

DEVELOPMENT CONTROL COMMITTEE

Friday,
10 October 2008
10.00 a.m.

Council Chamber,
Council Offices,
Spennymoor

AGENDA AND REPORTS



This document is also available in other languages, large print and audio format upon request

العربية (Arabic)

إذا أردت المعلومات بلغة أخرى أو بطريقة أخرى، نرجو أن تطلب ذلك منا.

বাংলা (Bengali)

যদি আপনি এই ডকুমেন্ট অন্য ভাষায় বা ফরমেটে চান, তাহলে দয়া করে আমাদেরকে বলুন।

(中文 (繁體字)) (Cantonese)

如欲索取以另一語文印製或另一格式製作的資料，請與我們聯絡。

हिन्दी (Hindi)

यदि आपको सूचना किसी अन्य भाषा या अन्य रूप में चाहिये तो कृपया हमसे कहे

polski (Polish)

Jeżeli chcieliby Państwo uzyskać informacje w innym języku lub w innym formacie, prosimy dać nam znać.

ਪੰਜਾਬੀ (Punjabi)

ਜੇ ਇਹ ਜਾਣਕਾਰੀ ਤੁਹਾਨੂੰ ਕਿਸੇ ਹੋਰ ਭਾਸ਼ਾ ਵਿਚ ਜਾਂ ਕਿਸੇ ਹੋਰ ਰੂਪ ਵਿਚ ਚਾਹੀਦੀ, ਤਾਂ ਇਹ ਸਾਥੋਂ ਮੰਗ ਲਓ।

Español (Spanish)

Póngase en contacto con nosotros si desea recibir información en otro idioma o formato.

اردو (Urdu)

اگر آپ کو معلومات کسی دیگر زبان یا دیگر شکل میں درکار ہوں تو برائے مہربانی ہم سے پوچھئے۔

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 12th September 2008 (Pages 5 - 10)

4. APPLICATIONS - BOROUGH MATTERS

To consider the attached schedule of applications, which are to be determined by this Council. (Pages 11 - 56)

5. DEVELOPMENT CONTROL - ADDITIONAL APPLICATIONS

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

6. 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 57 - 66)

Members are reminded that the applications to be considered under Items 4,5 and 6 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.

7. DELEGATED DECISIONS

A schedule of applications, which have been determined by Officers by virtue of their delegated powers, is attached for information (Pages 67 - 78)

8. APPEALS

A schedule of appeals outstanding up to 2nd October 2008 is attached for information. (Pages 79 - 80)

9. TREE PRESERVATION ORDER 55/2008 1 GILPIN ROAD NEWTON AYCLIFFE

Report of Head of Planning. (Pages 81 - 88)

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.

10. ALLEGED BREACHES OF PLANNING CONTROL

To consider the attached schedule of alleged breaches of planning control and action taken. (Pages 89 - 90)

11. 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
1st October 2008

Councillor A. Smith (Chairman)
Councillor B. Stephens (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 _____ (2)

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.

