

DEVELOPMENT CONTROL COMMITTEE

Friday, 5 January 2007

10.00 a.m.

Council Chamber, Council Offices, Spennymoor

AGENDA AND REPORTS

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

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

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

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

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

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

Póngase en contacto con nosotros si desea obtener este documento en otro idioma o formato, o si necesita los servicios de un intérprete.

Democratic Services



01388 816166

AGENDA

1. APOLOGIES

2. DECLARATIONS OF INTEREST

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

3. MINUTES

To confirm as a correct record the Minutes of the meeting held on 8th December 2007 (Pages 5 - 12)

4. CLIMATE CHANGE STRATEGY

Karin Johnson, Team Leader and Stephen McDonald, Energy Officer from the Sustainable Communities Team will give a presentation on Climate Change Strategy.

5. APPLICATIONS - BOROUGH MATTERS

To consider the attached schedule of applications, which are to be determined by this Council. (Pages 13 - 30)

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 detailing an application which is to be determined by Durham County Council. The view and observations of this Council have been requested. (Pages 31 - 32)

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 33 - 44)

9. COUNTY DECISIONS

A schedule of applications, which have been determined by Durham County Council is attached for information. (Pages 45 - 46)

10. APPEALS

A schedule of appeals outstanding up to 27th December 2006 is attached for information. (Pages 47 - 50)

EXEMPT INFORMATION

The following item is not for publication by virtue of Paragraphs 1 and 6 of Schedule 12 A of the Local Government Act 1972.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

11. ALLEGED BREACHES OF PLANNING CONTROL

To consider the attached schedule of alleged breaches of planning control and action taken. (Pages 51 - 52)

12. 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. (Pages 53 - 56)

B. Allen
Chief Executive

Council Offices
SPENNYMOOR
27th December 2006

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

All other Members of the Council

ACCESS TO INFORMATION

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

Item 2

MEMBER'S DISCLOSURE OF INTEREST

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

MEMBER'S NAME:	
MEETING OF:	
DATE OF MEETING:	

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

(2)

The nature of that interest is _____

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

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

OR (5) [Delete if not applicable]

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

SIGNED:

Dated

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

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

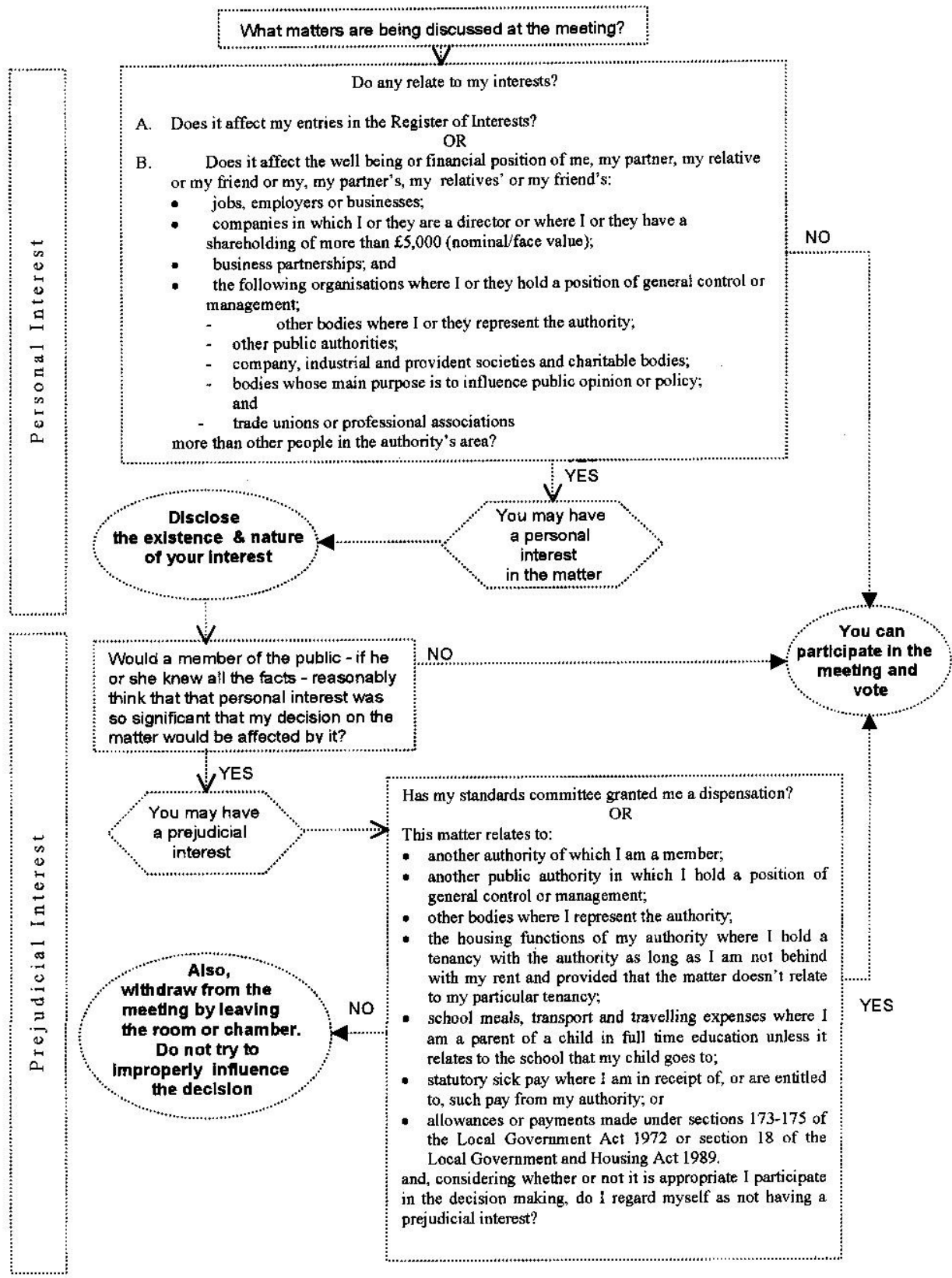
A Member with a prejudicial interest in any matter must also:

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

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

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



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Item 3

SEDGEFIELD BOROUGH COUNCIL

DEVELOPMENT CONTROL COMMITTEE

Council Chamber,
Council Offices,
Spennymoor

Friday,
8 December 2006

Time: 10.00 a.m.

Present: Councillor A. Smith (Chairman) and

Councillors W.M. Blenkinsopp, Mrs. B.A. Clare, Mrs. K. Conroy, Mrs. J. Croft, V. Crosby, M.A. Dalton, Mrs. B. Graham, A. Gray, G.C. Gray, B. Hall, J.E. Higgin, J.G. Huntington, M. Iveson, M.T.B. Jones, J.M. Khan, B. Meek, D.A. Newell, K. Noble, B.M. Ord, Mrs. C. Sproat, K. Thompson, T. Ward, W. Waters and J. Wayman J.P

Apologies: Councillors Mrs. A.M. Armstrong, B.F. Avery J.P, D.R. Brown, J. Burton, Mrs. A.M. Fleming, R.S. Fleming, T.F. Forrest, Mrs. J. Gray, D.M. Hancock, K. Henderson, A. Hodgson, Mrs. L. Hovvels, J.P. Moran, G. Morgan, R.A. Patchett, Mrs. E.M. Paylor, J.K. Piggott, Mrs. C. Potts, Ms. M. Predki, J. Robinson J.P, G.W. Scott, J.M. Smith, Mrs. I. Jackson Smith and Mrs. L. Smith

DC.75/06

DECLARATIONS OF INTEREST

The following Members stated that they would be declaring interests :-

Councillor G.C. Gray	-	Item 4	Personal	Daughter employed by Applicant
		Item 7	Personal & prejudicial	Member of Durham County Council
Councillor V. Crosby	-	Item 7	Personal and prejudicial	Member of Greenfield Community Arts Management Board
Councillor Mrs. B.A.Clare	-	Item 7	Personal and prejudicial	Husband – Deputy Head of Greenfield School and Community Arts College

DC.76/06 MINUTES

The Minutes of the meeting held on 10th November, 2006 were confirmed as a correct record and signed by the Chairman.

DC.77/06 PROPOSED DEMOLITION OF EXISTING FACTORY UNIT AND SUBSEQUENT REDEVELOPMENT FOR APPROXIMATELY 400 RESIDENTIAL UNITS WITH ASSOCIATED LANDSCAPING AND INFRASTRUCTURE IMPROVEMENTS AT MERRINGTON LANE INDUSTRIAL ESTATE SPENNYMOOR

NB: In accordance with Section 81 of the Local Government Act 2000 and the Members Code of Conduct Councillor G C Gray declared an interest in this item and left the meeting for the remainder of the items.

Consideration was given to a report of the Head of Planning Services (for copy see file of Minutes) the purpose of which was to ratify the decision made by the Development Control Committee on 20th October, 2006 to approve, in principle, the planning application subject to conditions and the imposition of a Section 106 Agreement.

The Committee was reminded that the application had been referred to the Government Office for the North East. Information had been received that the Secretary of State had decided not to call in the application to determine herself and that the application should remain with the Council for decision.

It was explained that, following consideration at Committee, a considerable amount of officer time had been spent in negotiations with the applicant's agents, in preparing the draft legal agreement. It subsequently transpired that a couple of conditions had been duplicated in the Committee report and it was possible to deal adequately with a number of the issues set out in the proposed Heads of Terms by condition instead. This report therefore reflected the changes.

