meeting to speak in support of the application. Mr. Grimley explained that there were health and safety concerns in relation to the existing astro turf. The football club needed the facilities and could not afford to relocate. Closure would mean that there was no playground for the school. If the astro turf was developed there would be a significant improvement in childrens safety. He also queried the assessment of how many children the proposed development would bring within the area, as a recent new development had brought 50 children.

In considering the application Members pointed out that they had been given a very detailed report, which clearly identified all the planning issues. A site visit for clarification purposes was therefore not necessary.

Members also considered that there was a need to maintain consistency and adhere to planning policies. Officers were enacting Council policy on their behalf

Members were also of the opinion that the proposal amounted to piecemeal development that would set an undesirable precedent. Financial “carrots” could not be waved as an incentive. This was not good planning practice

In relation to facilities within Trimdon there was no guarantee that these would happen and this development was not the right way forward in planning terms.

In relation to public support the Committee pointed out that, although there was a petition of over 1,000 signatories in support of the application, there was a query in relation to the opinion of the other residents in the village.

With regard to Application 2 – Erection of 121 dwellings and 12 apartments with associated infrastructure and landscaping – Thrislington Depot Station Road, West Cornforth, Ferryhill – Justin Hancock, H.J. Banks and Company, Tow Law – Plan Ref : 7/2006/0312/DM – the Committee was informed that Justin Hancock, Development Planner from H.J. Banks was present at the meeting to clarify any issues in relation to the proposals.

Mr. Hancock explained that the proposals related to the regeneration of an under-used brownfield site which would be beneficial to the local community and also to the two companies using the site who would be able to relocate.

One objection had been received in relation to the proposed development which the company had addressed, by the proposed creation of a buffer zone.

In response to a query raised by Members of the Committee, Mr. Hancock explained that ground investigations had been carried out bearing in mind that it was a former mining area. There would be thorough testing and monitoring when the developer was on site.

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

**DC.55/06 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.56/06 APPEALS**

Consideration was given to a schedule detailing outstanding appeals up to 4<sup>th</sup> October, 2006. (For copy see file of Minutes).

*RESOLVED : That the information be received.*

**DC.57/06 TREE PRESERVATION ORDER NO 40/2006 WINDLESTONE HALL, WINDLESTONE**

Consideration was given to a report of the Head of Planning Services (for copy see file of Minutes) the purpose of which was to consider whether it would be appropriate to confirm the above Tree Preservation Order.

It was explained that a provisional Tree Preservation Order had been made at the site on 12<sup>th</sup> June, 2006.

The trees which were subject of the Order provided amenity value to the area and were considered worthy of protection to preserve the character of the landscape and protect the setting of the conservation area.

*RESOLVED : That Tree Preservation Order No : 40/2006  
Windlestone Hall, Windlestone be confirmed.*

**DC.58/06 TREE PRESERVATION ORDER NO 41/2006 LAND ADJACENT TO  
WINDLESTONE HOME FARM COTTAGES, WINDLESTONE**

Consideration was given to a report of the Head of Planning Services (for copy see file of Minutes) the purpose of which was to consider whether it would be appropriate to confirm the above Tree Preservation Order.

The Committee was informed that the provisional Tree Preservation Order had been made at the site on 1st June, 2006. The Order needed to be confirmed within six months of being made or it would be null and void.

The tree that was subject of the Order provided amenity value to the area and was considered worthy of protection to preserve the character of a redevelopment site.

*RESOLVED : That Tree Preservation Order No : 41/2006 – Land  
Adjacent to Windlestone Home Farm Cottages,  
Windlestone be confirmed*

**DC.59/06 TREE PRESERVATION ORDER NO 43/2006 1, THE VILLAS, DEAN  
BANK, FERRYHILL**

Consideration was given to a report of the Head of Planning Services (for copy see file of Minutes) the purpose of which was to consider whether it would be appropriate to confirm the above Tree Preservation Order.

It was explained that a provisional Tree Preservation Order had been made at the above site 25<sup>th</sup> May, 2006. The Order needed to be confirmed within six months of being made or it would be null and void.

The tree which was the subject of the Order provided amenity value to the area and was considered worthy of protection to preserve the character of the landscape and protect the setting of the conservation area.

*RESOLVED : That Tree Preservation Order No : 42/2006  
1, The Villas, Dean Bank, Ferryhill be confirmed .*

**DC.60/06 TREE PRESERVATION ORDER NO 44/2006 GRAYSON ROAD,  
MIDDLESTONE MOOR**

The Committee considered a report of the Head of Planning Services (for copy see file of Minutes) the purpose of which was to consider whether it would be appropriate to confirm the above Tree Preservation Order.

It was explained that a provisional Tree Preservation Order had been made at the above on 14<sup>th</sup> August, 2006. The Order needed to be confirmed within six months of being made or it would be null and void.

The trees which were subject of the Order provided amenity value to the area and were considered worthy of protection to preserve the character of the development site.



*RESOLVED : That Tree Preservation Order No : 44/2006 Grayson Road, Middlestone Moor be confirmed*

**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 they may involve the likely disclosure of exempt information as defined in Paragraphs 1 and 6 of Part 1 of Schedule 12a of the Act.*

**DC.61/06 ALLEGED BREACHES OF PLANNING CONTROL**

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

*RESOLVED : That the schedule be received.*

**DC.62/06 ERECTION OF FENCE ENCLOSING OPEN SPACE ADJACENT TO 1 PARKDALE, SPENNYMOOR**

**NB :** In accordance with Section 81 of the Local Government Act 2000 and the Member's Code of Conduct Councillors Mrs. A. M. Armstrong, J.M. Khan and A. Smith declared an interest in this item and left the meeting.

**(Councillor B. Meek in the Chair).**

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

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

**ACCESS TO INFORMATION**

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

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# Item 3b

## SEDGEFIELD BOROUGH COUNCIL

### DEVELOPMENT CONTROL COMMITTEE

Council Chamber,  
Council Offices,  
Spennymoor

Friday,  
20 October 2006

Time: 10.00 a.m.

**Present:** Councillor B. Meek (Vice –Chairman) in the Chair and

Councillors Mrs. A.M. Armstrong, W.M. Blenkinsopp, Mrs. B.A. Clare, M.A. Dalton, Mrs. B. Graham, G.C. Gray, Mrs. J. Gray, K. Henderson, A. Hodgson, J.G. Huntington, M.T.B. Jones, J.M. Khan, G. Morgan, D.A. Newell, K. Noble, B.M. Ord, R.A. Patchett, Mrs. C. Sproat, K. Thompson, T. Ward and J. Wayman J.P

**Apologies:** Councillors B.F. Avery J.P, D.R. Brown, J. Burton, Mrs. K. Conroy, Mrs. J. Croft, V. Crosby, Mrs. A.M. Fleming, R.S. Fleming, T.F. Forrest, A. Gray, B. Hall, D.M. Hancock, J.E. Higgin, Mrs. L. Hovvels, G.M.R. Howe, M. Iveson, J.P. Moran, Mrs. E.M. Paylor, J.K. Piggott, Mrs. C. Potts, Ms. M. Predki, J. Robinson J.P, G.W. Scott, A. Smith, J.M. Smith, Mrs. I. Jackson Smith, Mrs. L. Smith and W. Waters

Prior to the meeting Councillor Meek explained that he was unable to remain in the meeting for its anticipated duration and therefore, to maintain continuity, nominations were sought for Chairman of the meeting. Councillor M.A. Dalton took the Chair and Councillor B. Meek left the meeting.

#### DC.63/06 **DECLARATIONS OF INTEREST**

The following Members declared an interest in this item :

Councillor R.A. Patchett	-	Personal and prejudicial – daughter works for applicant
Councillor G.C. Gray	-	Personal and prejudicial -
Councillor W. Waters	-	Personal and prejudicial – family connection

The Members left the meeting for the duration of the discussion and voting thereon.

#### DC.64/06 **APPLICATIONS - BOROUGH MATTERS**

Consideration was given to a schedule detailing the following applications which were to be determined by this Council :

- 1. Erection of new factory with associated parking, service areas, landscaping and infrastructure including the creation of new roundabout - Land off Butchers Race Green Lane Industrial Estate, Spennymoor – Plan Ref : 7/2006/0477/DM**

**2. Demolition of existing factory premises and subsequent redevelopment for approximately 400 residential units with associated landscaping and infrastructure improvements – Plan Ref : 7/2006/0476/DM**

It was explained that the meeting had been convened to provide Members with the opportunity to carefully consider the applications which were inter-dependent.

The Committee was informed of the format for the meeting and that David Johnston, Operations Director, Thorn Lighting and Chris Harrison, a Planning Consultant, acting as agents for the developer, were present at the meeting to outline the proposals.

Mr. Johnston outlined the history of Thorn Lighting and gave an overview of the proposed new plant and technological development.

Members were informed that Thorn had been in existence for 75 years and operational at Spennymoor for 50 years. It originally operated as Smart and Brown. Since 2003 the firm had an independent Chairman and consideration had been given at that time to a strategy until 2010.

Spennymoor was the largest of the Thorn sites employing over 700 staff and making around 4 million light fittings per year. Half of the employees were in service departments such as research and development.

By 2010 there needed to be a reduction in capacity and increased efficiency which would mean the closure of some plants. Consideration had therefore been given to how the future of the site at Spennymoor could be secured. Proposals for this new purpose-built facility had been drawn up to deal with the needs of the future. The facility would maximise efficiency and minimise energy securing employment at Spennymoor for the next 21 years.

Discussions had been held with Durham University and One North East regarding the lighting of the future and grant funding had been obtained for technological development. Product and manufacturing technology was to be developed. Investment would be made in an Academy of Light at Spennymoor.

It was crucial to maintain the firm's role as market leader. Without the proposed development the site would close losing 700 jobs.

Chris Harrison, a Planning Consultant, then outlined the requirements to relocate. He explained that the existing site was inefficient and there was a need to relocate to a more competitive site. It was not possible to reconfigure the existing site.

The proposals, for the prestige site on Green Lane Industrial Estate provided an efficient layout to meet operational requirements. The design was of a high quality and visual impact had been minimised. The scheme

also included high quality landscaping. The nearest residential properties were some 100m. away from the development.

It was necessary to divert two existing public rights of way through wide landscape belts around the edge of the site.

Prior to lodging the planning application, preliminary views from a variety of consultees had been sought. The concerns outlined in those responses had been addressed with landscaping as an integral part to the scheme and by the Travel Plan which had been drawn up.

It was a prestige employment site and the proposals provided a competitive purpose-built facility.

In terms of the existing Merrington Lane site, it had limited potential for redevelopment as the costs would be prohibitive. There were also other more attractive industrial locations in the area. Therefore the site was not viable for employment use.

Alternative uses for the Merrington Lane site that were considered including retail use. However, wherever possible, retail usage should be confined to town centres. In relation to residential use the site was viable and met PPG 3 Guidance and criteria.

It was explained that the site on Green Lane Industrial Estate would need to be developed first. The North East Assembly was supporting the redevelopment and Durham County Council had commented that the Travel Plan included in the proposals would have strong positive impact.

The proposals represented a unique opportunity to retain employees and jobs, invest in new technology and provide additional diversified housing on a brownfield site at Merrington Lane. He was therefore commending the officers recommendation to approve the application.

Officers then outlined the principle issues in relation to the proposed development. It was explained that the proposals conformed with National and Local Planning Policies and Supplementary Guidance. It was a prestige industrial area which had been identified in the County Durham Structure Plan and was supported by Durham County Council, North East Assembly and One North East.