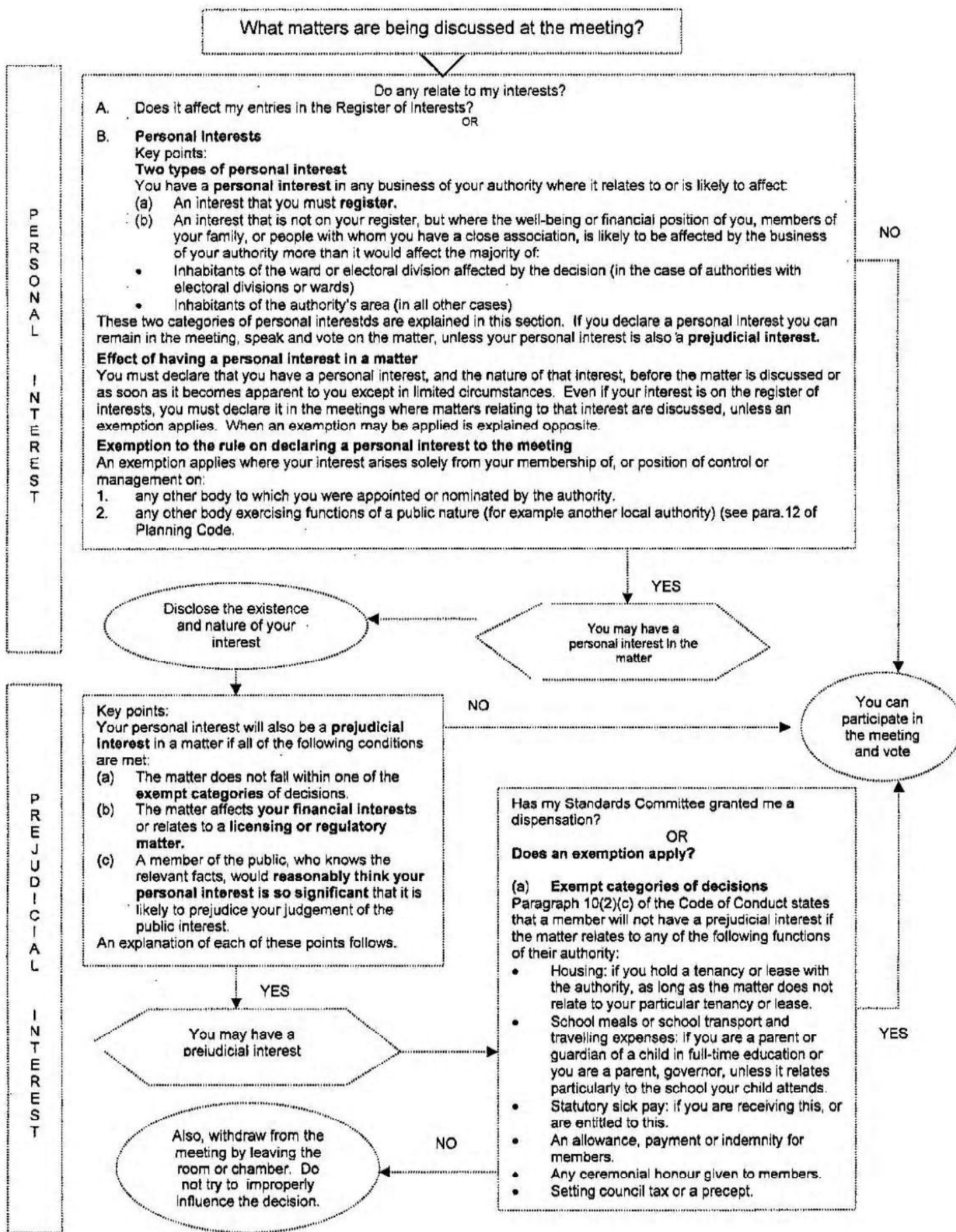
A Member with a prejudicial interest in any matter must also:

- *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 she 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)



PERSONAL INTEREST

PREJUDICIAL INTEREST

IMPORTANT NOTE

The Guidance in this Code is not intended to be a substitute for guidance currently available from the Standards Board for England.

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Item 3

SEDGEFIELD BOROUGH COUNCIL

DEVELOPMENT CONTROL COMMITTEE

Council Chamber,
Council Offices,
Spennymoor

Friday,
12 September 2008

Time: 10.00 a.m.

Present: Councillor A. Smith (Chairman) and

Councillors B.F. Avery J.P, W.M. Blenkinsopp, Mrs. D. Bowman, T. Brimm, V. Chapman, Mrs. K. Conroy, Mrs. P. Crathorne, Mrs. L. M.G. Cuthbertson, D. Farry, T.F. Forrest, Mrs. B. Graham, A. Gray, Mrs. J. Gray, Mrs. I. Hewitson, T. Hogan, J.G. Huntington, Ms. I. Jackson, B. Lamb, D.A. Newell, B.M. Ord, Mrs. E.M. Paylor, Mrs. C. Potts, K. Thompson, A. Warburton, W. Waters and Mrs E. M. Wood

Apologies: Councillors Mrs. A.M. Armstrong, D.R. Brown, J. Burton, D. Chaytor, V. Crosby, P. Gittins J.P., G.C. Gray, B. Haigh, Mrs. S. Haigh, D.M. Hancock, J.E. Higgin, A. Hodgson, Mrs. L. Hovvels, G.M.R. Howe, Mrs. H.J. Hutchinson, Mrs. S. J. Iveson, J.M. Khan, Mrs. E. Maddison, C. Nelson, J. Robinson J.P, B. Stephens and T. Ward

DC.41/08 DECLARATIONS OF INTEREST

The following Declarations of Interest were received:-

Councillor B F Avery JP	-	Personal and prejudicial – Items 7& 8 – Consultations from Durham County Council – Member of Durham County Council
Councillor B.M. Ord	-	Personal and prejudicial – Items 7& 8 – Consultations from Durham County Council – Member of Durham County Council
Councillor K Thompson	-	Personal and prejudicial – Items 7& 8 – Consultations from Durham County Council – Member of Durham County Council
Councillor J G Huntington	-	Personal and prejudicial – Items 7& 8 – Consultations from Durham County Council – Member of Durham County Council
Councillor D. Farry	-	Personal and prejudicial – Items 7& 8 – Consultations from Durham County Council – Member of Durham County Council
Councillor Mrs. B. Graham	-	Personal and prejudicial – Items 7& 8 – Consultations from Durham County Council – Member of Durham County Council
Councillor E.M. Paylor	-	Personal and prejudicial – Items 7& 8 – Consultations from Durham County Council – Member of Durham County Council