RESOLVED : That in the light of the Secretary of State's decision not to call in the application, Development Control Committee endorses the earlier recommendation of approval as set out in the original committee report subject to a variety of conditions set out in appendix 1 and that the Head of Planning Services be given authority, in consultation with the Borough Solicitor, to issue a conditional planning approval certificate in exchange for a Section 106 Legal Agreement in order to ensure that the proposal delivers the various elements of planning gain in the revised heads of terms set out in appendix 2.

DC.78/06 APPLICATIONS - BOROUGH MATTERS

Consideration was given to a schedule detailing applications to be determined by the Council. (For copy see file of Minutes).

In respect of Application No : 1 – Residential Development Comprising of 52 No. Dwellings - Land East of Barratt Way, West Cornforth, Ferryhill, County Durham – Bett Homes (NE) Limited, Diamond Court, Kenton, Newcastle-upon-Tyne – Plan Ref : 7/2006/0443/DM – it was explained that the application complied with National Planning Policy Guidance and Local Plan policies.

In relation to affordable housing, it was explained that there was not currently an affordable housing issue in West Cornforth.

The development met the standards in terms of provision of privacy and amenity.

In terms of open space provision it was explained that sum of £50,920 was ringfenced from capital receipts should planning permission be granted to ensure off-site play provision was achieved.

The Committee was informed that in terms of ecology, an ecological report had been submitted to assess the impact of the development on protected species. The views of Natural England had been sought and a condition included to ensure that the development was carried out in accordance with the mitigation elements of the ecological assessment and tree survey. A separate more detailed survey would be carried out to deal with the issue of bats.

The Environment Agency had originally objected to the development as no flood risk assessment had been submitted to deal with the surface water run off. The applicant had, however, since submitted the relevant information and the Environment Agency therefore raised no objections but requested that the following condition be required to be included in relation to surface water:-

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

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

It was explained that Mrs. Brenda Richardson, a local resident, was present at the meeting to outline her concerns in relation to the proposed development. She explained that there were already parking issues in the area and the development would exacerbate the problem. She also made reference to problems with the sewer in the area and its constant blockage. She considered that the development would also make that problem worse.

In response it was explained that it was recognised that there were concerns in relation to access. However, the Highway Authority had no

objections to the proposals. In terms of sewerage, concerns had been raised and this was the reason for the suggested additional condition.

Regarding Application No : 2 – Erection of Residential Development with Associated Means of Access – Rose Street, Trimdon Grange – George Wimpey, Stockton-on-Tees – Plan Ref : 7/2006/0521/DM – it was explained that the applicant had requested that the application be deferred to consider a number of outstanding issues in relation to the level of affordable housing.

Dealing with Application No : 4 – Proposed Diversion of Woodham Burn, Flood Prevention Works and Erection of 150 Dwellings and Associated Access (Outline Application) – Land adjoining Woodham Bridge, Newton Aycliffe – Camtec Properties (Newton Aycliffe) Limited – Plan Ref : 7/2006/0610/DM – it was noted that this application had been withdrawn.

In respect of Application No : 5 – Change of Use from Residential to Childrens Home – 1, The Villas, Ferryhill – The Cares Group, Byers Green – Plan Ref : 7/2006/0687/DM – it was explained that letters of objection had been received from Ferryhill Town Council and local residents. The objections from Ferryhill Town Council related to the lack of parking facilities, the inappropriate use of a residential property and too near residential homes. Two further letters of objection had been received from Dean Bank Residents Association and from a local resident with were circulated. (For copies see file of Minutes). The objections related mainly to anticipated nuisance, anti-social behaviour etc.

It was explained that the application needed to be considered against Local Plan policies H18 and H22 of the Local Plan which stated that planning permission for residential institutions would normally be granted within housing areas provided they comply with other planning policies, do not significantly harm the living conditions of nearby residents, were appropriate in scale and character to the surrounding housing area. Although potential anti-social behaviour etc., was not a planning concern, it could be considered and taken into account when dealing with planning applications.

The Committee was reminded that to refuse the application purely on the basis of potential problems would be difficult to substantiate on appeal and any issues needed to be evidence-based.

Mrs. Weston, Chairman of the Residents Association, was present at the meeting to outline her concerns. She explained that the proposal was in an inappropriate location. There were already anti-social behaviour problems in the Dean Bank area and the location was in a very densely populated area where there were problems with parking etc. Mrs. Weston considered that the residents of the home could be targeted by local youths.

It was considered that it would have been preferable to be able to question the applicant in relation to the problems which the residents of the home faced and what the challenging behaviour issues were.

It was noted that there were similar premises existing in Crook and that it would perhaps be advisable to defer consideration of the application until evidence was gained from other such premises etc., as to any issues which the development may cause. Many of the concerns were based on speculation and supposition and it was therefore considered appropriate to seek further information and defer consideration of the application to allow a decision to be based on evidence.

RESOLVED : 1. That in respect of Application No : 1 Residential Development Comprising of 52 No. Dwellings - Land East of Barratt Way, West Cornforth – Bett Homes (NE) Limited, Diamond Court, Kenton, Newcastle-upon-Tyne – Plan Ref : 7/2006/0443/DM the application be approved subject to the inclusion of the following condition :-

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

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

- 2. That in respect of Application No : 2 - Erection of Residential Development with Associated Means of Access – Rose Street, Trimdon Grange – George Wimpey, Stockton-on-Tees – Plan Ref : 7/2006/0521/DM – the application be deferred pending further consideration of outstanding issues.*
- 3. That in respect of Application No : 4 - Proposed Diversion of Woodham Burn, Flood Prevention Works and Erection of 150 Dwellings and Associated Access (Outline Application) – Land adjoining Woodham Bridge, Newton Aycliffe – Camtec Properties (Newton Aycliffe) Limited – Plan Ref : 7/2006/0610/DM – it be noted that the application had been withdrawn.*
- 4. That in respect of Application No : 5 - Change of Use from Residential to Childrens Home – 1, The Villas, Ferryhill – The Cares Group, Byers Green – Plan Ref : 7/2006/0687/DM – the application be deferred pending further information and evidence.*
- 5. That the remainder of the applications be approved.*

DC.79/06 CONSULTATIONS FROM DURHAM COUNTY COUNCIL

NB : In accordance with Section 81 of the Local Government Act 2000 and the Members Code of Conduct, Councillors V. Crosby and Mrs. B. A. Clare declared a prejudicial and personal interest in this item and left the meeting for the duration of the discussion and voting thereon.

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

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

DC.80/06 COUNTY DECISIONS

A schedule detailing applications which had been determined by Durham County Council was considered. (For copy see file of Minutes).

RESOLVED : That the information be received.

DC.81/06 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.82/06 APPEALS

Consideration was given to a schedule detailing outstanding appeals up to 30th November, 2006. (For copy see file of Minutes).

RESOLVED : That the information be received.

DC.83/06 RECENT PLANNING APPEAL DECISIONS

Consideration was given to a report of the Head of Planning Services (for copy see file of Minutes) detailing a recent planning appeal decision. It was noted that an appeal made by Mr. Yaqoob against the Refusal for the Change of Use to Hot Food Takeaway at 1A, Eden Terrace, Chilton had been dismissed.

RESOLVED : That the information be received.

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 item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraphs 1 and 6 of Part 1 of Schedule 12a of the Act.

DC.84/06

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.85/06

**UNAUTHORISED ERECTION OF WALL AT 21 CRAGSIDE
SPENNYMOOR**

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

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

ACCESS TO INFORMATION

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

Item 5

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - TO BE DETERMINED

1. 7/2005/0546/DM APPLICATION DATE: 2 August 2005

PROPOSAL: **ERECTION OF 8 NO. DWELLINGS AND AND ASSOCIATED ACCESS ROAD (OUTLINE APPLICATION)**

LOCATION: **FORMER MIDDLESTONE MOOR YOUTH CLUB ALBION STREET SPENNYMOOR**

APPLICATION TYPE: Outline Application

APPLICANT: Spennymoor Town Council
Town Hall, Spennymoor, Co Durham

CONSULTATIONS

1. Cllr. W. Waters
2. Cllr. K Thompson
3. Cllr. C Sproat
4. SPENNYMOOR TC
5. DCC (TRAFFIC)
6. NORTHUMBRIAN WATER
7. ENGINEERS
8. L.PLANS
9. ENV AGENCY

NEIGHBOUR/INDUSTRIAL

Hirst Court:13,14,15,16,17,18,19
Community Centre
Albion Street:25,24,23
Lyne Road:28,30,32,34,36,38,40,42,44,46
High Croft:64,63,29,28,27,26,25,24,23,22,21

BOROUGH PLANNING POLICIES

- | | |
|-----|---|
| H1 | Housing Development in Newton Aycliffe, Spennymoor, Shildon and Ferryhill |
| D5 | Layout of New Housing Development |
| D3 | Design for Access |
| D13 | Development Affecting Watercourses |
| D1 | General Principles for the Layout and Design of New Developments |
| T6 | Improvements in Road Safety |
| T7 | Traffic Generated by New Development |
-

SEDFIELD BOROUGH COUNCIL
PLANNING APPLICATIONS - TO BE DETERMINED

PROPOSAL

Spennymoor Town Council is seeking outline planning permission for residential development on land adjacent to the Middlestone Moor Community Centre, Spennymoor. The proposal involves the redevelopment of the former Youth Club site and the existing Community Centre car park. A new car park would be created on the tarmac area (formerly a netball court) adjacent to the existing Community Centre building.