In relation to transport the County Highways Department had no objection to the proposals and had complimented the applicant on the quality of their Travel Plan.

The design and layout was dictated by the function of the development and minimising visual impact. An extensive and comprehensive assessment of the noise impact had been undertaken and concluded that noise would not be a significant issue.

In relation to protected species English Nature had offered no objections and the development would have a minor impact. A condition would also be imposed in relation to archaeological issues.

With regard to the footpath diversion the Ramblers Association had offered no objection. The public would not be significantly affected by the footpath diversion and the development would in fact make it more attractive by including lighting.

Nine letters of objection had been received mainly relating to the loss of view and light. It was pointed out that the development was on a prestige industrial estate and not a residential area. The development would be over 90m. from the nearest residential property.

The Committee was informed that since the agenda had been prepared an additional letter of objection had been received from Leo Petch, a local resident. He explained that his concerns related to noise pollution. Mr. Petch, in his letter, explained that there was likely to be 70 HGV movements per day over a 24 hour operation. Whilst the factory is over 100m. from the nearest property, the vehicle movement on the factory site would only be 36m. from his bedroom window. This distance was disputed by officers who considered the distance to be more in the region of 80m.

He did not accept the noise associated with the HGV movements during the night would be acceptable and could not reasonably be considered as a minor increase over what was normally a virtually silent sleeping environment.

He was therefore requesting that further consideration be given to the issue of noise specifically associated with heavy goods vehicle movements during unsocial hours either by restriction on the number of vehicles or the provision of more adequate buffering and screening.

In response it was explained that Environmental Health were of the opinion that there would be no significant impact on noise levels and would cause annoyance. Furthermore, the vehicles would not be leaving the site on a 24 hour basis but would be between the hours of 8.00 a.m. and 5.00 p.m.

Mr. Davison, a resident of School Close, then outlined his concerns in relation to the development. He explained that the site of the development was raised and the building would be obtrusive. It would mean a loss of amenity, noise, disturbance and dust pollution and would result in a loss of privacy in the area. He considered that insufficient consideration had been given to landscaping on the western side of the development and urgent consideration needed to be given to screening to improve amenity and visual impact.

A number of families were concerned regarding noise and disturbance.

Mr. Davison queried whether there would be neon signs on the western side of the development. In response officers explained that there would conditions imposed in relation to the materials used and also on

landscaping. Any proposals for signage would have to be the subject of an application for advertisement consent. In relation to when landscaping was to take place, it was suggested that following revised condition be imposed in relation to the phasing of the development.

The applicant confirmed that this would be satisfactory.

A query was raised regarding any proposed extension in the future to the new development. It was explained that any proposals to expand the new development would be the subject of a planning application and would undergo the usual consultation process.

In respect of Application No : 2, the proposed housing development on the Merrington Lane it was explained that this was an outline application with some detailed matters reserved for subsequent approval at which time there would be opportunity to consider the future layout and design of the scheme. Officers explained the proposed economic implications of the sites' redevelopment. It was explained that it was not considered a viable site for employment. The market need was largely for incubation units and much larger sites for storage and distribution. An independent study had been carried out which indicated that the site would need considerable investment and remediation works.

The County Durham Economic Partnership, on behalf of One North East, had undertaken a study. The Merrington Lane site was not identified in that study as a strategic site and would not attract funds for remedial works.

There was therefore a high risk of it being a longterm derelict site.

It was pointed out that Thorn Lighting was the second largest employer in the Borough. The employment rate was 1½ - 2 ½ % of the Borough which was significant to the prosperity of the Borough. Should the plant close it would take approximately three years to achieve that rate again.

Furthermore, there would be an impact on the reputation of Spennymoor in the confidence of investors. It would also have an impact on the Council and its image in terms of leadership in hitting targets to achieve the prosperous borough. The relocation to Green Lane would contribute to a robust economy.

In terms of housing land availability it was explained that there was a clear Government policy driver to prioritise previously developed land for housing development and that the proposals would help achieve targets which had to be met by 2016.

It was further explained that in terms of housing allocation, a report had been submitted to Cabinet identifying the need for a supply of housing land to deliver sustainable communities.

The proposed development met the criteria of PPG3 in relation to the supply of housing land and although there were issues in relation to access in that the development was divorced from the rest of the town, the applicant had provided a detailed Travel Plan which overcame those issues.

In terms of Affordable Housing, a Scrutiny Review Group had been established to consider the issues.

In the Housing Needs Survey a shortfall of provision in Spennymoor had been identified and a 20% provision of Affordable Housing on sites was being suggested.

Reference was made to the provisions in Circular Paragraph 10 and the five main costs in particular raft foundations

It was pointed out that a Housing Needs Survey would be undertaken before the commencement of the development.

The Committee was also informed of the issues that the Inspector would take into account on appeal including the trend towards allowing residential development within designated industrial sites if there was no real prospect of the site being used for employment purposes.

Officers clarified the terms of Paragraph 42A of PPG3 in terms of land no longer needed for employment use. As the proposals were a clear departure from the Local Plan they would need to be referred to the Government Office for the North East. The development would help to meet previously developed land targets and would be a more efficient use of land.

The proposals represented development of a brownfield site and met the sequential approach necessary under the Regional Spatial Strategy.

It accorded with RPG1 and officers offered a State of the Art facility and supported local communities.

The development would be phased implementation over a five year period and would be the subject of a Section 106 Agreement.

Mr. Lyle, agent for the Greyhound Stadium's planning application for housing, was present at the meeting to outline his concerns. He explained that he did not object in principle to the housing development. His concerns related to the process and planning practice.

It was explained that an application for the Greyhound Stadium site was to be considered at a future meeting of Development Control Committee.

As there were two competing applications he was disappointed that they had not been considered at the same time. Where there were two brownfield sites to consider it would have been better to consider which



was more sustainable and accessible. He was therefore looking to defer consideration of this application until both could be considered together.

In response officers explained that the wider implications of this proposal were being looked at through a Master Plan taking into account the whole of the Merrington Lane area if Members were minded to approve the two linked applications.

A query was raised regarding Affordable Housing and whether the 10% was flexible. In response it was explained that 10% was a solid commitment and that there would be no flexibility on that.

In relation to materials etc., it was explained that this had not been discussed or agreed and more detailed negotiations would have to be undertaken but obviously the colour would not be obtrusive.

**RESOLVED :** *That the report be received and the recommendations contained therein adopted subject to the inclusion of the following additional recommendation in relation to Application 1 - Erection of new factory with associated parking, service areas, landscaping and infrastructure- Plan Ref : 7/2006/0477/DM*

*No development shall commence until a phasing scheme for the implementation of the approved landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved landscaping scheme shall be carried out in accordance with the approved phasing scheme.*

**REASON:** *In the interests of the visual amenity of the area and in order to comply with Sedgefield Borough Local Plan Supplementary Planning Guidance Note 2 Design of Development on Prestige Business Areas.*

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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

## REPORT TO DEVELOPMENT CONTROL

10 November 2006

## REPORT OF HEAD OF PLANNING

### Planning and Development Portfolio

#### Tree Preservation Order No. 45/2006 2 Middridge Road, Rushyford

#### 1. SUMMARY

- 1.1 A provisional Tree Preservation Order (TPO) was made at the above site on 24 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 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 the landscape.

#### 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 tree was subject to enquiries as to the status of the tree. No protection existed and the enquiry indicated that the tree would be felled.
- 3.2 The tree provides public amenity along Middridge Road and particularly the A167. The tree stands on the perimeter of the rear garden, partly screens the built environment and softens the landscape impact of a row of 6 dwellings. The tree provides a skyline feature.

#### 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 Two letters of objection were received. One letter of support was received. These are summarised below.

### **Support for the Order**

#### 4 Eden Gardens

- The tree softens and enhances the built environment
- The tree is beautiful and has a long life span.

### **Objections to the Order**

#### 3 Middridge Road

- Roots may damage the sewers and foundations of the house
- Restriction of views and light
- The tree does not provide amenity
- Removing leaves is too onerous

#### 1 Middridge Road

- Lack of light
- Tree is too close to building
- Danger of damage to drains
- The tree does not provide amenity
- The tree was not previously seen as valuable

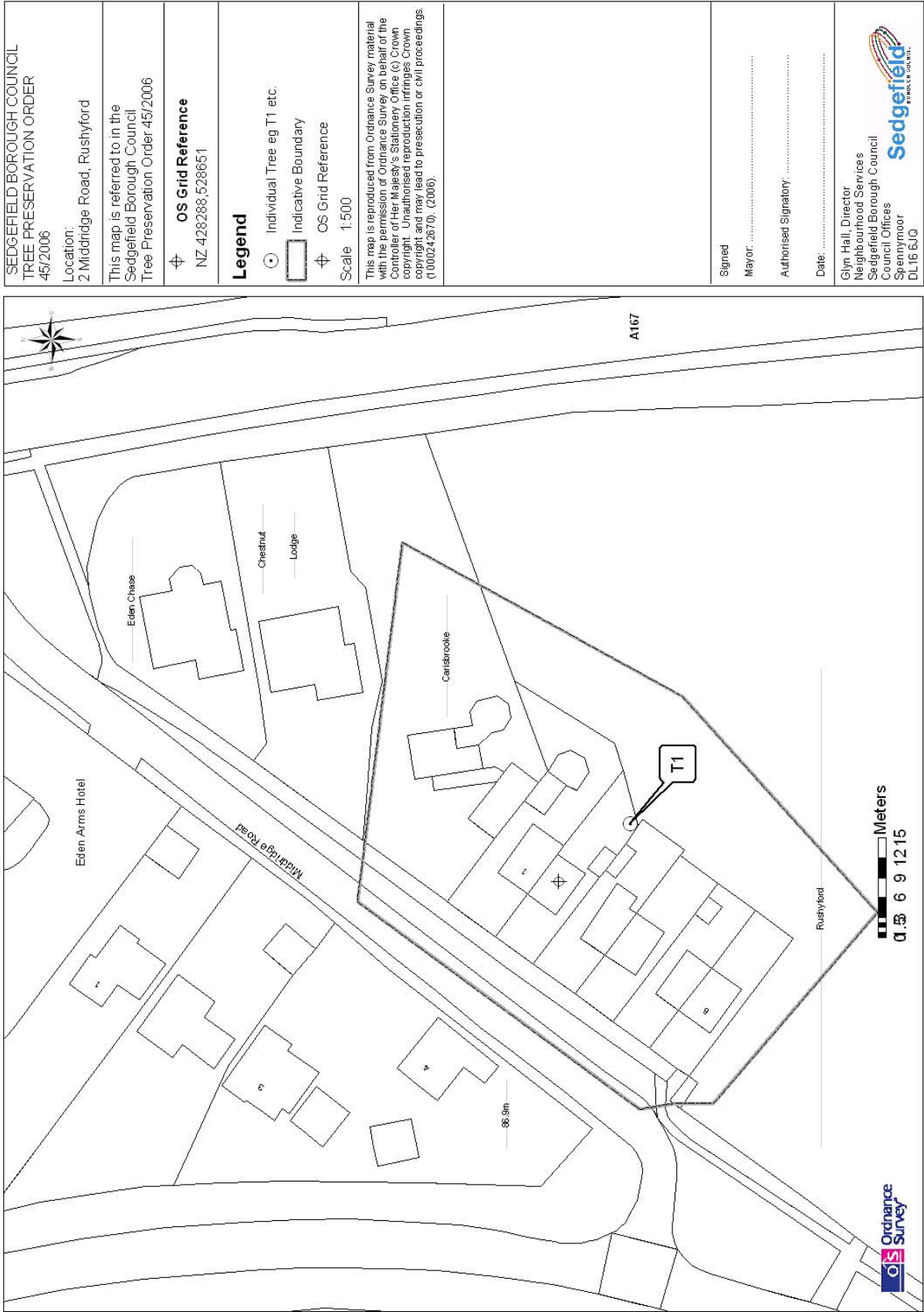
## **5. Response to objections**

- 5.1 It is acknowledged that as the tree stands to the south of the dwelling that the tree will cause shading to your garden and possibly the house. There is no right to direct sunlight within a domestic garden, however this issue can be tackled by appropriate professional crown thinning of the canopy. The removal of the tree would be disproportionate to the seasonal problem. Ash is the last native tree to form leaves and the first to drop their leaves so the problem is confined to a short period of the year. The tree provides amenity and wildlife habitat throughout the year.