Councillor Mrs. D. Bowman	-	Personal and prejudicial – Items 7& 8 – Consultations from Durham County Council – Member of Durham County Council
Councillor Mrs. C. Potts	-	Personal and prejudicial – Items 7& 8 – Consultations from Durham County Council – Member of Durham County Council
Councillor Mrs J Gray	-	Personal and prejudicial – Items 7& 8 – Consultations from Durham County Council – Member of Durham County Council
Councillor Mrs P Crathorne	-	Personal & Prejudicial – Item 4 (1) Borough matters- acquainted with applicant.

DC.42/08

MINUTES

The minutes of the meeting held on 15th August 2008 were confirmed as a correct record and signed by the Chairman .

DC.43/08

APPLICATIONS - BOROUGH MATTERS

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

Application No 1 – Conversion of existing stable to form 3 number dwellings including garage facilities and associated access, West Close Cottages Chilton, Mr S Taylor 3 West Close Cottages, Chilton- Plan Ref:7/2008/0330/DM

NB: In accordance with Section 81 of the Local Government Act 2000 and the Members’ Code of Conduct Councillor Mrs P Crathorne declared an interest in this item and left the meeting for the duration of the discussion and voting thereon.

It was explained that planning permission was being sought for the conversion of existing stables at West Close Cottages, Chilton to form 3 number dwellings including new garage facilities and access on to the A167.

As part of this development, vehicular access to the site would be achieved to the south of the site away from the existing access to the adjacent West Close Cottages.

The applicant had submitted additional information comprising of a traffic survey statement which concluded that proposals would generate negligible levels of traffic resulting in no material traffic impact on the local highway network.

The County Engineer had objected to the proposal on the grounds that the proposal could not achieve the required 2.4x 215m junction visibility splay onto the A167 and therefore it was unsafe on highway safety grounds.

Officers were recommending refusal of the application as it was considered that the stable building, to be converted, lacked sufficient historic and architectural merit which would outweigh the normal

presumption against new residential development within the open countryside. The extent of conversion works required would likely be so significant that the original character and integrity of the structure would be lost.

Considerable highway concerns had been raised over the safety of the proposed access junction with the A167 which would fall significantly short of the minimum site visibility splay as required by the Highway Authority. The standard of visibility would be poor and limited making the access unsafe.

Mr Taylor, the applicant, submitted a letter from Dickinson Dees, Solicitor relating to the contents of the report. The letter dated 11th September 2008 was read out to members of the Committee. The letter explained that in the conclusion there was a sentence which stated that concerns of the County Engineer should not be dismissed lightly and to do so could potentially result in the Council being found liable in the event of a road traffic accident. Such financial consideration was not a material planning consideration which the Committee may validly take into account in determining the planning application and it was inappropriate that this sentence was included in the report. In response to the letter the Committee was advised that highway safety was a material planning consideration. The Committee should not make a decision in fear of litigation. The Committee's duty was to make a quasi-judicial decision based on consultation and responses. Members should only go against officers' advice and advise of experts where there was good reason for doing so and those reasons would have to be outlined and justified. Highways issues related to safety and was a planning issue. However the sentence in question should be disregarded as a material planning consideration.

Mr Taylor, the applicant, was present at the meeting to outline the proposals. He made reference to PPS7 regarding the use of existing buildings adjacent or close to country towns and villages for economic or community uses or to provide housing. Mr Taylor considered that the buildings in question which had been there since 1872 were of historic/architectural importance and were of local historic value to residents of Ferryhill and Chilton as they were formerly used to accommodate pit ponies from the nearby colliery. It was pointed out that the Government was encouraging the use of existing buildings for retention.

The applicant stated that officers were questioning the structural engineers report and the character of the buildings. In his opinion the proposals would have no impact on the landscape and would improve the development site. The development was close to amenities and nearby residents had no objections.

In respect of access Mr Taylor pointed out that there were two further dwellings on site since the original access was created and there had been no accidents in the area. If the buildings were to be used as stables the use of access by horse boxes would be much more dangerous. A traffic

management survey had been undertaken information from which had been supplied which indicated that it was perfectly safe to use the access. Furthermore there was an access to Chilton Farm to the North with similar visibility.