Approval is being sought for the siting of the dwellings and the means of access with design and landscaping reserved for subsequent approval. Consideration of this application is therefore limited to whether the principle of residential use is acceptable and whether the access arrangements and the siting of the dwellings are acceptable in relation to their surroundings.

SITE LOCATION PLAN



The submitted application indicates that a total of 8 dwellings would be erected on the site in the form of 8 detached properties, each with their own off-road drive space. The proposal would create a new cul-de-sac, accessed directly off Albion Street via a private access road which would be upgraded to adoptable standards.

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - TO BE DETERMINED

Submitted plans show each of the proposed dwellings to be inward looking, creating a community feel, with direct access to the site shown to be via Albion Street by way of a new road constructed to adoptable standards. If approved, this outline permission would be subject to the approval of other reserved matters including the design and external appearance of the buildings and landscaping of the site.

CONSULTATION AND PUBLICITY RESPONSES

- Durham County Council as the Highways Authority have played a significant part in the design of the access road serving the site, and following amendments have raised no objections to the proposal, subject to the imposition of conditions requiring improvement works to the Albion Street/C152 Highway Junction and the formal adoption of the access road off Albion Street.
 - The Environment Agency have raised no objections to the proposal but recommend the applicant/agent seeks advice regarding standing water and general surface water drainage issues. They have also recommended that there should be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters, whether direct or via soakaways both during and after development.
 - Northumbrian Water Ltd. have also raised no objections, subject to the applicant/agent seeking further advice regarding water supply and controlling contamination to water.
 - The Council's Forward Planning Team consider that residential development of this site would be acceptable in principle, under criteria set out in Local Plan Policy H1 (Housing development in Newton Aycliffe, Spennymoor, Shildon and Ferryhill) and D5 (Layout of New Housing Development.)

As part of the consultation and publicity exercise, site notices were also erected adjacent to the application site and all neighbouring properties were informed of the proposal. No adverse comments have been received in response to this publicity exercise.

PLANNING CONSIDERATIONS

When determining this application, the main issues for consideration are:

- The suitability of the site for residential development in terms of its location;
- Whether adequate access and parking standards can be achieved;
- Whether the layout of the site would ensure adequate privacy and amenity standards are met; and,
- How the scale and form of the development would relate to its surroundings

The suitability of the site for residential development in terms of its location

Policy H1 of the Sedgefield Borough Local Plan states that:

Housing development on sites in Newton Aycliffe, Spennymoor, Ferryhill and Shildon will normally be approved provided that the site is included in Policy H2, or

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - TO BE DETERMINED

- a) Is either substantially surrounded by Housing, or**
- b) Does not lead to an extension of development into the open countryside, and**
- c) Does not prejudice the environmental restraint policies of the plan, nor**
- d) Conflicts with design principles for new housing in accordance with Policy D5**

Plans show the application site to be surrounded by residential uses on 3 of the 4 sides. To the north, the site is bordered by a row of bungalows on Hirst Court, to the east by a row of two storey dwelling houses on Lyne Road, and to the south by more residential bungalows along Highcroft. These house types comprise a mix of detached, semi-detached and terraced properties. With the surrounding development therefore predominantly residential in nature, any further residential use on this site would be in keeping with the character of the surrounding area.

Furthermore, with a presumption in favour of developing upon Brownfield sites across the Borough, this scheme is considered to provide a valuable opportunity to meet the housing requirements of this community, whilst widening housing opportunities within Spennymoor. The site is considered to be highly accessible to jobs and services, and also has the opportunity to aid more sustainable travel patterns via walking, cycling and use of public transport. Furthermore, the proposed development is not considered to present any great burden on the existing transport infrastructure or highway network, with utilities and social infrastructure also considered to accommodate this new development satisfactorily.

In summary, the principle of housing development would be consistent with the locational requirements of PPS3 Housing, which promotes the reuse of 'Brownfield' or previously developed land for housing in preference to greenfield sites.

Whether adequate access and parking standards can be achieved

Whilst the proposal is only in outline form, details of the siting of the buildings and means of access to the site are included within the application.

As explained previously, consultation with the Highways Authority has confirmed that the access and parking arrangements are acceptable subject to improvement works to the Albion Street/C152 Road intersection and the upgrading of the private road, which leads to the application site. Furthermore, as the proposal takes in the existing Community Centre car park and would potentially displace vehicles onto the surrounding streets it is important to ensure that applicants provide a replacement car park prior to development commencing. A condition requiring the formation of the replacement car park prior to development commencing is therefore considered to be a prerequisite of any approval.

It is therefore considered that the proposal makes satisfactory and safe provision for pedestrians, cyclists, public transport, cars and other vehicles, therefore proving consistent with Local Plan Policy D3 (Design for access.)

Whether the layout would ensure adequate privacy and amenity standards are met

Plans show the 8 proposed dwellings to face inwards, surrounding the highway access to the site, thus creating what may be considered as an enclosed community feel. All plots manage to achieve or exceed the recommended 21 metres (facing dwellings) and 14 metres (front to

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - TO BE DETERMINED

gable) spacing requirements, with plans showing the site to be fully enclosed, offering large areas of private amenity space to the rear of each dwelling. It is not considered the proposed development will have any significant adverse impact upon the neighbouring existing properties in terms of loss of amenity and intrusion of privacy and is therefore in compliance with Local Plan Policy D5 (Layout of new housing development.)

How the scale and form of the development would relate to its surroundings

The existing housing which surrounds the application site comprises a mix of bungalows and 2-storey dwellings detached, semi-detached and terraced in nature. With such a mix of house types in the immediate vicinity, this development is considered to complement its surroundings and is also of a scale which does not adversely impact upon the overall street scene.

The only significant concern regarding this proposal is the relationship created between the new dwellings and the smaller scaled bungalows to the immediate north of the site. However, in terms of loss of amenity, it is not considered that the new dwellings will significantly affect the existing bungalows in terms of overlooking or dominance. Plans show each of the proposed dwellings to be surrounded by reasonably large areas of private amenity space and set several metres away from the rear boundaries with the properties on Hirst Court, which are themselves set within reasonably sized grounds.

CONCLUSION

In conclusion, the principle of housing in this location is acceptable, as the proposal utilises a previously developed Brownfield site in a sustainable location.

It is considered that the proposed development would result in a high standard of development, with access to the site also considered acceptable subject to conditions seeking the adoption of the road and junction improvements. Furthermore, the proposed layout of the development provides an adequate standard of privacy and attractive outlook, relating well with the surrounding properties in the locality, with no significant loss of privacy or amenity to neighbouring occupiers. Finally, the development would be of a scale and design which further complements the surrounding residential uses without having a detrimental impact upon the amenity of the adjacent properties.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998

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

HUMAN RIGHTS IMPLICATIONS

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

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - TO BE DETERMINED

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

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

- a) the design & external appearance of the building(s)
- b) the landscaping of the site

Reason: In accordance with Section 92 of the Town and Country Planning Act 1990.

2. Application for approval of the Reserved Matters shall be made to the Local Planning Authority not later than the expiration of THREE years from the date of this permission and the development to which this permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter has been approved.

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

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

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

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

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

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

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

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

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

7. Notwithstanding the provisions of Class A,B,C,D,E,F,G of Part 1 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order) details of any enlargement, improvement or other alteration to the dwelling(s) hereby approved and any buildings, including sheds, garages and glass houses to be erected within the curtilage of the dwellinghouse(s) shall be submitted to and approved by the Local Planning Authority.

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - TO BE DETERMINED

Reason: To enable the Local Planning Authority to control details of any future development on the site in the interests of visual and residential amenity, and to comply with Policy D5 (Layout of New Housing Development), Policy H15 (Extensions to Dwellings) and Policy H16 (Extension to the Front of Dwellings), of the Sedgefield Borough Local Plan.

8. The proposed development shall be served by a new access(es) constructed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the formation of a satisfactory means of access in the interests of highway safety, and to comply with Policy T6 (Improvements in Road Safety) of the Sedgefield Borough Local Plan.

9. Prior to the commencement of the development hereby approved, the Albion Street/C152 highway junction shall be improved in accordance with details to be submitted to and approved in writing by the Local Planning Authority..

Reason: To achieve a satisfactory form of development in the interests highway safety, and to comply with Policy T6 (Improvements in Road Safety) and T7 (Traffic Generated by New Development).

10. Prior to the commencement of the development hereby approved, the car park shown on drawing no.0535/B02Rev.B shall be constructed and laid out in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: To achieve a satisfactory form of development in the interests highway safety, and to comply with Policy T6 (Improvements in Road Safety) and T7 (Traffic Generated by New Development).

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

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

12. No machinery shall be operated on the premises before 8am nor after 6pm nor at any time on Sundays, Bank Holidays or Public Holidays.

Reason: To ensure that occupants of nearby properties are not adversely affected by noise from the premises, and to comply with Policy D10 (Location of Potentially Polluting Developments) of the Sedgefield Borough Local Plan.

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

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

INFORMATIVE: REASON FOR GRANT OF PLANNING PERMISSION

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - TO BE DETERMINED

In the opinion of the Local Planning Authority, the outline proposal is considered to be acceptable in scale and character to its location and that of the surrounding residential area, and would not significantly harm the living conditions for nearby residents.