- 5.2 The tree is 10 metres from the building. Landscape treatments for new developments regularly include planting of trees much closer than 10 metres. The threat from the tree is perceived rather than real.
- 5.3 Tree roots cannot penetrate drains by the extension growth of their roots. Provided that the drains are fit for purpose and in good condition the tree roots should not cause any problems.
- 5.4 Leaf fall is a seasonal problem and part of normal household maintenance. The removal of the tree is disproportionate to the seasonal problem.
- 5.5 The tree can be pruned following the granting of consent to restrict the size and remove any dead or dangerous branches.
- 5.6 The tree does provide public amenity to drivers, cyclists and pedestrians, especially during the rush hour when traffic is often stationary or very slow close to the busy Rushyford junction. At least one resident sees the tree as an important public amenity as they are in support of the Order.
- 5.7 Tree preservation orders are usually only served where a tree is under threat. If the tree is not under threat it is not expedient for us to act. In this instance the tree is clearly under threat and is, in addition, judged as important to the landscape.
- 5.8 The local planning authority is under a legal obligation to preserve trees and woodlands within its borough where it is expedient in the interests of amenity. Given the importance of climate change and biodiversity this obligation is gaining increasing importance. In this case, it is believed that the judicious pruning of the protected ash can attain a compromise, that will both preserve the public amenity and address the objections to the Order.

### **Background Papers**

- Item a Tree Preservation Order 45/2006: Plan and Schedule
- Item b Letter of support
- Item c Letter of objection
- Item d Letter of objection
- Item e TEMPO evaluation



<p><b>SEDFIELD BOROUGH COUNCIL</b>  <b>TREE PRESERVATION ORDER</b>          45/2006</p> <p>Location:          2 Middridge Road, Rushyford</p> <p>This map is referred to in the          Sedgfield Borough Council          Tree Preservation Order 45/2006</p>	
<p>⊕ <b>OS Grid Reference</b>          NZ 428288,528651</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> </ul> <p>Scale 1:500</p>
<p><small>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. (1000242670). (2006).</small></p>	
<p>Signed          Mayor: .....</p> <p>Authorised Signatory: .....</p> <p>Date: .....</p>	
<p>Glyn Hall, Director          Neighbourhood Services          Sedgfield Borough Council          Council Offices          Spenny Moor          DL16 6JQ</p> <p><b>Sedgfield</b>  <small>ESTABLISHED 1839</small></p>	

SCHEDULE 1

SPECIFICATION OF TREES

Trees specified individually  
(encircled in black on the map)

<b>Reference on TPO 45/2006 map</b>	<b>Description</b>	<b>Location</b>
T1	Ash	Southern boundary of rear garden

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	

4, Eder Gardens  
Rushyford  
Co Durham  
DL17 0SL  
S. 9. 06.

DEVELOPMENT CONTROL  
RECEIVED  
- 7 SEP 2006

Dear Mr Howe,

We write in reply to your letter regarding the serving of a tree preservation order at 2, Middridge Road, Rushyford.

We feel that the tree is an important feature in the road, it softens and enhances the landscape around the houses and deserves to continue its already long life.

We would not be opposed to sympathetic pruning to the tree but feel strongly its beauty should be allowed to continue for all to enjoy.

yours sincerely  
June Bowtell



DEVELOPMENT CONTROL  
RECEIVED

- 8 SEP 2006

3, Middridge Road,  
Rushyford,  
Ferryhill,  
County Durham,  
DL17 0NH.  
4/9/06

Ref, RVL/TPO45/2006.

Tree preservation order ,no 2 Middridge road, Rushyford.

Dear sir,

With reference to the above matter please find our concerns as we see them affecting our property. The woodland Trust recommends to avoid planting a tree (such as the ash) within 10 to 15 mtrs of a building to avoid damage to the structure of the building. The tree in question is only about 4mtrs from the main sewer running behind the property, and our concern is that as the tree matures (to 45mtrs height of growth in 10 to 20 years maturing about 60 years.) the root system will damage the main sewer and the foundations of our property.

At the moment we get small branches dropping onto the rear of our property in strong winds, and we are concerned that the main trunk could fail (where it has divided ) and a large trunk could cause considerable damage to our property.

The tree has doubled in height since we moved into our property 17 years ago, so it still has about 20 years of growth left and will completely block out the light to the rear of our property. If the tree was felled this would give us back light into the rear of our property and also our view from the rear upper windows which has been restricted by the tree, would be restored.

As for it being a public amenity on the A167, surely our amenity and lessening of damage to our property is far more important than to people driving past who probably do not even notice the tree. Yes I agree it partly screens the built environment, giving us darker rooms and no view whatsoever from the rear of our property over the land, which was one of the reasons that we bought the property.

Both my wife and I are retired through ill health, so who is expected to clean up the mess of leaves that daily fall into our property every autumn, and a mature ash tree drops literally thousands of seed pods every year. Will the council (who put the order on the tree) or the people on the A167 who enjoy (the amenity of the tree) clean up the mess, and repair any damage to our sewer or property ? I think not !

Please let common sense prevail and let the owner fell the tree, or at the very least prune it to a reasonable size, thus eliminating any future damage to our property, or the main sewer.

Yours faithfully,  
Mr & Mrs D Smith.

Mr. C. Walton  
Head of Planning Services  
Sedgefield Borough Council  
Council Offices  
Spennymoor  
DL16 6JQ

DEVELOPMENT CONTROL  
RECEIVED

18 SEP 2006

Dear Mr. Walton,

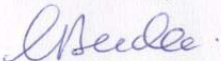
I am writing to you in response to a letter received from you dated 24th August relating to a Tree Preservation Order which you are considering making permanent on a house that I have purchased recently , 2 Middridge Road, Rushyford.

I would like to make objections against this order for the following reasons:-

- 1) This tree is very large and dominates a small garden, restricting light to the rest of the garden and also the house.
- 2) It is not recommended that this type of tree be planted so near a building.
- 3) The problems to the drains in this area with such extensive root systems may become a large financial problem for me.
- 4) The neighbour who is in number 3 Middridge Road complains about the leaves and branches falling into his Garden.
- 5) This tree has not finished growing yet.
- 6) This tree is far enough away from the A167 to provide no public amenity. I would also question it being a public amenity to any other occupants of Middridge Road.
- 7) This tree was not seen as a valuable tree to you until I made enquiries about capping the tree to Mr. Lowe,
- 8) This reaction to me seems very unfair to two families who own 2 & 3 Middridge Road, Rushyford.

I will be very interested to have your comments on my objections.

Yours faithfully



Glenda Beedle  
1 Eden Gardens  
Rushyford  
Co. Durham  
DL17 0SL

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Item e
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<b>TREE EVALUATION METHOD FOR PRESERVATION ORDERS</b>		
<b>SURVEY SHEET AND DECISION GUIDE</b>		
	Tree/Group No.	Species;
Surveyor; Rodger Lowe	T1	Ash
Owner;		
Location; 2 Middridge Road, Rushyford		
Date; 21 September 2006		
<b><u>PART 1; Amenity Assessment</u></b>		
<b>a) Condition and suitability for Tree Preservation Order</b>		
Refer to Guidance Note for definitions		
<b>Score</b>		
5) Good	Highly suitable	5
3) Fair	Very suitable	
1) Poor	Unlikely to be suitable	
0) Unsafe, Dead	Unsuitable	
<b>b) Longevity and suitability for Tree Preservation Order</b>		
Refer to 'Species Guide' section in Guidance Notes		
<b>Score</b>		
5) 100+	Highly suitable	5
4) 40 - 100+	Very suitable	
2) 20 - 40	Suitable	
1) 10 - 20	Just suitable	
0) < 10	Unsuitable	
<b>c) Relative public visibility and suitability for Tree Preservation Order</b>		
Consider realistic potential for future visibility with changed land use		
<b>Score</b>		
5) Very large trees, or trees that are a prominent skyline feature	Highly suitable	
4) Large trees, or medium trees clearly visible to the public	Suitable	4
3) Medium trees, or larger trees with limited view only	Just suitable	
2) Small trees, or larger trees visible only with difficult	Unlikely to be suitable	
1) Young, very small trees or trees not visible to the public	Probably unsuitable	
<b>d) Other factors</b>		
Trees must have accrued 7 points or more (with no zero scores) to qualify		
<b>Score</b>		
5) Principal components of arboricultural features, or veteran trees		
4) Members of groups of trees that are important for their cohesion		

3) Trees with significant historic importance	
2) Trees of particularly good form, especially if rare or unusual	
1) Trees with none of the above	1

**Part 2; Expediency assessment**

Trees must have accrued at least 7 points to qualify

	<u>Score</u>
5) Known threat to trees	5
3) Foreseeable threat to tree	
2) Perceived threat to tree	
1) Precautionary only	
0) Tree known to be actionable nuisance	

**Part 3; Decision Guide**

Score Total

Decision

		<u>Score Total</u>	<u>Decision</u>
Any 0	Do not apply TPO		
1-6	TPO indefensible		
7-10	Does not merit TPO		
11-13	Possibly merits TPO		
14+	Definitely merits TPO	20	TPO 45/2006

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# Item 5

## SEDGEFIELD BOROUGH COUNCIL

### PLANNING APPLICATIONS - TO BE DETERMINED

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1. 7/2006/0548/DM APPLICATION DATE: 23 August 2006

PROPOSAL: **ERECTION OF 104 NO. DWELLINGS AND ASSOCIATED MEANS OF ACCESS (OUTLINE APPLICATION)**

LOCATION: **THE FORMER GREYHOUND STADIUM SPENNYMOOR CO DURHAM**

APPLICATION TYPE: Outline Application

APPLICANT: Mr Brian Robinson  
36 Gurlish West, Coundon, Bishop Auckland, Co Durham

#### CONSULTATIONS

1. SPENNYMOOR TC
2. Cllr. Andrew Gray
3. Cllr. A. Smith
4. Cllr. J.M. Khan
5. REGENERATION
6. DCC (PROWS)
7. POLICE HQ
8. LANDSCAPE ARCH
9. DESIGN
10. ECONOMIC DEV
11. L.PLANS
12. VALUER
13. ENV. HEALTH
14. WILDLIFE TRUST
15. ENV AGENCY
16. N.ELEC (DARLO)
17. BUILDING CONTROL
18. ENGLISH NATURE
19. NORTHUMBRIAN WATER
20. DCC (TRAFFIC)
21. DCC (PLANNING)
22. ENGINEERS
23. One North East
24. The North East Assembly

#### NEIGHBOUR/INDUSTRIAL

Kemarven  
The Winning Post  
Jewson Ltd  
SBC Training Centre  
Electrolux Ltd  
Thorn Lighting  
Jubilee Centre  
Northstar Vehicles Ltd  
Deerness Rubber Co Ltd  
Gardiners Coaches

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

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Leather Repairs Services

The Frog & Ferrett

Transco

DISC

Sedgfield PCT

2-5

Coulson Street:27,Gardiners Coaches,6,9,5,Brookland Garage,Lyons Electrical & Plumbing,Edmar Tyres & Exhaust Services,Andrew Parnaby Mobility Services,Flat 1,Flat 2,Flat 3,Flat 4,Flat 5,Pixley Dell Nursery

**BOROUGH PLANNING POLICIES**

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

D5 Layout of New Housing Development

E14 Safeguarding Plant and Animal Species Protected by Law

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**THE PROPOSAL**

Outline planning permission is sought for residential development comprising 104 dwellings on the site of the former Greyhound Stadium, Spennymoor. The submitted plans indicate that vehicular access would be taken from Front Street, with existing public footpaths / rights of way along the northern and western boundaries retained, linking through to the subway that provides pedestrian access to Merrington View and the town centre beyond. The schematic plans also indicate that a landscaped buffer would be provided along the northern boundary to screen existing industrial uses in Coulson Street.