Mr Glenwright representing Durham County Council Highways Department was also at the meeting to outline the concerns of the County Highways Department. He explained that a speed survey had been carried out which showed that the site visibility fell well below standard and outlined the figures from that survey. It was pointed out that the applicant had erroneously employed Manual for Streets (MfS) standards to justify the access arrangements. MfS was never intended to apply to roads where the primary function was to accommodate the movement of traffic, its scope was limited to residential and other lightly trafficked streets and was primarily introduced to transform the quality of residential streets and move away from places that were dominated by motor vehicles.

In conclusion officers explained that many discussions had been held on access to the A167 and concern was consistently expressed regarding visibility and character of traffic. It was the 2nd most used stretch of road in the Borough. There was a history of refusals in the area. With regard to the building there was no historic or architectural merit. To allow the application would be to open the floodgates to inappropriate development. The access visibility was sub standard and the County Engineer had submitted relevant information.

RESOLVED: That the application be refused for the reasons outlined in the report.

N.B. In accordance with the Council's Procedure Rule 13.4 Councillor B F Avery JP requested that his name be recorded as having voted for the resolution.

Application No 2 – Erection of 2 No Dwellings with associated access – land opposite 1-5 Greenfield Street Byers Green, Mrs S Reynolds 28 High Street Byers Green Plan Ref 7/2008/0368/DM

It was explained that outline planning permission was being sought for 2 detached dwellings with all matters reserved for subsequent approval with the exception of details of the means of access to the site and site layout.

The Committee was reminded of previous approval for 4 terraced dwellings which had been approved contrary to officer recommendations based on the advice of the County Engineer on the grounds that vehicular access to the site was sub standard. It failed to provide adequate visibility and was detrimental to highway safety.

The approval lapsed following a three year period in which no referred matters for the development had been approved. Subsequent detailed application for 4 dwellings had been refused in May 2008 under the

officers scheme of delegation based on the advice of the County Engineer and highway safety.

This application was a new application. However, objections were still maintained in terms of access and highway safety.

Mr Lavender, the applicant's agent was present at the meeting to outline the proposals. He explained that an application had been approved four years previously for 4 dwellings on the existing piece of land. The main access already served 15 dwellings and the improvement to the access would be welcomed. The planning approval however lapsed and this application was for 2 dwellings on site. He pointed out that access under the proposals would be a distinct improvement albeit visibility would still not meet requirements. The improved access would benefit the existing 15 properties using that access. The development would be on an undeveloped patch of land in the village. This was not a busy road and traffic did not travel at speed.

RESOLVED: That the application be refused for the reasons outlined in the report.

DC.44/08

DEVELOPMENT BY SEDGEFIELD BOROUGH COUNCIL

Consideration was given to a schedule detailing applications for development by Sedgefield Borough Council. (For copy see file of Minutes).

RESOLVED : That the recommendations detailed in the report be adopted.

DC.45/08

CONSULTATIONS FROM DURHAM COUNTY COUNCIL

NB In accordance with Section 81 of the Local Government Act 2000 and the Members Code of Conduct, Councillors Mrs D Bowman, Mrs E M Paylor, D Farry, B F Avery JP, Mrs C Potts, K Thompson, Mrs B Graham, B M Ord, J G Huntington and Mrs J Gray declared interest in this item and the following item relating to Durham County Council and left the meeting for the duration of the discussion and voting thereon.

Consideration was given to a schedule of applications which were to be considered by Durham County Council and upon which the Council had been invited to comment (for copy, see file of Minutes).

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

DC.46/08

COUNTY DECISIONS

A schedule of applications which had been determined by Durham County Council was submitted for Members information. (For copy see file of Minutes).

RESOLVED : That the schedule be received.

DC.47/08

DELEGATED DECISIONS

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

RESOLVED : That the schedule be received.

DC.48/08

APPEALS

Consideration was given to a schedule of appeals outstanding up to 3rd September, 2008. (For copy see file of Minutes).

RESOLVED : That the schedule 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 items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1 and 6 of Part 1 of Schedule 12a of the Act.

DC.49/08

ALLEGED BREACHES OF PLANNING CONTROL

Consideration was given to a schedule of appeals outstanding up to 6th August, 2008. (For copy see file of Minutes).

RESOLVED : That the schedule be received.