INFORMATIVE: LOCAL PLAN POLICIES RELEVANT TO THIS DECISION

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

H1 - Housing Development in Spennymoor

D5 - Layout of new housing development

INFORMATIVE

The design of the proposed retaining wall must be approved by officers in Durham County Council's Bridges and Structures section. Advice should be sought from John Collins at Durham County regarding the correct procedure in the first instance.

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - TO BE DETERMINED

2. 7/2006/0712/DM APPLICATION DATE: 15 November 2006

PROPOSAL: **DEMOLITION OF EXISTING PETROL FILLING STATION AND
ERECTION OF 2 NO. DWELLINGS (OUTLINE APPLICATION)**

LOCATION: **OK SERVICE STATION DURHAM ROAD CHILTON CO DURHAM**

APPLICATION TYPE: Outline Application

APPLICANT: Mr C Alexander
Ok Service Station, A167 Durham Road, Chilton, Co Durham

CONSULTATIONS

1. CHILTON P.C.
2. Cllr. C. Potts
3. Cllr. T.F. Forrest
4. Cllr. B.F. Avery
5. DCC (TRAFFIC)
6. NORTHUMBRIAN WATER
7. BUILDING CONTROL
8. HEALTH & S.E.
9. ENGINEERS
10. ENV. HEALTH
11. L.PLANS
12. LANDSCAPE ARCH
13. Rodger Lowe

NEIGHBOUR/INDUSTRIAL

Service Station Bungalows:1,2
West Chilton Farm

BOROUGH PLANNING POLICIES

- | | |
|-----|---|
| T1 | Footpaths and Cycleways in Towns and Villages |
| T5 | Movement of Freight |
| T14 | Large Telecommunications Development |

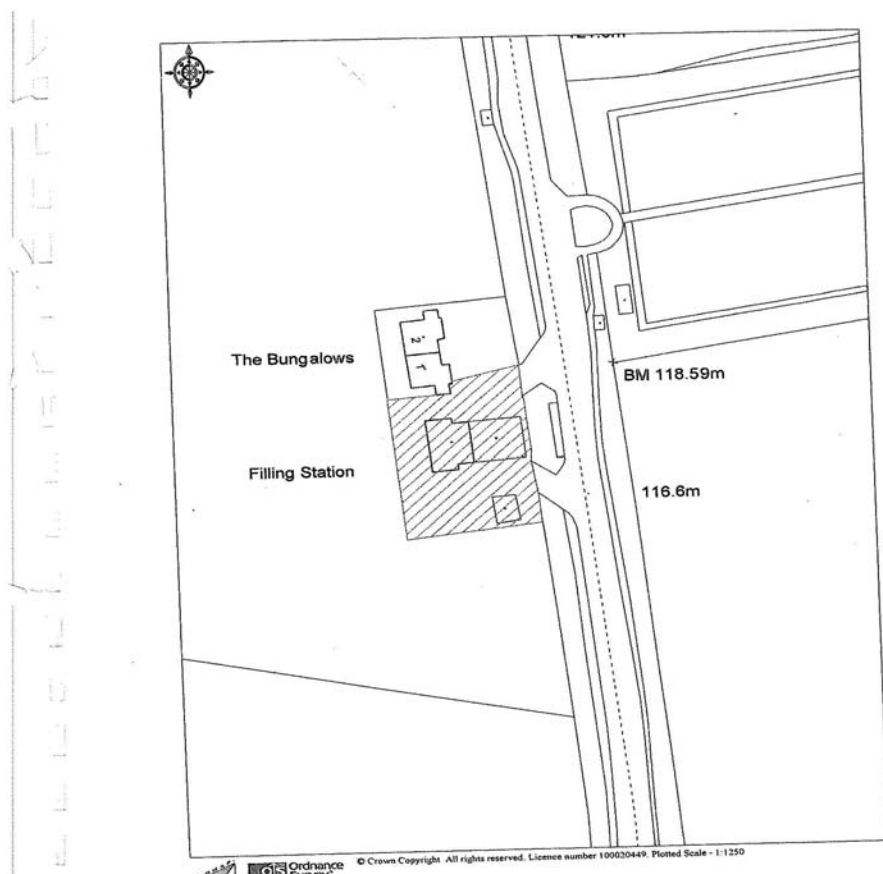
This application would normally constitute a delegated matter under the approved scheme of delegation. It is however being presented to Development Control Committee at the request of a Member of the Council in the interests of regeneration and sustainability.

PROPOSAL

SEDFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - TO BE DETERMINED

Outline planning permission is being sought by Storeys SSP on behalf of Mr C Alexander for the erection of 2 no. dwellings on land at the former OK Service Station site located on the northern outskirts of Chilton as shown on the plan below:



Following the completion of the Chilton Bypass, which now runs to the west of the application site, this section of Durham Road has largely become redundant and blocked at one end and now serves as an access to this former service station, the two semidetached bungalows next door (numbers 1 and 2 The Bungalows) and the adjacent cemetery. Following the completion of the by-pass the garage, which included a petrol filling station, closed. The current planning application proposes to demolish the existing buildings on the site to facilitate the erection of two new dwellings.

All matters have been reserved for subsequent approval with the exception of the layout of the proposal. An indicative plan, which accompanies the application, shows the two proposed dwellings and their curtilages to occupy the entire service station site, to the south of the existing bungalows. Set well back from the main highway, they will be served by a layby offering two entrances onto the former A167. Each dwellinghouse is shown to be sited within spacious, landscaped grounds facing onto Durham Road, with the resulting development forming a linear progression of four detached dwellings surrounded by open countryside land.

CONSULTATION AND PUBLICITY RESPONSES

Chilton parish council have made no comment to date.

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - TO BE DETERMINED

Durham County Council as the Highways Authority have indicated that should permission be granted, residents adopt an entry/exit arrangement from the lay-by onto the highway, similar to that of the existing service station. Furthermore, the existing verge and footway to the front of the site including the whole of the island in between is classified as public highway, with a section of this also subject to a Highway Dedication Agreement (24 February 1931.) As such, objections are raised by the Highways Authority to the indicative landscaping on the site, which shows shrub/tree planting along this area of public highway, which should remain undisturbed.

Northumbria Water has also been consulted on this application, but no response has been received at the time of writing this recommendation.

The Council's Landscape Architect has raised no objections to the proposal.

The Council's Arboriculture Officer has requested that the conifer hedge boundary to the west of the site must be retained as it acts as an important screen from the allocated land and bypass beyond. If this proposal is approved, it must be subject to a condition, ensuring the protection and maintenance of this effective screen.

The Council's Environmental Health Team have reviewed the land appraisal report which accompanied the application and agree that ground contamination does exist on the site mainly resulting from its former service station use. This contamination is identified at a depth which should pose no threat if left undisturbed, although there may be a slight danger of groundwater contamination. However, if development does proceed at the site, this would require immediate remedial action, with no development permitted until the LPA are entirely satisfied that the contaminants are remediated to such an extent that no harm will result for human health or the environment. If approved, the applicant would need to contact the Environmental Health Section in the first instance, with approval subject to the imposition of appropriate conditions.

Forward Plans consider that the proposed development fails to accord with national, regional and local planning guidance regarding residential development in the countryside. Despite the application site being Brownfield in nature, there is strong presumption in favour of controlling house building within the countryside. It is concluded that on this occasion, the conflict created with locational policies for housing development far outweigh the positive aspects of re-using Brownfield Land.

As part of the consultation and publicity exercise, site notices were also erected adjacent to the application site and neighbouring properties were informed of the proposal. No adverse comments have been received in response to this exercise.

PLANNING CONSIDERATIONS

When determining this planning application, the main issue to take into account is whether or not the site in question is suitable for residential development in terms of its location and how it would relate to its surroundings. As will be explained, it is the Council's opinion that this proposal adds unnecessary and unsustainable development pressure onto land sited within the open countryside.

As part of the submitted application, the agent has submitted a supporting statement on behalf of Mr Alexander which sets out the main arguments in favour of the proposal. A summary of these arguments now follows, with the Council's response to each point raised in italic:

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - TO BE DETERMINED

- Residential development on this site would satisfy PPS1, PPG3, RPG1 and the Submission Draft RSS which collectively seek to ensure development on Brownfield sites, and within easy access to services by public transport, foot and cycle. Furthermore, this would assist the authority in reaching the 60% Brownfield development targets set down by the Government.

Whilst it is recognised that the development would constitute Brownfield development, it must be argued that there are far more sustainable sites elsewhere within the defined town boundary of both Ferryhill and Chilton which do not place added development pressure on the countryside.

- At a local level, the County Durham Structure Plan states that priority should be given to the redevelopment of existing sites, within a reasonable range of services and facilities. *The application site is located in the countryside with local services being situated in Chilton and Ferryhill.*
- Policies T1, T5 and T14 of RPG1, together with PPG13 promote development within areas served by frequent public transport, with Chilton offering frequent services to Durham, Bishop Auckland and Durham. Furthermore, it is explained that this would provide an increase in car borne travel.

The application site is situated on a 'dead end' road and would not be readily accessible to public transport links.

- PPS7 promotes the re-use of appropriately located and suitably constructed existing buildings in the countryside where this would meet sustainable development objectives.