**CONSULTATION AND PUBLICITY RESPONSES**

Spennymoor Town Council has no objection to the proposal.

Durham County Council (Highway Development Control Section) has commented that the existing access to the site from Front Street and its junction with the B6288 (Merrington Lane) is not very satisfactory, and that the most appropriate access improvement would be based upon a Type 3 Minor Access Road. This would be of 4.8 metres carriageway width with 1.8 metres wide footpaths either side, and would set a limit of 100 dwellings on the site. A preference has however been expressed for only 80 dwellings.

It is also recommended that a cycleway be incorporated into the scheme, running alongside Public Footpath No. 57 to link Front Street with the subway.

It has been pointed out that the improved access may involve acquisition of land to form adequate junction radii, and the removal of hedging to improve visibility.

Resurfacing of part of the existing pedestrian footway will be required, a section will need to be stopped up and diverted along the new footway, and road markings will need to be introduced in agreement with the Traffic Section.

Durham County Council (Planning Policy Team) has stated that the proposal would be in general conformity with the County Structure Plan, provided sustainable access to the whole site is facilitated and encouraged. In particular, the development should be designed to

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

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encourage walking, cycling and the use of public transport. The lack of bus passenger waiting facilities on Merrington Lane has been highlighted, and it is recommended that two well-lit shelters be provided by the developer at the nearest bus stopping points.

Layouts of 100 or more dwellings need to allow for appropriate bus penetration, and there should be demonstration of, and financial contribution towards improving the footpath links and cleaning up the subway under the A688. There should be 1 easily accessible and secure cycle parking space per dwelling.

Durham County Council (Public Rights of Way Section) advise that Public Footpath No.56 lies within the site boundary, whilst No.57 runs adjacent to the western boundary. Improvements to footpath No.56 should be detailed in any subsequent detailed application. A footpath diversion may be necessary where the footpath terminates at Front Street.

One North East in its capacity as the Regional Development Agency has no comment to make on the proposal.

Durham Constabulary (Architectural Liaison Officer) recommends the introduction of a range of house types, because this would increase the potential for natural surveillance, community interaction and environmental control.

Advice has also been given on the location, width and illumination of footpaths, the provision of CCTV surveillance of the subway, and the security of car parking.

Natural England is unable to provide informed and substantive advice on the proposal because insufficient information has been submitted in order to tender helpful advice. It has advised however that the Borough Council's own ecology team screens the proposal to ascertain whether an ecological survey is required.

Borough Council's Countryside Team has examined the site and concluded that there is evidence of nesting birds, and presence of 'birdsfoot trefoil', a food source for the Dingy Skipper – a butterfly specifically mentioned in the Durham County Biodiversity Action Plan. It is recommended therefore that a Phase 1 Ecological Assessment is undertaken before any planning permission is granted to establish whether the site is a habitat for species protected by law or otherwise included in the Durham County Biodiversity Action Plan. Such an assessment could not however be made until the summer months in respect of the Dingy Skipper..

Borough Council's Engineering Services Team has no objections provided there is prior agreement of engineering details.

Northumbrian Water does not object to the proposal, but has made recommendations about technical requirements for the discharge of foul and surface water. It has also been pointed out that the developer should contact Northumbrian Water to determine whether the local sewage treatment works can accept the additional capacity of foul flows from the site.

The Environment Agency recommends the imposition of a condition on any planning approval granted to secure the implementation of a surface water run-off limitation scheme to prevent increased risk of flooding.

Borough Council's Forward Planning Team has concluded that whilst the site is detached from the existing settlement, it represents an opportunity to redevelop a redundant brownfield site

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**PLANNING APPLICATIONS - TO BE DETERMINED**

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that would accord to a significant degree with the RPG1, the Submission Draft RSS, the Borough Local Plan and national guidance contained in PPG3 and Draft PPS3. It is also considered that the development would also contribute towards the national target that by 2008, at least 60% of additional housing should be provided on brownfield land. The scheme should contribute significantly to the provision of affordable housing in Spennymoor, and would sustain local services and facilities.

Attention has been drawn to the historical use of the site as a brickworks and the likelihood of residual contamination issues. It is therefore recommended that appropriate conditions be attached to any planning consent granted.

Borough Council's Environmental Health Team has recommended that a desktop survey be carried out to establish whether there are any contamination issues with the site that require more detailed investigation and remediation. Other environmental controls are suggested in relation to noise and dust nuisances.

Publicity / Neighbour Responses – No comments/observations have been received in response to the public consultation exercise which included individual letters, site notices and a press notice.

**PLANNING CONSIDERATIONS**

The main planning considerations in this case are:

- Does the proposal represent a sustainable and accessible option for housing development
- What improvements could be secured to enhance accessibility to/from the town centre
- Does the proposal adequately deal with survey, assessment and mitigation measures relating to the ecology of the site
- Provision of Affordable Housing

This proposal represents the redevelopment of a site that has no formal land-use designation within the Borough Local Plan. The land was previously in use as a leisure facility (Greyhound Stadium) but the venue was demolished a number of years ago, with the land remaining vacant and largely unused ever since. Whilst each planning application should be determined on its individual merits, the outcome of this application is very much influenced by the recent decision to approve housing on the Thorns site, based at Merrington Lane Industrial Estate. This application has been referred to Government Office as a Departure from the Development Plan in force and their decision as to whether or not they wish to call in the application is awaited.

The current proposal is in some respects more straightforward than the Thorns application because this land is not currently in any active use, and is not designated for industrial purposes, therefore the issue centring around Paragraph 42(a) of PPG3 which was crucial in the determination of Thorns' application, is not applicable in this instance. The former greyhound stadium is in distance terms much closer to the subway (which connects the town centre with land to the south of the A688 dual carriageway) than the Thorns' site. It will therefore be exceptionally difficult to oppose this scheme on the grounds that it is not a sustainable option for development, given how the precedent for housing on land to the south of the dual carriageway has been set potentially by the recent approval of the Thorns application.



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**PLANNING APPLICATIONS - TO BE DETERMINED**

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**Borough Local Plan**

Policy H1 lays out the criteria for assessing new housing development on sites within Spennymoor. It states that a site must either be substantially surrounded by housing; or not lead to an extension of development into the open countryside. Additionally a scheme must not prejudice the environmental restraint policies of the Local Plan and must not conflict with Policy D5 which sets out the design principles for new housing. Fundamentally, this policy requires that housing developments should provide a safe and attractive environment and make provision for adequate amenity and privacy. Whilst this site is not substantially surrounded by housing, the development of housing on this site would not lead to development encroaching into the countryside, and additionally the proposal would utilise previously-developed land. It is therefore considered that Policies H1 and D5 are substantially satisfied.

**National Guidance**

Current housing policy is largely encapsulated within PPG3 and Draft PPS3. The goal of concentrating most additional housing development within urban areas is at the heart of this policy. This is closely allied to an aim of making more efficient use of land by maximising the re-use of previously developed land. The presumption is that previously developed sites should be developed before Greenfield sites. The exception to this principle is where previously developed sites perform so poorly in relation to the following criteria as to preclude their use for housing before a particular Greenfield site. Sites for housing should be assessed for their suitability against the following criteria:

- *the availability of previously-developed sites and empty or under-used buildings and their suitability for housing use;*  
The site constitutes previously-developed land, and therefore in broad terms, it should be developed before greenfield sites, provided it represents a sustainable option for development.
- *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;*  
Whilst in distance terms, this site is close to the town centre, in respect of accessibility it does not currently perform particularly well because it is separated from the town centre by the dual carriageway. Existing pedestrian rights of way running along the periphery of the site and linking to the town centre through a subway under the by-pass could however be enhanced to strengthen 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;*  
Northumbrian Water has invited negotiations with the developer to ensure that any foul waste capacity issues can be resolved. Existing bus routes along Merrington Lane would be accessible by residents of the new development site.
- *the ability to build communities to support new physical and social infrastructure and to provide sufficient demand to sustain appropriate local services and facilities;* The development of new housing in Spennymoor would have benefits, such as increased footfall in the town centre, and would provide more demand to sustain appropriate local services and facilities.
- *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.*  
Whilst a recent Council funded Strategic Flood Risk Assessment (SFRA) of all areas in the Borough did not identify the application site or its surroundings as being under any

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immediate risk of flooding, surface water run-off would need to be controlled with relevant up to date sustainable urban drainage systems.

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).

The proposal would satisfy parts (a) and (c). Despite being located on the “wrong side” of the dual carriageway, there is potential to improve accessibility with the towns main shops and services and build a mixed inclusive community, which integrates with the wider Spennymoor. Therefore to accord with Section (b), the applicant would need to implement access improvements by way of a Section106 agreement.

#### Regional Guidance

##### RSS

The North East Assembly has produced the Submission Draft Regional Spatial Strategy (RSS). This document will form part of the statutory development plan for the Borough, and once it is approved will replace the existing RPG1 and County Durham Structure Plan. The strategy provides the long-term framework for the region for developing a stronger economy and improving the quality of life of communities as places to live and work. A key theme throughout the report, is the need for development that takes place to be in compliance with sustainable development principles. These concepts will be fully enshrined in the final version of RSS that will be developed by GO-NE over the coming months.

Policy 2 of the document concerns Sustainable Development and highlights that LDFs should support sustainable construction and development through the delivery of a number of objectives relating to environmental, social and economic concerns. A well designed detailed scheme would be likely to meet these requirements.

Policy 3 of Submission Draft RSS advocates the sequential approach to development that gives priority to previously developed land and buildings in the most sustainable locations.

All sites should be in locations that are, or will be, at lowest risk from flooding, and well related to homes, jobs and services by all modes of transport, particularly public transport, walking and cycling. This criterion is broadly compliant to that contained within PP3 and it is clear that this location would be a priority for development as it constitutes previously-developed land within Spennymoor’s urban area, provided accessibility improvements can be made.

Policy 5 of Submission Draft RSS concerns the locational strategy and 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.