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 4

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - TO BE DETERMINED

1. 7/2008/0216/DM APPLICATION DATE: 1 May 2008

PROPOSAL: **PROPOSED EXTENSION TO PROVIDE ENLARGED DISPATCH FACILITY, NEW RECEIPT OF GOODS FACILITY, EXTENDED PRODUCT/COVERED STORAGE AREA. RATIONALISATION OF EXISTING VEHICULAR ACCESS TO SITE, FORMATION OF ADDITIONAL CAR PARKING, NEW FENCING AND PARTIAL RECLADDING OF EXISTING BUILDING**

LOCATION: **THYSSENKRUPP TALLENT LTD GROAT ROAD AYCLIFFE INDUSTRIAL PARK NEWTON AYCLIFFE CO DURHAM**

APPLICATION TYPE: Detailed Application

APPLICANT: Thyssenkrupp Tallent Limited
Groat Road, Aycliffe Industrial Park, Newton Aycliffe, Co Durham, DL5 6EP

CONSULTATIONS

1. GREAT AYCLIFFE TC
2. Cllr. W.M. Blenkinsopp
3. Cllr. Sarah Jane Iveson
4. Cllr. Alan Warburton
5. DCC (TRAFFIC)
6. NORTHUMBRIAN WATER
7. ENV AGENCY
8. ENGINEERS
9. VALUER
10. L.PLANNS
11. ECONOMIC DEV

NEIGHBOUR/INDUSTRIAL

Fracks Transport J & C Coaches Beaumont Landscapes Plasmor (Sabey Kirby)
DDS Group Ltd DDS Fabrications Ltd Durham Structures Ltd
Cornforth Industrial Services Joule Electronics Newton Aycliffe Delivery Office
Tacho Graphics Appletree Joinery Products Ltd
Ramsey Car Sales Post Office Lloyds Bank Plc St Cuthberts House
Newton Press On Tap Heating Sterling Safety Supplies
Workshop Supplies Petrol Filling Station F Wassen Electrical Contractor & Supplier
Persimmon Homes