Further reading into Annex A of this policy statement identifies that one of the few circumstances in which isolated residential development of this nature may be justified is when accommodation is required for agricultural, forestry and certain other full time workers to live at, or in the immediate vicinity of, their place of work. In this instance, the applicant has failed to provide any clear justification for the siting of these dwellings on this site, with this proposal therefore considered to conflict with PPS7 guidance.

- Finally, it is explained "the Sedgefield Borough Local Plan states that it would not normally permit development outside settlement boundaries unless major extensions or rebuilding are not required, there is no harmful effect caused by traffic or environmental impacts on the character of the local countryside; and no significant additional demand upon the provision of public services would result. It is considered that the proposal does not involve any of the above."

This statement has been drawn from Policy H13 of the adopted Local Plan regarding the 'conversion of buildings in the countryside for residential use'. This policy primarily refers to the conversion of buildings in the countryside that are no longer needed for their original use, with a change of use being one way of retaining the original structure. This policy cannot be deemed relevant to this application in light of the fact works will involve the demolition and subsequent rebuild of the entire site. Furthermore, building two new dwellings in this location clearly will have an impact upon the surrounding countryside and environment regardless of the sites current usage.

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - TO BE DETERMINED

In summary, whilst recognising that the proposal constitutes the development of a Brownfield site this does not automatically mean that the site is the best possible site for such housing development within the local area.

Plans clearly show the application site to fall outside of the residential framework of Chilton, with any development of this site therefore being regarded as development encroaching into the countryside. Whilst located within close proximity to the existing two Bungalows adjacent to the application site, it is not considered this is sufficient justification on policy grounds that further development should be permitted, with adopted planning guidance seeking a presumption in favour of Brownfield development in far more sustainable locations other than this.

To justify this argument further, national planning policy, which forms the framework within which local planning policy operates, advises that locations for new residential developments should be in appropriate, sustainable locations with most new development focused in or near to local service centres. As the site is located adjacent to a small group of houses in open countryside rather than an established settlement, the application does not meet these criteria and as such conflicts with PPS1 (Delivering Sustainable Development) and PPS7 (Sustainable Development in Rural Areas). As explained, Annex A of PPS7 does identify that one of the few circumstances in which isolated residential development such as this may be justified is when accommodation is required for agricultural, forestry and certain other full time workers to live at, or in the immediate vicinity of, their place of work. However, in this instance, the applicant has failed to provide any clear justification for the use of these dwellings. Furthermore, with the defined boundary of Chilton located nearby, it may again be argued that any need for housing on this site can be accommodated in a far more sustainable setting nearby.

PPG3 (Housing) and its associated documentation have recently been superseded following the publication of its replacement Planning Policy Statement (PPS3). As explained within this document, Local Planning Authorities are not required to follow PPS3 guidelines before 1st April 2007, however Paragraph 8 of the statement does enable authorities to use PPS3 as a material consideration, in particular circumstances, before 1st April 2007. In light of the above, Government Office for the North East has confirmed that the starting point for determining planning applications continues to be the Local Development Plan, with any decisions relating to this application being made in accordance with the adopted Sedgefield Borough Local Plan and RPG1/Submission Draft RSS, unless other material considerations indicate otherwise.

Issues relating to this application's conformity with the Borough Local Plan will be discussed shortly. However, using the new PPS3 as a material consideration in determining this application, it is clear that whilst PPS3 states that the priority for housing development should be previously-developed land, (and in particular vacant and derelict sites and buildings), housing should only be developed in suitable locations which offer a range of community facilities and with good access to jobs, key services and infrastructure. It is not considered that the application site represents a suitable location in the context of these principles. Whilst the authority should welcome the practice of bringing additional brownfield land back into use, the provision of housing on this particular site would not contribute towards the creation of inclusive sustainable communities and therefore does not accord with the housing objectives of PPS3. Further to this, the Council's Forward Planning Team have advised that for environmental reasons the best option for this land would be to allow or assist the process of returning the land to something resembling a more natural state.

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - TO BE DETERMINED

In addition to national planning policy, Local Plan policy H11 (Development in Ribbons and Groups of Houses in the Countryside) states that sporadic ribbon development such as this does not provide a suitable physical framework for new housing development, and if extended would erode the open nature of the countryside. Furthermore, Local plan policy H12 (Housing in the Countryside for Agricultural or Forestry Workers) makes the same exception for housing development as PPS7 for certain workers to live at, or in the immediate vicinity of, their work. As stated above, the applicant has not supplied the requisite justification for two additional in the countryside, with the proposal considered to promote unsustainable development within the countryside.

CONCLUSION

In conclusion, the principle of housing in this location is considered unacceptable when assessed against its open countryside surroundings. The proposal may involve the reuse of a Brownfield site and the removal of an unattractive, unused land use. However, the proposed development lies outside of any recognised settlement boundary and is located in an unsustainable location in respect of service provision when compared to more centrally located sites within the defined town boundary. No clear justification has been submitted by the applicant as to the need for two dwellings in this location and as such the proposal is unacceptable and contrary to National and Local Plan Policy. As emphasised throughout, more sustainable Brownfield sites may exist elsewhere in the Borough, and to approve this application would potentially set an undesirable precedent resulting in encroachment into the countryside.

HUMAN RIGHTS IMPLICATIONS

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

SECTION 17 OF THE CRIME AND DISORDER ACT 1998

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

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

1. In the opinion of the Local Planning Authority the proposal constitutes unsustainable residential development in the open countryside contrary to the established policy of resisting new residential development within the countryside to that which is required by persons solely or mainly in agriculture or forestry for whom it is essential to live in close proximity to their place of employment in order to perform their duties. No such justification for dwellings has been provided or proven in this case. The proposal is therefore contrary to Sedgfield Borough Local Plan Policies H11 (Development in ribbons and groups of houses in the countryside) and H12 (Housing in the countryside for agriculture or forestry workers) and the more current guidance of PPS 1 (Delivering sustainable development), and PPS7 (Sustainable development in rural areas.)

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - TO BE DETERMINED

3. 7/2006/0772/DM APPLICATION DATE: 7 December 2006

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

LOCATION: **47 ROTHBURY CLOSE TRIMDON GRANGE CO DURHAM**

APPLICATION TYPE: Detailed Application

APPLICANT: Mr Jamie Bidgood
47 Rothbury Close, Trimdon Grange, Co Durham

CONSULTATIONS

1. TRIMDON P.C.
2. Cllr. Mrs L. Hovvels
3. DCC (TRAFFIC)
4. BUILDING CONTROL
5. ENGINEERS

NEIGHBOUR/INDUSTRIAL

Rothbury Close:44,45,46,48,49,20
Berry Avenue:12,11

BOROUGH PLANNING POLICIES

H15 Extensions to Dwellings

PROPOSAL

This application would normally be determined under the approved scheme of delegation. However the applicant is related to a member of the Council and as such the application is presented to Development Control Committee for consideration and determination.

Planning permission is being sought by the 'Sedgefield Home Improvement Agency' on behalf of Mr Jamie Bidgood for the erection of a single storey extension to the rear of 47 Rothbury Close, a residential bungalow, situated in Trimdon Grange.

The proposal entails a rear extension approximately 2 metres deep and projecting approximately 2.7 metres towards the side boundary with number 46 Rothbury Close, with an additional en-suite to one of these rooms. The side extension will see the removal of a shed to the side of the property and a reduction in the depth of the driveway to approximately 11000mm, whilst maintaining a 1-metre separation distance to the side boundary with number 46.

The proposal also includes the installation of new disability access ramp to both the side entrance and rear of the property, the widening of the main entrance hallway to facilitate internal disabled access, and the creation of a new bathroom

SEDFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - TO BE DETERMINED

Number 47 Rothbury Close presently benefits from a reasonably large rear garden, bounded by tall wooden fences and hedgerows. To the rear lies a short panelled wooden fence, adjacent to a substantial Leylandii hedge, which obscures any direct view into the rear garden of 49 Rothbury Close. The rear garden of number 48 Rothbury Close is completely enclosed by fencing, Leylandii hedging and shed structures. Finally, the boundary with number 46 Rothbury Close contains semi-panelled, moderately tall fencing, which does allow for some direct view into the rear garden area.

CONSULTATION AND PUBLICITY RESPONSES

As part of the consultation and publicity exercise, letters were sent to all of the neighbouring properties. Trimdon Parish Council, Durham County Highways, Sedgfield Borough Highways Engineers and Building Control were also invited to make comment.

To date no adverse comments have been received in response to this consultation and publicity exercise.

PLANNING HISTORY

There is no planning history for the application site

PLANNING CONSIDERATIONS

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

Policy H15 (Extensions to Dwellings) states that the design of all extensions should be of a size and scale that is in keeping with the existing dwelling and should not have a detrimental impact on residential amenity. Given the size of the proposed extension in comparison to the overall size of the host property, it is considered that this development would be of a scale in keeping with the existing dwelling. The design of the extension would also replicate certain aspects of the host property such as the pitch and roof design, and would be of a standard design similar to many others on this street scene. Furthermore, the development would mostly be located to the side and rear of the property and would minimal impact upon the streetscene.

The Residential Extensions Supplementary Planning Document (February 2006) stipulates that applications for rear extensions should conform to the principles of the 45-degree code or that its length does not exceed 3 metres – whichever is the greater. The extension projects by approximately 2.1 metres from the original rear elevation of the dwelling and is therefore in keeping with the SPD guidance. Furthermore, plans show this extension to be subordinate in nature when viewed from the front elevation, incorporating a lower set ridgeline.