Policy 7 relates to the Tees Valley City Region and specifically supports the regeneration of Spennymoor. Housing should be developed to support the economic growth strategies in sustainable locations, mainly on previously developed land in areas where it does not undermine existing housing markets, particularly housing market-restructuring areas. This proposal is in broad accordance with these policies

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This proposal comprises 104 residential units, which are likely to be of mixed size and type. All of these would be on previously developed land. This would be consistent with Policies H1 and H4 of RPG1 as it would contribute significantly to meeting the region's previously developed land targets of 60% by 2008 and 65% by 2016.

Delivering sustainable communities in the North East is about improving housing and living environments in sustainable locations; maximising accessibility to jobs, services and facilities by non-car based modes of transport; improving people's health, reducing the consumption of natural resources; and giving people the skills they need to work and contribute to their communities. All development that takes place in the region must be designed and located to deliver these objectives:

- The potential contribution of development to secure by design, crime prevention and community safety;
- The potential contribution of development to reducing health inequalities, the needs of an ageing population and the disabled through design and the provision of accessible health, sports and recreational facilities with new development;
- Concentrating the majority of the region's development within the existing defined urban areas, utilising previously-developed land wherever possible, where movement needs can be well served by all modes of transport, in particular walking, cycling and public transport.

In this regard whilst the application would entail the development of previously developed land, the site is physically separated from the town centre by the A688 Spennymoor by-pass. In order to ensure that a sustainable form of development is delivered, the developer would have to enter into a Section 106 agreement to make financial contributions towards these initiatives and to improve the existing footpath/cycle path network in order to make them more attractive to the public. This would be consistent with the approach that has been adopted in respect of the Thorns application.

At present there are two Public Rights of Way which lead to Bessemer Park through a subway which runs under the Spennymoor by-pass (A688). Both routes are in need of environmental improvements and the subway needs to be improved to make it more inviting to the public. This could be achieved through various means including improved lighting and the provision of CCTV cameras.

It is not considered that the proposal ought to be considered in isolation, as the suitability of the site for housing development is determined to a significant extent by the recent decision to approve housing development on the existing Thorn site on Merrington Lane. The current application therefore adds further weight to the need for the whole area to be the subject of a Master Plan, to ensure that development on land to the south of A688 is brought forward in a planned and co-ordinated fashion. It is considered therefore that the applicant should be required to contribute towards a Master Plan if planning permission were to be granted.

**Provision of Affordable Housing**

PPG3 states that the need for affordable housing is a material planning consideration. In order for Local Authorities to request affordable housing provision, there is a need to demonstrate a lack of affordable housing to meet local needs through evidence, such as Housing Needs

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**PLANNING APPLICATIONS - TO BE DETERMINED**

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Survey. Draft PPS3 and Circular 6/98 reinforce the Government view that there is a need for a sound evidence base to justify affordable housing provision.

Taking account of the evidence provided by the Housing Needs Survey, the interrogation of House Price Data, Household Income and Housing Waiting Lists, there is a clear need to provide affordable dwellings on this site. The provision of affordable housing would accord with Policy H7 of RPG1, the emerging RSS, Circular 06/98 and the philosophy of Policy H19 of the Borough Local Plan. Taking account of the recommendation in the Housing Needs Survey, 20% provision should be requested in a s106 agreement.

Ecology

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

On this occasion no supporting ecology documentation has been submitted as part of the application, and for this reason, Natural England has not been able to offer substantive comments on the proposal. In response to their suggestions about a screening exercise, the Council's Countryside Team has examined the site. It has been concluded that the site bears evidence of nesting birds and the plant species 'birdsfoot trefoil'. The latter is a food source for the Dingy Skipper, a butterfly identified in the County Durham Biodiversity Action Plan, and it is considered that a Phase 1 Ecological Survey ought to have been carried out prior to submission of the application, and a report submitted identifying the presence or otherwise of any species that might be affected by the development, together with remediation measures.

A Phase 1 Ecological survey and report could not be carried out until next summer and whilst some unresolved issues could be catered for by way of the imposition of conditions on an outline planning permission Circular 06/2005 Biodiversity and Geological Conservation Statutory Obligations and Their Impact Within The Planning System' 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'*.

This approach is also echoed in Planning for Biodiversity and Geological Conservation –A Guide to Good Practice which states that:

*Where a development poses a likely risk of harm to a protected or priority BAP species, local planning authorities should ensure that an adequate survey is carried out in advance of a planning application. The results of this survey should be submitted with the planning application and show how the proposal has taken this evidence into account through its design and any mitigation or compensation proposed.*

PPS9 makes it clear that similar protection should be afforded to species identified in biodiversity action plans.

In this case no information whatsoever has been submitted with the application that suggests either the presence or absence of any protected species and/or their habitats on the site. In the

## SEDGEFIELD BOROUGH COUNCIL

### PLANNING APPLICATIONS - TO BE DETERMINED

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absence of an ecological survey it is not possible to make a fully informed decision, as all relevant material considerations may not have been addressed in making the decision. To do so would potentially leave the Council open to criticism at the very least and at the worst subject to judicial review in the event that it was subsequently established that an ill formed decision had been reached which did not properly take into account the impact upon protected species.

#### CONCLUSION

It is considered that the principle of residential development in this location is acceptable because, whilst the proposed site is detached from the existing settlement of Spennymoor, its development for housing would present an opportunity to redevelop a redundant brownfield site, which would, to a significant degree, accord with RPG1, the Submission Draft RSS, the Borough Local Plan and national guidance contained within PPG3 and Draft PPS3. There is potential to make an efficient use of land, offer a good housing mix, and be of high quality design. It is a requirement of that does not have an unacceptable impact on the environment. The proposal would contribute significantly towards the national target that by 2008, at least 60% of additional housing should be provided on brownfield land.

The scheme would provide Spennymoor with a significant provision of affordable housing, in accordance with national, regional and local guidance. This would also help to sustain existing shops, services and facilities within Spennymoor.

As stated previously, whilst some unresolved issues could be catered for by way of the imposition of conditions on an outline planning permission, the applicant has not addressed the ecological issues in any way. The applicant has not provided an Ecological Report and as such insufficient information has been provided to demonstrate whether or not the development would have an adverse effect on a protected species or priority Biodiversity Action Plan species.

**It is therefore RECOMMENDED that planning permission be refused for the following reason:**

1. The proposal provides insufficient information regarding the impact of the development on protected species, is in conflict with Policy E14 'Safeguarding Plant and Animal Species Protected by Law' and contrary to Planning Policy Statement 9 'Biodiversity and Geological Conservation.

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# Item 7

## SEDGEFIELD BOROUGH COUNCIL

### PLANNING APPLICATIONS - COUNTY MATTERS

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1. 7/2006/0644/CM

APPLICATION DATE: 3 October 2006

PROPOSAL: PROVISION OF CYCLE STORAGE SHELTER

LOCATION: TUDHOE GRANGE COMPREHENSIVE SCHOOL SPENNYMOOR CO  
DURHAM

APPLICANT: Mr J Richardson  
Corporate Director, Environment, Durham County Council, County Hall,  
Durham, DH1 5UQ

#### CONSULTATIONS

1. SPENNYMOOR TC
  2. Cllr. Andrew Gray
  3. Cllr. A. Smith
  4. Cllr. J.M. Khan
- 

**This application is for development by Durham County Council and will therefore be dealt with by the County Council Under Regulation 3 of the Town and Country Planning General Regulations 1992. The views of the Borough Council have been sought upon the proposal as a consultee.**

#### THE PROPOSAL

The proposal involves the construction of tubular steel, green polyester powder coated bicycle storage shelter with translucent cladding forming the sides and roof of the shelter within the grounds of Tudhoe Comprehensive School.

The shelter is to be located within an area of hard landscaping surrounded by school buildings on the southwest section of the school premises.

The proposed bicycle shelter measures approximately 5 metres wide and 8 metres in length the overall shape and appearance of the shelter is curved; the central area is flat for a width of 1.25 metres. The maximum height of the shelter is 2.21 metres. The front (south west) elevation includes the centrally located and only access point.

#### CONSULTATION AND PUBLICITY

No adverse comments or objections have been received in response to the consultation exercise.

#### PLANNING CONSIDERATIONS

The shelter is a relatively small structure centrally located within an area of hard landscaping surrounded by school buildings on three sides, and can only be viewed externally when walking past the entrance/exit area to the location of the shelter. The closest residential property is 30

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**PLANNING APPLICATIONS - COUNTY MATTERS**

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metres to the south west of the proposed shelter and views are limited due to the presence of school fencing and landscaping. The shelter will therefore have little impact upon the visual amenity of the area and as such is considered to be acceptable.

**HUMAN RIGHTS IMPLICATIONS**

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

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

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

**RECOMMENDATION**

It is recommended that the Council raise no objections to the proposal.

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

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2. 7/2006/0648/CM

APPLICATION DATE: 11 October 2006

PROPOSAL: APPLICATION TO LOCATE STEEL STORAGE CONTAINER

LOCATION: NORTH PARK PRIMARY SCHOOL ST. ANDREWS LANE  
SPENNYMOOR CO DURHAM

APPLICANT: Durham County Council  
County Hall, Durham

**CONSULTATIONS**

1. SPENNYMOOR TC
2. Cllr. Andrew Gray
3. Cllr. A. Smith
4. Cllr. J.M. Khan

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**This application is for development by Durham County Council and will therefore be dealt with by the County Council Under Regulation 3 of the Town and Country Planning General Regulations 1992. The views of the Borough Council have been sought upon the proposal as a consultee.**

**THE PROPOSAL**

The proposal involves the siting of a steel storage container within the grounds of North Park Primary School, Spennymoor. The container, providing 160 sq ft of additional storage space will be used for the storage of sporting equipment and surplus tables and chairs. The storage container will be located within an area easily accessible from the school playground and would be clad with green painted steel sheeting to minimise its visual impact.

**CONSULTATION AND PUBLICITY**

No adverse comments or objections have been received in response to the consultation exercise.

**PLANNING CONSIDERATIONS**

The principle of providing additional storage space to meet the changing needs of the school is generally considered to be acceptable. It is important however that such a proposal is of a suitable scale and design for its surroundings and that it does not adversely affect the occupiers of neighbouring properties or indeed other adjoining uses. As the container is a relatively small structure, which will be partially screened by a fence, it is not considered to have any significant detrimental impact on the school or its immediate surroundings.

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

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The provision of additional storage facilities will allow essential facilities to continue to be provided at this school, and it is therefore considered that the proposal accords with Policy L11 (Development of New or Improved Leisure and Community Buildings). However, due to their basic and functional appearance, storage containers of this nature are not considered to be appropriate additions on anything more than a temporary basis. If the storage facility is to become a permanent fixture of the school building, it is recommended that Durham County Council seek a more permanent storage solution which better complements the existing surroundings.

**HUMAN RIGHTS IMPLICATIONS**

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

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

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

**RECOMMENDATION**

Whilst it is recommended that no objection be raised to the proposal, portable containers should not be regarded as a permanent solution to storage problems at the site. It is therefore recommended that the County Council consider the grant of planning permission for a temporary period only.