BOROUGH PLANNING POLICIES

IB13 Extension to Industrial and Business Premises

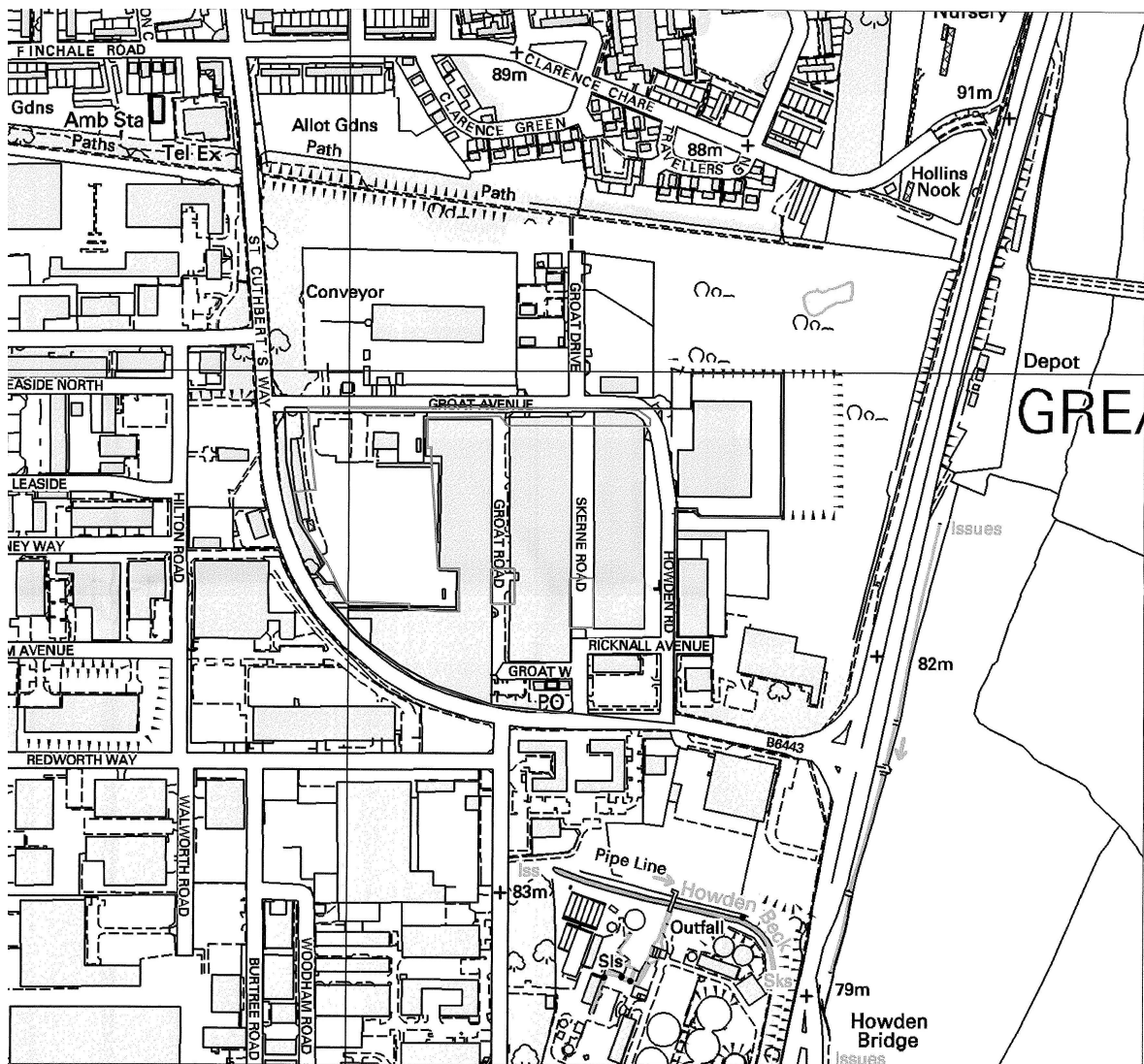
SEDFIELD BOROUGH COUNCIL
PLANNING APPLICATIONS - TO BE DETERMINED

THE PROPOSAL

This application seeks detailed planning permission for the erection of a new dispatch facility, factory extension, the rationalisation of existing vehicular access to the site, the formation of a new car park and associated works at this existing factory premises at Groat Road, Newton Aycliffe.

The premises, which are occupied by ThyssenKrupp Tallent Limited (Tallent), are utilised for the design and manufacture of chassis and suspension products for the global automotive industry including BMW, Ford and General Motors.

The application site, which is illustrated below, is located between Groat Avenue to the north, Howden Road to the east, St Cuthberts Way bounds the south western perimeter of the site.



Building A, the proposed dispatch facility, which has a footprint measuring 58m x 83 m, would be linked to the existing building at Plant 2 (north) This is located at the north eastern corner of the application site, immediately adjacent to Groat Avenue. This building measures approximately 7.5 m to eaves level and 9.3m to ridge level.

SEDGEFIELD BOROUGH COUNCIL
PLANNING APPLICATIONS - TO BE DETERMINED

Building B, is located between two existing buildings (Plant 2 north and Plant 2 south) which are located at the south western corner of the application site. The foot print of this building, measures approximately 43m x 17.4 m. This building measures approximately 9.2 m to eaves level and 10.2m to ridge level.

Both buildings are to be constructed from profile steel cladding to match the existing buildings currently on site.

The proposal also involves the construction of a 66 space car park within the site with access taken from Groat Avenue, several of the existing vehicular access points around the site are to be abandoned and formally closed off including the access into the external storage yard from St Cuthberts Way and three accesses from Groat Avenue. Steel palisade fencing is proposed to infill the existing gaps within the proposed fencing.

Planning approval was originally sought for the construction of a further two additional buildings within the application site at Skerne Road and Groat Road. However, these elements of the scheme have now been withdrawn by the applicant who wishes to proceed with this reduced scheme.

SITE HISTORY

The western section of this site, which is adjacent to the applicants existing factory, was previously occupied by Great Lakes Chemical Company. The industrial buildings and chemical plant on site have been demolished, and the site which was formally occupied by Great Lakes Chemicals has now been remediated and is no longer contaminated.

Planning approval was granted for the construction of two new dispatch facilities at this site in December 2007 (App. No. 2007/ 0498). At this time planning approval was granted for a smaller extension to Plant 2 (north) measuring 54m x 38 m and for a tri-angular shaped extension to the west of Plant 2 (south). However, the applicant has reviewed the functional requirements of this scheme and no longer seeks to proceed with the approved scheme, hence, this revised planning application.

CONSULTATION AND PUBLICITY

External Consultees

Great Aycliffe Town Council has no comment on this proposal.

Durham County Council (Highways) have confirmed that the proposals are satisfactory from a highway point off view and the re-instatement of the abandoned vehicular access points are considered to be beneficial in highway safety terms.

The Environment Agency had objected to the earlier larger scheme which included the construction of two buildings at Groat Way. This part of the site, which was outwith the Great Lakes site, had not been remediated and the Environment Agency objected because no information had been provided relating to potential land contamination within this area as part of this planning application. The applicant has subsequently amended the current planning

SEDGEFIELD BOROUGH COUNCIL
PLANNING APPLICATIONS - TO BE DETERMINED

application so that no development would take place within the area of potential contamination. Although Planning staff had been advised verbally that the earlier objection has now been withdrawn written confirmation was awaited at the time of drafting this report.