To the rear, plans show the new gable end to be a simple extension of equal height and pitch to the existing. Whilst not subordinate, it is considered that the impact of this extension on neighbouring properties is negligible, with only the rear street scene being able to view this.

The SPD also seeks to safeguard the amenity/privacy of neighbouring properties through the provision of obscured glazing or additional screening where necessary. As explained, plans show the proposed extension to the side to fall one metre from the boundary with number 46 Rothbury Close. However, no windows will be placed into this extension, with all windows facing

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - TO BE DETERMINED

into the rear garden area. Plans show only one existing side window to remain in this northern elevation, with little need for this to be obscured, as it will continue to look onto the adjacent detached garage structure owned by the occupants of number 46. Furthermore, this window will only serve a proposed cloakroom space. As such, there exists little potential for direct overlooking onto neighbouring properties with no subsequent cause for concern.

CONCLUSION

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

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 this application be approved subject to the following conditions:

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

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

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

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

INFORMATIVE: REASON FOR GRANT OF PLANNING PERMISSION

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

INFORMATIVE: LOCAL PLAN POLICIES RELEVANT TO THIS DECISION

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

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Item 7

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - COUNTY MATTERS

1. 7/2006/0715/CM

APPLICATION DATE: 6 November 2006

PROPOSAL: PROPOSED END OF LIFE VEHICLE STORAGE AND DISMANTLING FACILITY

LOCATION: COMPOUND B DEAN AND CHAPTER INDUSTRIAL ESTATE
FERRYHILL CO DURHAM

APPLICANT: Durham County Council
Environment, County Hall, Durham

CONSULTATIONS

1. FERRYHILL TOWN COUNCIL
 2. Cllr. J. Higgin
 3. Cllr K Conroy
 4. Cllr. R A Patchett
 5. BUILDING CONTROL
 6. ENGINEERS
 7. ENV. HEALTH
 8. VALUER
 9. L.PLANS
 10. ECONOMIC DEV
 11. LANDSCAPE ARCH
-

INTRODUCTION

This proposal refers to a planning application being dealt with by Durham County Council under The Town and Country Planning (Prescription of County Matters) (England) Regulations 2003. The views of Sedgefield Borough Council are therefore being sought on the proposal as a consultee. Durham County Council will determine the application.

PROPOSAL

This application proposes a change of use of a presently vacant industrial compound to an 'end of life' vehicle storage and dismantling facility. The proposal would include the erection of a 13 metre by 15 metre arched building (6.4 metres high), two 6 metre by 2.4 metre containers (2.6 metres high) to provide office and storage, and a smaller portable toilet unit. The latter would drain to a new septic tank installed below ground in the northwestern corner of the compound.

Access to the site is by way of existing gates from the industrial estate road.

The site operations can be summarised as follows:

- Vehicles moved onto site by recovery vehicle (typically 1 per day)
- Vehicles moved into workshop by fork lift truck for depollution and dismantling

SEDGEFIELD BOROUGH COUNCIL
PLANNING APPLICATIONS - COUNTY MATTERS

-
- Components stored for disposal or export
 - Vehicle shells taken off site for scrap

No mechanical breaking or crushing would be carried out on the site.

CONSULTATION AND PUBLICITY RESPONSES

Ferryhill Town Council have no objections to the proposal.

The Council's Landscape Architect has raised about the condition and appearance of the compounds area. This aspect is commented on below.

PLANNING CONSIDERATIONS

Policy IB16 (Materials Reclamation and Scrapyards) of the Borough Local Plan states that 'proposals for the establishment of materials reclamation facilities and scrapyards will be permitted only at three locations in the Borough, including the compound area of Dean and Chapter Industrial Estate. The policy requires that stringent conditions be applied to these sites to govern their appearance, relationship to adjoining land uses, the design of buildings, landscaping, screening and access in accordance with Policy D4.

In this instance the design of the workshop building would be of a simple and functional design that would be in keeping with its immediate surroundings. The main building would be positioned at the eastern side of the site, and screened by an existing 2.4m high palisade fence. The storage container and toilet block would be sited to the north, and the office to the western side of the site adjacent to the entrance. Existing self seeded trees on the eastern boundary would remain and would offer some screening in the summer months.

The Borough Council's Landscape Architect has expressed concern that no landscaping proposals accompany the application, and has pointed out that there have been previous concerns about the general condition and appearance of the area. Given the relatively small size of the compounds there is little scope to provide meaningful landscaping within the application site. Whilst it is recognised that the environmental quality of the compound area is poor, the overall appearance of the compound area is not a matter that can be addressed through this application.

In view of the above it is considered that the proposed development is of an appropriate design, which is compatible with the surrounding buildings and would not have any adverse impact on the surrounding area. As such the proposal is considered to comply with Policies IB16 and D4 of the Sedgefield Borough Local Plan.

RECOMMENDED

That Sedgefield Borough Council offers no objections to the proposal.

Item 8

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - DELEGATED DECISIONS

1. 7/2006/0667/DM OFFICER:Scott Vincent

APPLICATION DATE: 17 October 2006

PROPOSAL: DISPLAY OF BREWERY SIGNAGE

LOCATION: THE GRETNA GREEN GREAT NORTH ROAD NEWTON AYCLIFFE DL5 6JG

APPLICANT: Spirit Group
107 Station Road, Burton on Trent, Staffordshire, DE14 1BZ

DECISION: STANDARD APPROVAL on 11 December 2006

2. 7/2006/0717/DM OFFICER:Mark O'Sullivan

APPLICATION DATE: 7 November 2006

PROPOSAL: CROWN THINNING OF 3 TREES (TREE PRESERVATION ORDER 12/2004)

LOCATION: 17 AND 18 GLEBE CLOSE FISHBURN CO DURHAM

APPLICANT: S Lumsdon
18 Glebe Close, Fishburn, Co Durham , TS21 4DE

DECISION: STANDARD APPROVAL on 14 December 2006

3. 7/2006/0714/DM OFFICER:Scott Vincent

APPLICATION DATE: 9 November 2006

PROPOSAL: DEMOLITION OF EXISTING FLAT ROOF EXTENSION AND ERECTION OF TWO STOREY AND SINGLE STOREY EXTENSIONS TO REAR

LOCATION: FERNLEA 9 WEST AUCKLAND ROAD SHILDON DL4 1PY

APPLICANT: Mr & Mrs Bujara
Fernlea, 9 West Auckland Road, Shildon, Co Durham, DL4 1PY

DECISION: STANDARD APPROVAL on 15 December 2006

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - DELEGATED DECISIONS

4. 7/2006/0709/DM OFFICER:Scott Vincent

APPLICATION DATE: 6 November 2006

PROPOSAL: ERECTION OF CONSERVATORY TO REAR

LOCATION: 10 MARSHALL ROAD NEWTON AYCLIFFE DL5 4ET

APPLICANT: A Robson & D Greenwood
10 Marshall Road, Newton Aycliffe, Co Durham

DECISION: STANDARD APPROVAL on 14 December 2006

5. 7/2006/0708/DM OFFICER:Helen Williams

APPLICATION DATE: 6 November 2006

PROPOSAL: ERECTION OF EXTENSION TO THE REAR

LOCATION: 19 PEACEHAVEN FERRYHILL DL178BH

APPLICANT: A Allen
9 Mainsforth Rise, Ferryhill, Co Durham , DL17 0DD

DECISION: STANDARD APPROVAL on 20 December 2006

6. 7/2006/0704/DM OFFICER:Mark O'Sullivan

APPLICATION DATE: 7 November 2006

PROPOSAL: ERECTION OF SINGLE STOREY EXTENSION

LOCATION: WEST CORNFORTH MEDICAL CENTRE READING STREET WEST
CORNFORTH CO DURHAM

APPLICANT: Whitfields Building Services
Whitfield House, St Johns Road, Meadowfield Ind Est, Durham , DL17 9LH

DECISION: STANDARD APPROVAL on 19 December 2006

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - DELEGATED DECISIONS

7. 7/2006/0702/DM OFFICER:Helen Williams

APPLICATION DATE: 1 November 2006

PROPOSAL: ERECTION OF EXTENSION TO THE REAR

LOCATION: 14 REGENT TERRACE FISHBURN STOCKTON-ON-TEES TS214DQ

APPLICANT: Colin Wilkinson
14 Regent Terrace, Fishburn, Co Durham

DECISION: STANDARD APPROVAL on 5 December 2006

8. 7/2006/0697/DM OFFICER:Helen Williams

APPLICATION DATE: 30 October 2006

PROPOSAL: ERECTION OF CONSERVATORY TO THE REAR

LOCATION: 15 DEAN PARK FERRYHILL DL178HP

APPLICANT: Mrs E A Hodgson
15 Dean Park, Ferryhill, Co Durham , DL17 8HP

DECISION: STANDARD APPROVAL on 5 December 2006

9. 7/2006/0696/DM OFFICER:Simon Miller

APPLICATION DATE: 31 October 2006

PROPOSAL: ERECTION OF SUN ROOM TO SIDE AND REAR

LOCATION: 2 HOWSON CRESCENT NEWTON AYCLIFFE DL5 4RX

APPLICANT: Mr D Whiteoak
2 Howson Crescent, Woodham, Newton Aycliffe, Co Durham, DL5 4RQ