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# Item 8

## SEDGEFIELD BOROUGH COUNCIL

### PLANNING APPLICATIONS - DELEGATED DECISIONS

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1. 7/2005/0155/DM OFFICER: Graeme Smith

APPLICATION DATE: 11 March 2005

PROPOSAL: ERECTION OF A SINGLE STOREY SIDE EXTENSION

LOCATION: 11 SWAINBY ROAD TRIMDON TRIMDON STATION TS296JY

APPLICANT: Mr J Maddison  
11 Swainby Road, Trimdon, TS29 6JY

DECISION: STANDARD REFUSAL on 9 October 2006

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2. 7/2006/0560/DM OFFICER: Tom O'Connor

APPLICATION DATE: 12 September 2006

PROPOSAL: APPLICATION TO DETACH PLOTS FROM APARTMENT BLOCK  
PREVIOUSLY APPROVED UNDER PLANNING PERMISSION  
REFERENCE 7/2005/0852/DM

LOCATION: PLOTS 41 & 42 NEVILLE DRIVE SEDGEFIELD STOCKTON-ON-TEES  
TS213EX

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

DECISION: STANDARD APPROVAL on 12 October 2006

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3. 7/2006/0562/DM OFFICER: Simon Miller

APPLICATION DATE: 12 September 2006

PROPOSAL: ERECTION OF CONSERVATORY TO REAR

LOCATION: 17 ASHTREE CLOSE NEWTON AYCLIFFE DL5 4FD

APPLICANT: Miss C Holmes  
17 Ashtree Close, Cobblers Hall, Newton Aycliffe, Co Durham

DECISION: STANDARD APPROVAL on 11 October 2006

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## SEDGEFIELD BOROUGH COUNCIL

### PLANNING APPLICATIONS - DELEGATED DECISIONS

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4. 7/2006/0563/DM OFFICER:Simon Miller  
APPLICATION DATE: 6 September 2006  
PROPOSAL: ERECTION OF FIRST FLOOR EXTENSION TO REAR  
LOCATION: 14 THE SQUARE SEDGEFIELD STOCKTON-ON-TEES TS212AD  
APPLICANT: Gillian Hobson  
14 The Square, Sedgefield, Stockton on Tees, TS21 2AD  
DECISION: STANDARD APPROVAL on 25 October 2006

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5. 7/2006/0564/DM OFFICER:Simon Miller  
APPLICATION DATE: 22 September 2006  
PROPOSAL: ERECTION OF CONSERVATORY TO REAR (RETROSPECTIVE APPLICATION)  
LOCATION: 16 NORTH COTTAGES SCHOOL AYCLIFFE CO DURHAM  
APPLICANT: Paul Gregory  
22 Shafto Way, Newton Aycliffe, Co Durham  
DECISION: STANDARD APPROVAL on 20 October 2006

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6. 7/2006/0575/DM OFFICER:Mark O'Sullivan  
APPLICATION DATE: 12 September 2006  
PROPOSAL: CONSERVATORY TO REAR  
LOCATION: 9 MILLWOOD CHILTON FERRYHILL DL170RR  
APPLICANT: B Attwood  
9 Millwood, Chilton , Co Durham  
DECISION: STANDARD APPROVAL on 17 October 2006

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## SEDGEFIELD BOROUGH COUNCIL

### PLANNING APPLICATIONS - DELEGATED DECISIONS

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7. 7/2006/0576/DM OFFICER:Simon Miller

APPLICATION DATE: 19 September 2006

PROPOSAL: ERECTION OF SINGLE STOREY REAR EXTENSION

LOCATION: 36 DALE ROAD SHILDON DL4 2LA

APPLICANT: Mr & Mrs Kell  
36 Dale Road, Shildon, Co Durham

DECISION: STANDARD APPROVAL on 25 October 2006

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8. 7/2006/0577/DM OFFICER:Mark O'Sullivan

APPLICATION DATE: 11 September 2006

PROPOSAL: ERECTION OF DETACHED GARAGE

LOCATION: 5 LANGDALE OVAL TRIMDON COLLIERY TRIMDON STATION TS296LG

APPLICANT: Mr J Barnes  
5 Langdale Oval, Trimdon Colliery, Co Durham

DECISION: STANDARD APPROVAL on 17 October 2006

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9. 7/2006/0578/DM OFFICER:Simon Miller

APPLICATION DATE: 12 September 2006

PROPOSAL: ERECTION OF FIRST FLOOR REAR EXTENSION

LOCATION: 23 ALVERTON DRIVE NEWTON AYCLIFFE DL5 7PP

APPLICANT: Mr C Berry  
23 Alverton Drive, Newton Aycliffe, Co Durham

DECISION: STANDARD APPROVAL on 25 October 2006

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## SEDGEFIELD BOROUGH COUNCIL

### PLANNING APPLICATIONS - DELEGATED DECISIONS

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10. 7/2006/0579/DM OFFICER:Helen Williams

APPLICATION DATE: 11 September 2006

PROPOSAL: ERECTION OF 6 NO. ADVERTISEMENT SIGNS

LOCATION: ASDA STORES LTD ST. ANDREWS LANE SPENNYMOOR DL166QB

APPLICANT: Asda Stores Ltd  
Asda House, Southbank, Gt Wilson Street, Leeds, LS11 5AD

DECISION: STANDARD APPROVAL on 25 October 2006

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11. 7/2006/0580/DM OFFICER:Simon Miller

APPLICATION DATE: 13 September 2006

PROPOSAL: ERECTION OF SINGLE STOREY REAR EXTENSION

LOCATION: 6 THE LANE SEDGEFIELD STOCKTON-ON-TEES TS213BH

APPLICANT: Mr & Mrs J Seymour  
32 North End, Sedgefield, Stockton on Tees

DECISION: STANDARD APPROVAL on 25 October 2006

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12. 7/2006/0581/DM OFFICER:Simon Miller

APPLICATION DATE: 13 September 2006

PROPOSAL: ERECTION OF CONSERVATORY TO REAR (RETROSPECTIVE APPLICATION)

LOCATION: 17 OAKLEA MEWS AYCLIFFE NEWTON AYCLIFFE DL5 6JP

APPLICANT: Mr & Mrs Newell  
17 Oaklea Mews, Aycliffe Village, Co Durham

DECISION: STANDARD APPROVAL on 11 October 2006

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## SEDGEFIELD BOROUGH COUNCIL

### PLANNING APPLICATIONS - DELEGATED DECISIONS

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13. 7/2006/0582/DM OFFICER:Mark O'Sullivan

APPLICATION DATE: 13 September 2006

PROPOSAL: ERECTION OF SINGLE STOREY REAR EXTENSION

LOCATION: 17 LOW HOGG STREET TRIMDON COLLIERY TRIMDON STATION  
TS296LL

APPLICANT: Colin McKeown  
17 Low Hogg Street, Trimdon Colliery, Co Durham

DECISION: STANDARD APPROVAL on 17 October 2006

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14. 7/2006/0583/DM OFFICER:Mark O'Sullivan

APPLICATION DATE: 13 September 2006

PROPOSAL: ERECTION OF CONSERVATORY TO THE REAR

LOCATION: 9 SHAFTO STREET BYERS GREEN SPENNYMOOR DL167PX

APPLICANT: Mr Lax  
9 Shafto Street, Byers Green, Spennymoor, Co Durham

DECISION: STANDARD APPROVAL on 17 October 2006

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15. 7/2006/0587/DM OFFICER: Tom O'Connor

APPLICATION DATE: 15 September 2006

PROPOSAL: ERECTION OF CONSERVATORY TO REAR

LOCATION: 6 SWAN WALK NEWTON AYCLIFFE DL5 5AD

APPLICANT: Mr S Cooper  
6 Swan Walk, Newton Aycliffe, Co Durham

DECISION: STANDARD APPROVAL on 17 October 2006

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## SEDGEFIELD BOROUGH COUNCIL

### PLANNING APPLICATIONS - DELEGATED DECISIONS

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16. 7/2006/0600/DM OFFICER: Tom O'Connor

APPLICATION DATE: 18 September 2006

PROPOSAL: ERECTION OF 2 NO. ADVERTISEMENT HOARDINGS

LOCATION: FORMER FERRYHILL ATHELETIC FOOTBALL GROUND A167  
FERRYHILL CO DURHAM

APPLICANT: J C Decauk Uk Ltd  
459-463 Hillington Road, Hillington Park, GS2 4BL

DECISION: STANDARD REFUSAL on 25 October 2006

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17. 7/2006/0601/DM OFFICER: Simon Miller

APPLICATION DATE: 21 September 2006

PROPOSAL: CROWN LIFT OF T13 AND T14 OF TPO REFERENCE 4/2002

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 11 October 2006

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18 . 7/2006/0602/DM OFFICER: Simon Miller

APPLICATION DATE: 19 September 2006

PROPOSAL: ERECTION OF CONSERVATORY TO REAR

LOCATION: 21 ASHTREE CLOSE NEWTON AYCLIFFE DL5 4FD

APPLICANT: Mr & Mrs Mullen  
21 Ashtree Close, Newton Aycliffe, Co Durham, DL5 4FD

DECISION: STANDARD APPROVAL on 17 October 2006

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## SEDGEFIELD BOROUGH COUNCIL

### PLANNING APPLICATIONS - DELEGATED DECISIONS

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19. 7/2006/0603/DM OFFICER: Tom O'Connor

APPLICATION DATE: 20 September 2006

PROPOSAL: ERECTION OF FRONT PORCH, SINGLE STOREY SIDE EXTENSION AND SUN ROOM TO REAR

LOCATION: 91 BEWICK CRESCENT NEWTON AYCLIFFE DL5 5LJ

APPLICANT: Helen Watson  
91 Bewick Crescent, Newton Aycliffe, Co Durham, DL5 5LJ

DECISION: STANDARD APPROVAL on 17 October 2006

---

20. 7/2006/0604/DM OFFICER: Simon Miller

APPLICATION DATE: 19 September 2006

PROPOSAL: ERECTION OF CONSERVATORY TO REAR OF PROPERTY

LOCATION: 17 LANGLEY ROAD NEWTON AYCLIFFE DL5 5RJ

APPLICANT: Mr J Cunningham  
17 Langley Road, Newton Aycliffe, Co Durham, DL5 5RJ

DECISION: STANDARD APPROVAL on 25 October 2006

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21. 7/2006/0606/DM OFFICER: Tom O'Connor

APPLICATION DATE: 20 September 2006

PROPOSAL: ERECTION OF STORAGE BUILDING AND INTERNAL ALTERATIONS

LOCATION: 120 FRONT STREET TUDHOE COLLIERY SPENNYMOOR DL166TJ

APPLICANT: Mr & Mrs P Callaghan  
120 Front Street, Tudhoe, Spennymoor, Co Durham

DECISION: STANDARD APPROVAL on 25 October 2006

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## SEDGEFIELD BOROUGH COUNCIL

### PLANNING APPLICATIONS - DELEGATED DECISIONS

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22. 7/2006/0611/DM OFFICER:Simon Miller

APPLICATION DATE: 25 September 2006

PROPOSAL: ERECTION OF CONSERVATORY TO REAR

LOCATION: 8 HURWORTH HUNT NEWTON AYCLIFFE DL5 7LJ

APPLICANT: Mr Mudie  
8 Hurworth Hunt, Newton Aycliffe, Co Durham, DL5 7LJ

DECISION: STANDARD APPROVAL on 25 October 2006

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23. 7/2006/0615/DM OFFICER:Simon Miller

APPLICATION DATE: 26 September 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 REFUSAL on 25 October 2006

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24. 7/2006/0618/DM OFFICER:Mark O'Sullivan

APPLICATION DATE: 26 September 2006

PROPOSAL: ERECTION OF CONSERVATORY TO THE REAR AND ALTERATION TO EXISTING outhouse

LOCATION: 22 THE COTSWOLDS CHILTON FERRYHILL DL170QB

APPLICANT: Mr & Mrs D W Bradley  
22 The Cotswolds, Chilton, Co Durham,

DECISION: STANDARD APPROVAL on 25 October 2006

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## **SEDGEFIELD BOROUGH COUNCIL**