Internal Consultees

Engineering Services Team has raised no objection on highway grounds provided that all the existing vehicular accesses, which are to be closed adjacent to the adopted highway, are re-instated and constructed to the Highway Authority's specification.

Forward Planning Team has provided a comprehensive policy response, which forms the basis of the planning considerations below.

Publicity Responses

Although site notices were erected on site , an advertisement placed in the local press and letters were sent to neighbouring occupiers to publicise the application no representations have been received regarding this proposal.

PLANNING CONSIDERATIONS

The main planning considerations are as follows:

- Compliance with National Planning Policy and Guidance and Local Plan Policies, Supplementary Planning Guidance
- Highway and access issues
- Design and layout
- Energy efficiency

Compliance with National Planning Policy and Guidance and Local Plan Policies

The land to which this application concerns forms part of the allocated general industrial area at Aycliffe Industrial Estate. The primary objective of general industrial estates is to encourage the manufacturing and service industries. Use Classes B1, B2, and B8 are considered to be acceptable uses under Policy IB6.

Policy D4 dictates that new business developments are expected to have a layout and design appropriate to a setting within a general industrial area. They should accommodate resultant generated traffic and refrain from causing danger or inconvenience to other road users.

The proposal essentially involves the development of one large covered building that wagons will be able to drive into so loading can take place away from the elements.

The underlying Council objective is the creation and growth of employment opportunities. This application if approved would have a positive impact on the Council's overall business strategy. This proposal represents an acceptable use within a general industrial estate and conforms with national and Local Plan policy.

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - TO BE DETERMINED

Highway and Access Issues

The proposal rationalisation of the vehicular access serving the site would ensure that the principle access for this part of the site including both of the proposed buildings would be taken from the former entrance to the Great Lakes site on Groat Avenue close to the St Cuthberts Way junction. Loading and turning of vehicles for the proposed buildings would all be contained within the existing site boundary.

The existing vehicular access from St Cuthberts Way would be closed off and the former access reinstated as would three of the access points from Groat Avenue. This arrangement is considered to represent a significant improvement in highway safety terms.

Layout and Design

The proposed buildings themselves although of a rather functional design reflect the nature, scale and external appearance of the existing buildings on site. It is acknowledged that the site has previously been developed in an ad hoc way; however, this proposal seeks to retain and develop a common identity for the buildings within the site.

The proposed buildings would not be unduly prominent when viewed from St Cuthberts Way and would be seen against the backdrop of the existing warehouse / factory buildings.

Energy Efficiency

The emerging Regional Spatial Strategy requires the incorporation of 10% embedded renewable energy in major new developments of all types. As such, it is recommended that a planning condition be attached regarding this requirement.

CONCLUSION

The proposed development would, if implemented, help improve the efficiency of the existing operations and help safeguard the long-term future of this established business.

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 approve planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

RECOMMENDATION

It is recommended that planning permission be granted subject to no objection being received from the Environment Agency and the conditions outlined below.

SEDGEFIELD BOROUGH COUNCIL
PLANNING APPLICATIONS - TO BE DETERMINED

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

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

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

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

3. The development hereby approved shall be carried out only in accordance with the submitted application, as amended by the following document(s) and plans: revised plans received 16th September 2008.

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

4. The buildings hereby approved shall not become operational until such times as the redundant access points to St Cuthbert's Way and Groat Avenue have been closed off and the land re-instated in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests in highway safety and to ensure that this proposal complies with Policy D3 of the Sedgefield Borough Local Plan.

5. The service yards and in curtilage parking illustrated on Drwg. No. 60037795/S/L/2/001 shall be laid out and made available for use prior to the development hereby approved is brought into operation. These shall be retained and maintained in accordance with the approved details for as long as the use remains.

Reason: In the interests in highway safety and to ensure that this proposal complies with Policy D3 of the Sedgefield Borough Local Plan.

6. Prior to the commencement of development a scheme to minimise energy consumption shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for 10 % embedded renewable energy. Thereafter the development shall operate in accordance with the approved scheme unless otherwise agreed in writing by the Local Planning Authority.

Reason : In order to minimise energy consumption and to comply with Regional Planning Guidance Note 1, Policies EN1 and EN7.

7. No development approved by this permission shall be commenced until a detailed scheme for the provision of surface water drainage works has been approved by the Local Planning Authority. This scheme shall be implemented before the construction of impermeable surfaces draining to this system unless otherwise agreed in writing by the Local Planning Authority.

Reason : To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.

8. 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 PPS23 (Planning and Pollution Control).