DECISION: STANDARD APPROVAL on 5 December 2006

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - DELEGATED DECISIONS

10. 7/2006/0692/DM OFFICER:Simon Miller

APPLICATION DATE: 27 October 2006

PROPOSAL: ERECTION OF CONSERVATORY TO REAR

LOCATION: 298 BOOTH WALK NEWTON AYCLIFFE DL5 7NT

APPLICANT: Mr & Mrs Dixon
298 Booth Walk, Newton Aycliffe, Co Durham

DECISION: STANDARD APPROVAL on 5 December 2006

11. 7/2006/0688/DM OFFICER:Mark O'Sullivan

APPLICATION DATE: 24 October 2006

PROPOSAL: ERECTION OF STABLES, HORSE WALKER, HORSE ARENA AND
HIGHWAY ACCESS TO VYNER'S CLOSE

LOCATION: LAND AT MERRINGTON LANE SPENNYMOOR DL167HB

APPLICANT: Miss T Waggott
Ingledene, Vyners Close, Spennymoor, Co Durham

DECISION: STANDARD APPROVAL on 19 December 2006

12. 7/2006/0686/DM OFFICER:Simon Miller

APPLICATION DATE: 27 October 2006

PROPOSAL: ERECTION OF CONSERVATORY TO REAR

LOCATION: 103 AUCKLAND TERRACE SHILDON DL4 1AY

APPLICANT: Mr G Scott
103 Auckland Terrace, Shildon, Co Durham

DECISION: STANDARD APPROVAL on 5 December 2006

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - DELEGATED DECISIONS

13. 7/2006/0685/DM OFFICER:Mark O'Sullivan

APPLICATION DATE: 24 October 2006

PROPOSAL: ERECTION OF EXTENSION TO PROVIDE NEW CHANGING FACILITIES

LOCATION: WEST CORNFORTH COMMUNITY CENTRE STATION ROAD WEST
CORNFORTH FERRYHILL DL179LA

APPLICANT: West Cornforth Community
Association , Station Road, West Cornforth , Co Durham , DL17 9LA,

DECISION: STANDARD APPROVAL on 12 December 2006

14. 7/2006/0680/DM OFFICER:Steve Teasdale

APPLICATION DATE: 20 October 2006

PROPOSAL: ERECTION OF 1 NO. DWELLING AND DETACHED GARAGE

LOCATION: NORTH VIEW NORTH STREET FERRYHILL DL178HX

APPLICANT: Mr & Mrs D Gale
North View, North Street , Ferryhill, Co Durham

DECISION: STANDARD APPROVAL on 14 December 2006

15. 7/2006/0676/DM OFFICER:Helen Williams

APPLICATION DATE: 23 October 2006

PROPOSAL: ERECTION OF TWO STOREY SIDE EXTENSION

LOCATION: 47 CORONATION ROAD CHILTON FERRYHILL DL170QN

APPLICANT: Mrs J Goodchild
47 Coronation Avenue, Chilton , Co Durham

DECISION: STANDARD APPROVAL on 12 December 2006

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - DELEGATED DECISIONS

16. 7/2006/0671/DM OFFICER:Simon Miller

APPLICATION DATE: 8 November 2006

PROPOSAL: ERECTION OF CONSERVATORY TO REAR

LOCATION: 12 CELANDINE WAY SHILDON CO DURHAM DL4 2DT

APPLICANT: Norman Spence
12 Glastonbury Close, Spennymoor, DL16 6XP

DECISION: STANDARD APPROVAL on 5 December 2006

17. 7/2006/0728/DM OFFICER:Scott Vincent

APPLICATION DATE: 14 November 2006

PROPOSAL: ERECTION OF CONSERVATORY TO REAR

LOCATION: 14 EADE CLOSE NEWTON AYCLIFFE DL5 7QG

APPLICANT: Mr P Thorne
14 Eade Close, Newton Aycliffe, Co Durham

DECISION: STANDARD APPROVAL on 14 December 2006

18. 7/2006/0663/DM OFFICER:Helen Williams

APPLICATION DATE: 9 October 2006

PROPOSAL: ERECTION OF TWO STOREY REAR EXTENSION AND GARAGE

LOCATION: 21 THE COTSWOLDS CHILTON FERRYHILL DL170QB

APPLICANT: Mr Cator
21 The Cotswolds, Chilton, DL170QB

DECISION: STANDARD APPROVAL on 4 December 2006

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - DELEGATED DECISIONS

19. 7/2006/0659/DM OFFICER:Simon Miller

APPLICATION DATE: 17 October 2006

PROPOSAL: CHANGE OF USE FROM OPEN SPACE TO DOMESTIC CURTILAGE AND ERECTION OF FENCE

LOCATION: 15 SHERATON CLOSE NEWTON AYCLIFFE DL5 5QB

APPLICANT: Roger F Brown
15 Sheraton Close, Newton Aycliffe, Co Durham

DECISION: STANDARD APPROVAL on 5 December 2006

20. 7/2006/0653/DM OFFICER:Simon Miller

APPLICATION DATE: 12 October 2006

PROPOSAL: ERECTION OF CONSERVATORY TO REAR

LOCATION: 1 HOMESTALL SEDGEFIELD STOCKTON-ON-TEES TS213NU

APPLICANT: S J Richardson
1 Homestall, Sedgefield, TS21 3NU

DECISION: STANDARD APPROVAL on 5 December 2006

21. 7/2006/0652/DM OFFICER:Mark O'Sullivan

APPLICATION DATE: 31 October 2006

PROPOSAL: SINGLE STOREY EXTENSION TO PROVIDE ADDITIONAL LIVING SPACE TO ANNEXE

LOCATION: 42 TUDHOE VILLAGE SPENNYMOOR DL166LH

APPLICANT: Mr W Blanckley
North Farm Lodge, 42 Tudhoe Village, Spennymoor, Co Durham , DL16 6LH

DECISION: STANDARD APPROVAL on 18 December 2006

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - DELEGATED DECISIONS

22. 7/2006/0643/DM OFFICER:Simon Miller

APPLICATION DATE: 5 October 2006

PROPOSAL: RESTORATION WORKS INCLUDING REPLACEMENT OF WORN STONEMWORK, BRICK POINTING AND RENDERING AND TIMBER AND SLATE ROOF

LOCATION: THE TUSCAN SEAT HARDWICK HALL HOTEL SEDGEFIELD STOCKTON-ON-TEES TS212EH

APPLICANT: Ramside Estates Ltd
Ramside Hall Hotel, Belmont , Durham, DH1 1TD

DECISION: STANDARD APPROVAL on 5 December 2006

23. 7/2006/0640/DM OFFICER:Steve Teasdale

APPLICATION DATE: 5 October 2006

PROPOSAL: ERECTION OF TWO STOREY SIDE EXTENSION

LOCATION: 17 GREEN LANE SPENNYMOOR DL166HE

APPLICANT: Mr K Forster
3 Kirkdale, Spennymoor, Co Durham , DL16 6UH

DECISION: STANDARD APPROVAL on 5 December 2006

24. 7/2006/0635/DM OFFICER:Mark O'Sullivan

APPLICATION DATE: 6 November 2006

PROPOSAL: ERECTION OF TWO STOREY REAR EXTENSION

LOCATION: 2 HOPKINSON PLACE KIRK MERRINGTON SPENNYMOOR DL167JJ

APPLICANT: S J Lidster
The Bungalow, Mission Place, Kirk Merrington , Spennymoor, Co Durham

DECISION: STANDARD APPROVAL on 5 December 2006

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - DELEGATED DECISIONS

25. 7/2006/0633/DM OFFICER:Steve Teasdale

APPLICATION DATE: 9 October 2006

PROPOSAL: INTSTALLATION OF NEW SHOP FRONT

LOCATION: 14 CLYDE TERRACE SPENNYMOOR DL167SE

APPLICANT: Mr N Bray
14 Clyde Terrace, Spennymoor, Co Durham

DECISION: STANDARD APPROVAL on 5 December 2006

26. 7/2006/0623/DM OFFICER:Simon Miller

APPLICATION DATE: 1 November 2006

PROPOSAL: ERECTION OF SUN ROOM TO REAR

LOCATION: 14 PRIMROSE DRIVE SHILDON CO DURHAM

APPLICANT: Mr C Summerson
14 Primrose Drive, Shildon, Co Durham

DECISION: STANDARD APPROVAL on 5 December 2006

27. 7/2006/0613/DM OFFICER:Scott Vincent

APPLICATION DATE: 23 October 2006

PROPOSAL: ERECTION OF SINGLE STOREY GARDEN ROOM TO REAR

LOCATION: 5 KARLES CLOSE NEWTON AYCLIFFE DL5 4XH

APPLICANT: Mr H Taylor
5 Karles Close, Woodham, Newton Aycliffe, Co Durham

DECISION: STANDARD APPROVAL on 14 December 2006

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - DELEGATED DECISIONS

28. 7/2006/0609/DM OFFICER:Helen Williams

APPLICATION DATE: 25 September 2006

PROPOSAL: INSTALLATION OF TELECOMMUNICATIONS EQUIPMENT CONSISTING OF 3 ANTENNAS, 1 TRANSMISSION DISH AND SUPPORTING EQUIPMENT CABINET