### **PLANNING APPLICATIONS - DELEGATED DECISIONS**

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25. 7/2006/0559/DM OFFICER:Mark O'Sullivan

APPLICATION DATE: 5 September 2006

PROPOSAL: ERECTION OF TWO STOREY EXTENSION TO THE REAR

LOCATION: 18A DEAN PARK FERRYHILL DL178HP

APPLICANT: Mr Roberts  
18A Dean Park, Ferryhill, Co Durham, DL17 8HP

DECISION: STANDARD APPROVAL on 6 October 2006

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26. 7/2006/0621/DM OFFICER:Simon Miller

APPLICATION DATE: 26 September 2006

PROPOSAL: REPLACEMENT ROOF, WINDOWS AND DOORS TO EXISTING  
CONSERVATORY

LOCATION: 7 LOW GREEN MORDON STOCKTON-ON-TEES TS212JG

APPLICANT: Mr & Mrs S Davies  
7 Low Green, Mordon, Nr Sedgefield, Stockton on Tees, TS21 2JG

DECISION: STANDARD APPROVAL on 25 October 2006

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27. 7/2006/0558/DM OFFICER:Simon Miller

APPLICATION DATE: 4 September 2006

PROPOSAL: CHANGE OF USE TO TATTOO STUDIO

LOCATION: 7A THAMES CENTRE BEVERIDGE WAY NEWTON AYCLIFFE DL5 4SB

APPLICANT: Glen Davis  
1 Walcher Road, Newton Aycliffe, Co Durham, DL5 4LU

DECISION: STANDARD APPROVAL on 11 October 2006

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## SEDGEFIELD BOROUGH COUNCIL

### PLANNING APPLICATIONS - DELEGATED DECISIONS

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28. 7/2006/0546/DM OFFICER:Steve Teasdale

APPLICATION DATE: 29 August 2006

PROPOSAL: ERECTION OF FIRST FLOOR EXTENSION

LOCATION: 1 WOODHAM VIEW CHILTON FERRYHILL DL170PJ

APPLICANT: Mr Slate  
1 Woodham View , Chilton, Ferryhill , DL17 0PJ

DECISION: STANDARD APPROVAL on 10 October 2006

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29. 7/2006/0232/DM OFFICER:Graeme Smith

APPLICATION DATE: 16 May 2006

PROPOSAL: REPLACEMENT TIMBERS IN ROOF (LISTED BUILDING CONSENT)

LOCATION: CROSSHILL HOTEL THE SQUARE SEDGEFIELD STOCKTON-ON-TEES  
TS212AB

APPLICANT: New Century Inns Ltd  
Belasis Business Centre, Coxwold Way, Billingham, Co Durham

DECISION: STANDARD APPROVAL on 5 October 2006

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30. 7/2006/0305/DM OFFICER:Simon Miller

APPLICATION DATE: 11 May 2006

PROPOSAL: ERECTION OF GARAGE TO REAR AND PORCH TO FRONT

LOCATION: 10 DUNELM ROAD TRIMDON TRIMDON STATION TS296PX

APPLICANT: P Hodgson  
10 Dunelm Road, Trimdon Village, Co Durham

DECISION: STANDARD APPROVAL on 20 October 2006

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## SEDGEFIELD BOROUGH COUNCIL

### PLANNING APPLICATIONS - DELEGATED DECISIONS

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31. 7/2006/0364/DM OFFICER:Craig Miles

APPLICATION DATE: 5 June 2006

PROPOSAL: ERECTION OF 1NO. DETACHED DWELLING AND 4NO. APARTMENTS

LOCATION: THE OLD STATION, STATION TERRACE, AYCLIFFE VILLAGE NEWTON  
AYCLIFFE DL5 6LY

APPLICANT: Mr L Davies  
Camedia Security, The Old Station, Aycliffe Village, Co Durham

DECISION: STANDARD APPROVAL on 25 October 2006

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32. 7/2006/0400/DM OFFICER:Simon Miller

APPLICATION DATE: 26 June 2006

PROPOSAL: ERECTION OF TWO STOREY SIDE EXTENSION

LOCATION: 18 WOODHAM GATE NEWTON AYCLIFFE DL5 4UB

APPLICANT: Mr K Harrison  
18 Woodham Gate, Newton Aycliffe, Co Durham

DECISION: STANDARD REFUSAL on 25 October 2006

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33. 7/2006/0423/DM OFFICER:Simon Miller

APPLICATION DATE: 3 July 2006

PROPOSAL: ERECTION OF TWO STOREY SIDE EXTENSION

LOCATION: 57 THE GRANGE NEWTON AYCLIFFE DL5 4SZ

APPLICANT: Mr A Dart  
57 The Grange, Woodham, Newton Aycliffe, Co Durham

DECISION: STANDARD APPROVAL on 20 October 2006

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## SEDGEFIELD BOROUGH COUNCIL

### PLANNING APPLICATIONS - DELEGATED DECISIONS

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34. 7/2006/0426/DM OFFICER:Simon Miller

APPLICATION DATE: 1 September 2006

PROPOSAL: CHANGE OF USE TO HEALTH CLUB/GYM

LOCATION: 14 NORTHFIELD WAY AYCLIFFE INDUSTRIAL PARK NEWTON  
AYCLIFFE DL5 6EJ

APPLICANT: P A Dobson  
26 Sandown Drive, Woodham, Newton Aycliffe, Co Durham

DECISION: STANDARD APPROVAL on 6 October 2006

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35. 7/2006/0461/DM OFFICER:Simon Miller

APPLICATION DATE: 17 July 2006

PROPOSAL: ERECTION OF FIRST FLOOR SIDE EXTENSION AND SINGLE STOREY  
EXTENSION TO SIDE AND REAR

LOCATION: 2 HASLEWOOD ROAD NEWTON AYCLIFFE DL5 4XF

APPLICANT: Mr P McNay  
2 Haslewood Road, Woodham, Newton Aycliffe, Co Durham

DECISION: STANDARD APPROVAL on 20 October 2006

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36. 7/2006/0471/DM OFFICER:Craig Miles

APPLICATION DATE: 20 July 2006

PROPOSAL: ERECTION OF SINGLE STOREY SIDE EXTENSION (RETROSPECTIVE  
APPLICATION)

LOCATION: 233 SCOTT PLACE NEWTON AYCLIFFE DL5 7NR

APPLICANT: Mr Flor Kerins  
233 Scott Place, Newton Aycliffe, Co Durham, DL5 7NR

DECISION: STANDARD APPROVAL on 12 October 2006

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## **SEDGEFIELD BOROUGH COUNCIL**

### **PLANNING APPLICATIONS - DELEGATED DECISIONS**

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37. 7/2006/0475/DM OFFICER:Graeme Smith

APPLICATION DATE: 14 August 2006

PROPOSAL: ERECTION OF SINGLE STOREY REAR EXTENSION

LOCATION: 7 BOUSFIELD CRESCENT NEWTON AYCLIFFE DL5 4HZ

APPLICANT: B Wheatley  
11 Rufus Green North, Newton Aycliffe, Co Durham

DECISION: STANDARD APPROVAL on 5 October 2006

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38. 7/2006/0478/DM OFFICER:Simon Miller

APPLICATION DATE: 26 September 2006

PROPOSAL: CHANGE OF USE FROM RESIDENTIAL DWELLING TO  
PHYSIOTHERAPY PRACTICE

LOCATION: 8 NORTH END SEDGEFIELD STOCKTON-ON-TEES TS213BS

APPLICANT: John Platts  
Sedgefield Physiotherapy Practice, 3 High Street, Sedgefield, Stockton on  
Tees

DECISION: STANDARD APPROVAL on 25 October 2006

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39. 7/2006/0491/DM OFFICER:Steve Teasdale

APPLICATION DATE: 21 August 2006

PROPOSAL: ERECTION OF 5 TERRACED DWELLINGS

LOCATION: LAND AT CHURCH LANE FERRYHILL CO DURHAM

APPLICANT: Mr L Sokell  
Bespoke Homes NE, 77/79 South End Villas, Crook, Co Durham

DECISION: STANDARD APPROVAL on 16 October 2006

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## SEDGEFIELD BOROUGH COUNCIL

### PLANNING APPLICATIONS - DELEGATED DECISIONS

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40. 7/2006/0501/DM OFFICER:Graeme Smith  
APPLICATION DATE: 1 August 2006  
PROPOSAL: INSTALLATION OF NEW SHOP FRONT AND INTERNAL ALTERATIONS  
LOCATION: HAYS TRAVEL LTD 63 CHURCH STREET SHILDON DL4 1DT  
APPLICANT: Hays Travel  
9/10 Vine Place, Sunderland,  
DECISION: STANDARD APPROVAL on 5 October 2006

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41. 7/2006/0520/DM OFFICER:Mark O'Sullivan  
APPLICATION DATE: 30 August 2006  
PROPOSAL: ERECTION OF EXTENSION TO THE SIDE AND REAR  
LOCATION: 38 RIDGESIDE KIRK MERRINGTON SPENNYMOOR DL167HG  
APPLICANT: Mr & Mrs Banks  
38 Ridgeside, North Close, Spennymoor, Co Durham  
DECISION: STANDARD APPROVAL on 25 October 2006

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42. 7/2006/0522/DM OFFICER:Graeme Smith  
APPLICATION DATE: 18 August 2006  
PROPOSAL: CONVERSION OF STABLES TO KENNELS, PROVISION OF CATTERY  
BLOCK AND TEMPORARY RESIDENTIAL ACCOMMODATION  
LOCATION: LAND SOUTH OF A1(M) JUNCTION 59 COATHAM MUNDEVILLE  
DARLINGTON DL1 3NL  
APPLICANT: Mr R G Ward  
43 Laburnum Road, Darlington, Co Durham, DL1 3AW  
DECISION: STANDARD REFUSAL on 5 October 2006

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## SEDGEFIELD BOROUGH COUNCIL

### PLANNING APPLICATIONS - DELEGATED DECISIONS

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43. 7/2006/0523/DM OFFICER:Mark O'Sullivan

APPLICATION DATE: 15 August 2006

PROPOSAL: ENLARGEMENT OF GARAGE TO SIDE AND SINGLE STOREY EXTENSION TO REAR.