LOCATION: MAINSFORTH & DISTRICT COMMUNITY CENTRE 32 HIGH STREET FERRYHILL DL17 9HR

APPLICANT: Ian George
2 Masterton Way, Tannochside Business Park, G71 5PT

DECISION: PRIOR APPROVAL NOT REQUIRED on 6 December 2006

29. 7/2006/0589/DM OFFICER:Steve Teasdale

APPLICATION DATE: 11 October 2006

PROPOSAL: ERECTION OF DETACHED DWELLING

LOCATION: 4 WARWICK GARDENS BYERS GREEN SPENNYMOOR

APPLICANT: Mr Colin Hodgson
3 Meadow View, Byers Green, Spennymoor, Co Durham

DECISION: STANDARD APPROVAL on 5 December 2006

30. 7/2006/0561/DM OFFICER:Scott Vincent

APPLICATION DATE: 4 September 2006

PROPOSAL: ERECTION OF COW SHED AND ASSOCIATED WORKERS DWELLING

LOCATION: LAND AT WYNYARD ON EDEN CO DURHAM

APPLICANT: Miss A Weightman
Old Burdon Farm, Seaton, Seaham, Tyne and Wear, SR7 0WW

DECISION: STANDARD REFUSAL on 15 December 2006

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - DELEGATED DECISIONS

31. 7/2006/0538/DM OFFICER:Helen Williams

APPLICATION DATE: 18 October 2006

PROPOSAL: ERECTION OF POLYTUNNEL

LOCATION: LAND AT TRIMDON GRANGE CO DURHAM

APPLICANT: C Hedley
7 Grange Terrace, Trimdon Grange, Co Durham

DECISION: STANDARD APPROVAL on 12 December 2006

32. 7/2006/0258/DM OFFICER:Simon Miller

APPLICATION DATE: 28 April 2006

PROPOSAL: ERECTION OF 4NO. DWELLINGS WITH ASSOCIATED PARKING

LOCATION: COMPASS HOUSE, SOUTH VIEW, SHILDON DL4 2EQ

APPLICANT: Mr M Paterson
The Cottage, Fineburn Caravan Park, Low Bollihope, Frosterley, Co Durham,
DL13 2SY

DECISION: STANDARD APPROVAL on 8 December 2006

33. 7/2006/0720/DM OFFICER:Scott Vincent

APPLICATION DATE: 10 November 2006

PROPOSAL: ERECTION OF TWO STOREY SIDE EXTENSION AND PORCH TO
FRONT

LOCATION: 6 SPRING LANE SEDGEFIELD STOCKTON-ON-TEES TS212DG

APPLICANT: Andrew Martin
6 Spring Lane, Sedgefield, Stockton on Tees

DECISION: STANDARD REFUSAL on 19 December 2006

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - DELEGATED DECISIONS

34. 7/2002/0191/DM OFFICER: Scott Vincent

APPLICATION DATE: 9 April 2002

PROPOSAL: VARIOUS EXTERNAL AND INTERNAL ALTERATIONS (LISTED BUILDING CONSENT)

LOCATION: 9-10 HIGH STREET SEDGEFIELD CLEVELAND TS21 3AR

APPLICANT: Mr P. Smith
4 High Street , Sedgefield , Stockton on Tees ,

DECISION: STANDARD APPROVAL on 11 December 2006

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - COUNTY DECISIONS

1. 7/2006/0684/CM

DATE: 24 October 2006

PROPOSAL: **NEW CANOPY TO SPORTS HALL AND NEW PATH LINKS TO SCHOOL SITE**

LOCATION: **GREENFIELD SCHOOL AND COMMUNITY ARTS COLLEGE
GREENFIELD WAY NEWTON AYCLIFFE DL5 7LF**

APPLICANT: 7/2006/0684/CM
County Hall, Durham, DH1 5UF

DECISION APPROVED DATE ISSUED 17 November 2006

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Item 10

SEDGEFIELD BOROUGH COUNCIL

APPEALS OUTSTANDING UP TO 21st DECEMBER 2006

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 3rd February 2006

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

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 17th July 2006

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

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 16th August 2006

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

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 24th August 2006

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

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 24th August 2006

The Appeal is to be dealt with by way of Public Inquiry.

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 15th September 2006

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

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 28th September 2006

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

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

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

Ref.No. AP/2006/0014
Location ELDON HOPE DRIFT ELDON CO DURHAM
Proposal ERECTION OF 2NO. DWELLINGS (OUTLINE APPLICATION)
Appellant James Cant
Received 3rd November 2006

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

Ref.No. AP/2006/0015
Location 19 NORTHSIDE BUILDINGS TRIMDON GRANGE TRIMDON STATION TS296HW
Proposal ERECTION OF TWO STOREY EXTENSION TO THE FRONT

Appellant Mr G Hilder
Received 8th November 2006.

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

Ref.No. AP/2006/0016
Location LAND OFF WHITWORTH ROAD WHITWORTH PARK SPENNYMOOR
CO DURHAM
Proposal FAILURE TO DETERMINE APPLICATION TO VARY CONDITION 2
(COMPLIANCE WITH APPROVED LAYOUT PLAN) OF PLANNING
PERMISSION REFERENCE 7/2003/0736/DM
Appellant Barratt Homes Ltd
Received 10th November 2006.

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

Ref.No. AP/2006/0017/EN
Location 12 KENSINGTON GARDENS FERRYHILL DL178LU
Proposal RETENTION OF GARAGE INCORPORATING RAISED DECKING AND
ERECTION OF 1ST FLOOR EXSTENSION TO THE REAR
Appellant Gary Atkinson
Received 7th November 2006

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

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

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Item 12

REPORT TO DEVELOPMENT CONTROL COMMITTEE

4th January 2007

REPORT OF HEAD OF PLANNING

FOOTPATH DIVERSION ORDER UNDER SECTION 257 OF THE TOWN AND COUNTRY PLANNING ACT 1990 AT LAND OFF BUTCHERS RACE, GREEN LANE INDUSTRIAL ESTATE, SPENNYMOOR, CO. DURHAM.

1. SUMMARY

- 1.1 By virtue of Section 257 of the Town and Country Planning Act 1990, a Planning Authority may, by Order, authorise the stopping up or diversion of any footpath or bridleway if they are satisfied that it is necessary to do so in order to enable development to be carried out in accordance with a planning permission.
- 1.2 A planning application has been submitted and granted for the erection of a new factory on the land off Butchers Race, Green Lane Industrial Estate, Spennymoor Co Durham.
- 1.3 The development will include building and landscaping over part of the route of existing footpaths and therefore for development to be carried out and completed, it is necessary to divert the footpaths to an alternative route, clear from the location of the development proposal.
- 1.4 The statutory procedure is a two-stage process. This authority, if appropriate, would need to make a Diversion Order. That would be subject to public consultation by way of statutory advertisement and notices on site. Then the authority may confirm the Order if no objections are made or if made unresolved.

2. RECOMMENDATIONS

- 2.1 That the Development Control Committee authorise the making of a Footpath Diversion Order relating to FP52 & FP53 and its confirmation if no objections made or if made unresolved.

3. DETAIL

- 3.1 A planning application had been submitted for the erection of a new factory with associated parking, service areas, landscaping and infrastructure including creation of a new Roundabout.
- 3.2 The development involves a new building being erected over part of two footpaths (paths FP52 & FP53) and landscaping, thereby obstructing the route. The development can only take place and be completed if arrangements are made to either stop the public's right of way or to divert it on to an alternative alignment.
- 3.3 The developer seeks to divert the relevant sections of the existing footpaths on to an alternative slightly longer alignment, slightly to the south west of the existing footway. A plan is attached showing the proposed changes.
- 3.4 The management of highways, including the footpath, is a function normally dealt with by the Highway Authority, which, in this area, is Durham County Council. However, under the Town and Country Planning Act there is provision for footpaths and bridleways to be stopped up or diverted by order of a "competent authority", which includes District or Borough Councils. Thus, it is customary where footpaths and bridleways need to be diverted for development, that a planning application has been dealt with at district level for the District Authority to also make the Path Diversion Order.
- 3.5 The alternative powers open to the Highways Authority have different criteria, whereas the only criteria to be considered under the provisions of Section 257 are that "you are satisfied that it is necessary to do so in order to enable development to be carried out in accordance with the planning permission".

4. CONSULTATION

- 4.1 Some prior informal consultation has been undertaken by the Developer's agents and it is reported there were no adverse unresolved representations. The report to Committee relating to the planning application alluded to the necessity to make this proposed footpath diversion order.

4.2 If this Committee authorises the making of an Order, it is a requirement of the Act that there will then be a statutory notice of making the Order by way of publication in a local newspaper, displaying notice and a map at the end of the existing pathway and at the Council Offices and by serving a notice with a copy of the Order and the map on the owners, occupiers and statutory consultees. There must then be a 28-day period before the notice can be confirmed. If there are no objections then the Order can be confirmed. If the Order is opposed and the objections cannot be resolved then the Order would need to be submitted to the Secretary of State for determination. The prior consultation which has already been carried out is not a statutory requirement but is undertaken to ascertain and, if possible, resolve any objections before making the Order and carrying out the statutory advertisements.

Contact Officer: Charlie Walton
Telephone No: (01388) 816166
Email Address: cwalton@sedgefield.gov.uk

Ward(s) Tudhoe

Key Decision Validation

Background Papers

Planning Application No. 7/2006/0477/DM

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