LOCATION: 13 KENSINGTON GARDENS FERRYHILL DL178LU

APPLICANT: Mrs R Ross  
13 Kensington Gardens, Ferryhill, Co Durham, DL17 8LU

DECISION: STANDARD APPROVAL on 5 October 2006

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44. 7/2006/0525/DM OFFICER:Steve Teasdale

APPLICATION DATE: 29 August 2006

PROPOSAL: INSTALLATION OF NEW SHOP FRONTS AND ALTERATIONS TO THE EXTERNAL APPEARANCE

LOCATION: 45-47 AND 49-51 CHEAPSIDE SPENNYMOOR CO DURHAM

APPLICANT: The Smart Corporation Ltd  
Tower House, Towe Street, Hartlepool, TS24 7HD

DECISION: STANDARD APPROVAL on 17 October 2006

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45. 7/2006/0526/DM OFFICER:Steve Teasdale

APPLICATION DATE: 15 August 2006

PROPOSAL: ERECTION OF 1 NO. DWELLING (OUTLINE APPLICATION)

LOCATION: LAND REAR OF 10 SOUTH VIEW MIDDLESTONE MOOR SPENNYMOOR CO DURHAM

APPLICANT: Riverside North East  
1 Osborne Terrace, Newcastle upon Tyne, NE2 1NE

DECISION: STANDARD APPROVAL on 9 October 2006

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## SEDGEFIELD BOROUGH COUNCIL

### PLANNING APPLICATIONS - DELEGATED DECISIONS

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46. 7/2006/0527/DM OFFICER:Steve Teasdale  
APPLICATION DATE: 29 August 2006  
PROPOSAL: REPLACE EXISTING TIMBER WINDOWS WITH DOUBLE GLAZED PVCU  
LOCATION: OLD PARK HALL FARM BYERS GREEN SPENNYMOOR DL167PZ  
APPLICANT: Church Commissioners  
26 Coniscliffe Road, Darlington , Co Durham, DL3 7JX  
DECISION: STANDARD REFUSAL on 11 October 2006

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47. 7/2006/0529/DM OFFICER:Steve Teasdale  
APPLICATION DATE: 15 August 2006  
PROPOSAL: PRUNING TO 8 TREES  
LOCATION: LUMLEY CRESCENT AND LAMBTON ROAD FERRYHILL CO DURHAM  
APPLICANT: N Dargue  
SBC Housing, 1A North Street , Ferryhill, Co Durham, DL17 8HX  
DECISION: STANDARD APPROVAL on 5 October 2006

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48. 7/2006/0531/DM OFFICER:Tom O'Connor  
APPLICATION DATE: 6 September 2006  
PROPOSAL: ERECTION OF THREE STOREY BLOCK OF FLATS COMPRISING 6 NO.  
FLATS AND ASSOCIATED PARKING  
LOCATION: LAND AT MORRISON CLOSE NEWTON AYCLIFFE DL5 4QZ  
APPLICANT: Freeman Homes Ltd  
9 Northumberland Gardens, North Walbottle, Newcastle upon Tyne, NE5  
1PT  
DECISION: STANDARD APPROVAL on 17 October 2006

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## SEDGEFIELD BOROUGH COUNCIL

### PLANNING APPLICATIONS - DELEGATED DECISIONS

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49. 7/2006/0532/DM OFFICER:Simon Miller

APPLICATION DATE: 14 September 2006

PROPOSAL: CHANGE OF USE TO OFFICE ACCOMMODATION

LOCATION: 4 SOHO COTTAGES SHILDON CO DURHAM

APPLICANT: Mr A Walker  
25 Primitive Street, Shildon, Co Durham

DECISION: STANDARD APPROVAL on 26 October 2006

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50. 7/2006/0535/DM OFFICER:Simon Miller

APPLICATION DATE: 25 September 2006

PROPOSAL: ERECTION OF TWO STOREY EXTENSION TO SIDE

LOCATION: 34 THE ORCHARD SEDGEFIELD STOCKTON-ON-TEES TS213AF

APPLICANT: Mr D Lawson  
34 The Orchard, Sedgefield, Stockton on Tees

DECISION: STANDARD APPROVAL on 25 October 2006

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51. 7/2006/0541/DM OFFICER:Simon Miller

APPLICATION DATE: 31 August 2006

PROPOSAL: ERECTION OF DEVELOPMENT SIGNAGE AT SITE ENTRANCE

LOCATION: LAND OFF COBBLERS HALL ROAD NEWTON AYCLIFFE DL5 4XQ

APPLICANT: Miller Homes NE  
Redburn Court, Earl Grey Way, North Shields

DECISION: STANDARD APPROVAL on 11 October 2006

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## SEDGEFIELD BOROUGH COUNCIL

### PLANNING APPLICATIONS - DELEGATED DECISIONS

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52. 7/2006/0550/DM OFFICER:Mark O'Sullivan

APPLICATION DATE: 6 September 2006

PROPOSAL: ERECTION OF 1ST FLOOR SIDE EXTENSION

LOCATION: 8 PARSONS COURT FERRYHILL DL178TL

APPLICANT: Mr S Blackett  
8 Parsons Court, Ferryhill, Co Durham, DL17 8TL

DECISION: STANDARD APPROVAL on 5 October 2006

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53. 7/2006/0628/DM OFFICER:Mark O'Sullivan

APPLICATION DATE: 27 September 2006

PROPOSAL: ERECTION OF SINGLE STOREY EXTENSION TO THE SIDE AND REAR

LOCATION: 44 ELM ROAD WEST CORNFORTH FERRYHILL DL179PG

APPLICANT: Miss Yana Chugunova  
44 Elm Road, West Cornforth, Co Durham

DECISION: STANDARD APPROVAL on 25 October 2006

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**SEDGEFIELD BOROUGH COUNCIL**

**PLANNING APPLICATIONS - COUNTY DECISIONS**

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1. 7/2006/0534/CM

DATE: 21 August 2006

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

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

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

DECISION Withdrawn

DATE ISSUED 2 October 2006

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# Item 10

## SEDFIELD BOROUGH COUNCIL

### APPEALS OUTSTANDING UP TO 31<sup>st</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 SEDGFELD STOCKTON ON TEES  
Proposal ERECTION OF FIRST FLOOR EXTENSION OVER GARAGE  
Appellant J & T Saunders  
Received 27<sup>th</sup> June 2006

An Inspectorate's Decision letter dated 16<sup>th</sup> October 2006 was received. The appeal was Upheld.

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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.

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Ref.No. AP/2006/0013/EN  
Location 13 EDEN ROAD NEWTON AYCLIFFE  
Proposal ERECTION OF FENCE  
Appellant Mr A S Clarke  
Received 31<sup>st</sup> October 2006

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

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# Item 11

## DEVELOPMENT CONTROL COMMITTEE

10 NOVEMBER 2006

Report of Director of Neighbourhood  
Services

### RECENT PLANNING APPEAL DECISIONS

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

AP/2006/0005

The Appeal was made by J & T Saunders against the Refusal issued by Sedgefield Borough Council for a first floor extension over garage at 6 Cragside, Sedgefield.

In the Inspector's decision letter dated 16 October 2006, attached to this report, the Appeal was Upheld.

RECOMMENDATION: That the information be received.

**LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

**LIST OF BACKGROUND DOCUMENTS USED IN THE PREPARATION OF REPORT**

All relevant Planning Files listed in report.



# Appeal Decision

Site visit made on 10 October 2006

by **Anthony J Wilson BA(Hons) MA DipLA MRTPI**

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

The Planning Inspectorate  
4/09 Kite Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN  
☎ 0117 372 6372  
e-mail: enquiries@planning-  
inspectorate.gsi.gov.uk

Date: 16 October 2006

**Appeal Ref: APP/M1330/A/06/2016662**  
**6 Gragside, Sedgfield, Cleveland, TS21 3DQ**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by J & T Saunders against the decision of Sedgfield Borough Council.
- The application Ref: 7/2005/0626/DM, dated 14 September 2005, was refused by notice dated 2 February 2006.
- The development proposed is described as 'a bedroom and en suite'.

## Procedural Matters

1. Although the site visit was scheduled to be accompanied by the parties, the Council representative did not attend. As the main issue relates to the effect of the proposal on the character and appearance of the host building and the street scene, I was satisfied that I could see all that I needed to from public points of view. The appellant agreed to the visit proceeding unaccompanied and the Council later confirmed that it had no objections to this alteration to the procedure.
2. Notwithstanding the description of the proposed development on the application form, I note that the proposed first floor extension would contain two bedrooms, both with en suite bathrooms. I also note that the Council altered the description of the development to read *the erection of a first floor extension over garage*. For clarification, I have proceeded to determine the appeal on the basis of the Council's amended description as the more accurate reflection of the development being sought.

## Decision

3. I allow the appeal and grant planning permission for the erection of a first floor extension over garage at 6 Gragside, Sedgfield in accordance with the terms of the application (Ref: 7/2005/0626/DM), dated 14 September 2005, and the plans submitted therewith, subject to the following conditions:-
  - 1) The development hereby permitted shall begin before the expiration of three years from the date of this decision.
  - 2) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

## Reasons

4. The appeal site occupies a position at the heart of a small residential estate to the south of Sedgfield town centre. The estate exhibits a significant variety in the style and design of

its buildings and I noted, in particular, that a number of large dwellings are displayed on almost all of the road frontages. Some of these examples, such as the pair of dwellings next to the appeal site, have been originally built to their relatively generous proportions. However, the large size of most of the properties in the locality has arisen from their being substantially extended from their original form. This is particularly noticeable on several of the closely-arranged, semi-detached properties near to the appeal site along The Meadows and in Cragside. Some of the properties fill their plot widths and there are a number of two-storey extensions infilling the gaps between the buildings to the extent that, in my opinion, these enlarged dwellings are a notable characteristic of this local residential environment. Consequently, I see no objection in principle to the enlargement of the appeal property provided that Policy H15 of the Sedgefield Borough Local Plan is satisfied.

5. Looking at two of the criteria of Policy H15, I note that there are no issues concerned with the privacy and amenity of the surrounding properties, nor are there any highway safety issues. Turning to the effect on the character of the area, I recognise that the proposal would significantly increase the overall size of the host dwelling, but I do not consider that the completed building would be inappropriate in the context of the local residential environment that I have identified. I acknowledge that No 6 stands forward of the other dwellings in The Meadows, but the nature of the topography means that it is set significantly below them. As a consequence of this difference in levels, taken together with the mature planting in the neighbouring front gardens, I do not consider that the proposed extension would dominate or unacceptably intrude into the street scene of The Meadows.
6. The appeal building looks out over a large public space in Cragside and, whilst it would be possible to see the front elevation of the enlarged dwelling over a wide area, the views across it are significantly interrupted by the mature trees growing upon it. In any event, I consider that the appearance of the proposed extension would be consistent with the simple architecture of the original dwelling, which is typical of the period of its construction, and that the completed building would be similar to a number of other extended buildings in the immediate locality. Moreover, I do not consider that the proposal would have any harmful cumulative impact when added to the previous alterations and single-storey extensions that have been made to the host dwelling.
7. The Council has drawn my particular attention to the adopted Residential Extensions Supplementary Planning Document (SPD) which contains advice on side extensions and updates Supplementary Planning Guidance Note 4: The Design of Extensions to Dwellings. I accept that the proposed extension would fail to meet some of the design guidelines set out in these adopted documents that are intended to secure extensions which are subordinate to the main house. However, the standards and advice in all such guidance seeks to ensure that submitted proposals avoid adverse environmental effects that would infringe development plan policy. In this case, I do not consider that the proposed extension would be materially harmful to the character and appearance of either the host building or the wider surroundings of the street scene. In the absence of any identified harm to the relevant interests of importance set out in Local Plan Policy H15, I do not consider that an infringement of the standards expressed in the emerging SPD would, in itself, carry sufficient weight to justify the refusal of planning permission.
8. I conclude, therefore, that the proposed development would comply with development plan policy and that the appeal should succeed.

**Conditions**

9. In the event of planning permission being granted, the Council has suggested the imposition of 3 conditions and I have examined these against the advice set out in Circular 11/95: The Use of Conditions in Planning Permissions. I shall impose the standard time condition required by the 1990 Act and I agree that a condition requiring the materials to match those of the existing dwelling would be reasonable and necessary in this case. Taking into account the advice in the Circular, I do not consider that either the location or the circumstances of the appeal site are sufficiently exceptional to justify the imposition of a condition requiring full compliance with the submitted plans.

*Anthony J Wilson*

INSPECTOR

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

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