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - TO BE DETERMINED

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

Reason: To prevent pollution of the water environment and to comply with PPS23 (Planning and Pollution Control).

INFORMATIVE: REASON FOR GRANT OF PLANNING PERMISSION

In the opinion of the Local Planning Authority the proposal development is appropriate in location to the scale and character of the surrounding area, makes adequate provision for car parking and access, and would not cause significant harm to adjoining business and industrial premises.

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:IB13 Extension to Industrial and business premises

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - TO BE DETERMINED

2. 7/2008/0366/DM APPLICATION DATE: 11 August 2008

PROPOSAL: **RESERVED MATTERS APPLICATION FOR MEANS OF ACCESS, LANDSCAPING, APPEARANCE, SCALE AND LAYOUT FOR THE ERECTION OF A NEW COMMUNITY FIRE STATION AND ANCILLARY FACILITIES**

LOCATION: **YORK HILL ROAD SPENNYMOOR CO DURHAM**

APPLICATION TYPE: Reserved Matters

APPLICANT: Mr Jim McClure
Service Support & NE, Fire and Rescue, Allington House , 150 Victoria Street , London, SW1E 5LB

CONSULTATIONS

1. DCC (PLANNING)
2. DCC (TRAFFIC)
3. CITY OF DURHAM
4. NORTHUMBRIAN WATER
5. ENGLISH NATURE
6. SPENNYMOOR TC
7. BR GAS
8. N.ELEC (DARLO)
9. BR TELECOM
10. ENGINEERS
11. ENV. HEALTH
12. Lee White
13. L.PLANS
14. ECONOMIC DEV
15. DESIGN
16. LANDSCAPE ARCH
17. POLICE HQ
18. DCC (PROWS)
19. Green Lane
20. Cllr. Mrs. Barbara Graham
21. Cllr. Mrs A M Armstrong 12/08/2008 02/09/2008

NEIGHBOUR/INDUSTRIAL

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

Meadow Green:43,34,33,32,31,30,29,28,27,26,25,24,23,22,21,20,19,18,17,16,15,14,3,12,11,10,9,8,7,6,5,4,3,2,1

York Hill Road:1,2,3,4,5,6,7,8,9,10,11,12,13,14,15,16,17,18,19,20,21,22,23,24,25,26,27,28,29,30,31,32,33,34,35,36,37,38,39,40,41,42,43,44,59,61,63,65,67,69,71,73,75,77,79,81,83,85,87,89,91,93,95

Castle Close:25

Wolsey Road:1,2,3,4,5,6,7,8,9,10,11,12,13,14,15,16,17,18,19,20,

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21,22,23,24,25,26,27,28,29,30,31,32,33,34,35,36,37,38,39,40,41,42,43,44,45,46,47,48,49,50,
51,52,53,54,55,56,57,58,59,60,61,62,63,64,65,66,67,68,69,70,71,72

JES

Coxhoe Service & Supply Dunelm Optical UK Ltd DCC Training Centre

Fox Covert:21,20,19,18,17,16,15,14,13,12,11,10,9,8,7,6,5,4,3,2,1

York Hill Crescent:1,2,3,4,5,6,7,8,9,10,11,12,13,14,15,16,17,

18,19,20,21,22,23,24,25,26,27,28,29,30,31,32,33,34,35,36,37,38,39,40,41,42,43,44,45,46,47,
48,49,50,51,52,53,54,55,56,57

St Davids Close:29,28,27,26,25,24,23,22,21,20,19,18,17,16,15,14,13,12,11,10,9,8,
7,6,5,4,3,2,1

Tweed Road:1,2,3,4,5,6,7,8,9,10,11,12,13,14,15,16,17,18,19,20,21,22,

23,24,25,26,27,28,29,30,31,32,33,34,35,36,37,38,39,40,41,42,43,44,45,46,47,48,49,50,51,52,
53,54,55,56,57,58,59,60,61,62,63,64,65,66,67,68,69,71,73,75,77,79,81,83,85,87,89,91,93,95

BOROUGH PLANNING POLICIES

D1	General Principles for the Layout and Design of New Developments
D2	Design for People
D3	Design for Access

BACKGROUND

Outline planning permission was granted on 18th November 2005 for the erection of a new community fire station on land south of York Hill Road, Spennymoor. Details of the means of access were approved, with the following matters reserved for subsequent approval:

- the siting of the building(s)
- the design and external appearance of the building(s)
- the landscaping of the site

The outline planning permission was granted subject to a wide range of conditions to ensure, in principle, a satisfactory form of development.

THE CURRENT PROPOSAL

This application seeks approval of the reserved matters listed above. The application is supported by a range of plans and drawings, and documents including;

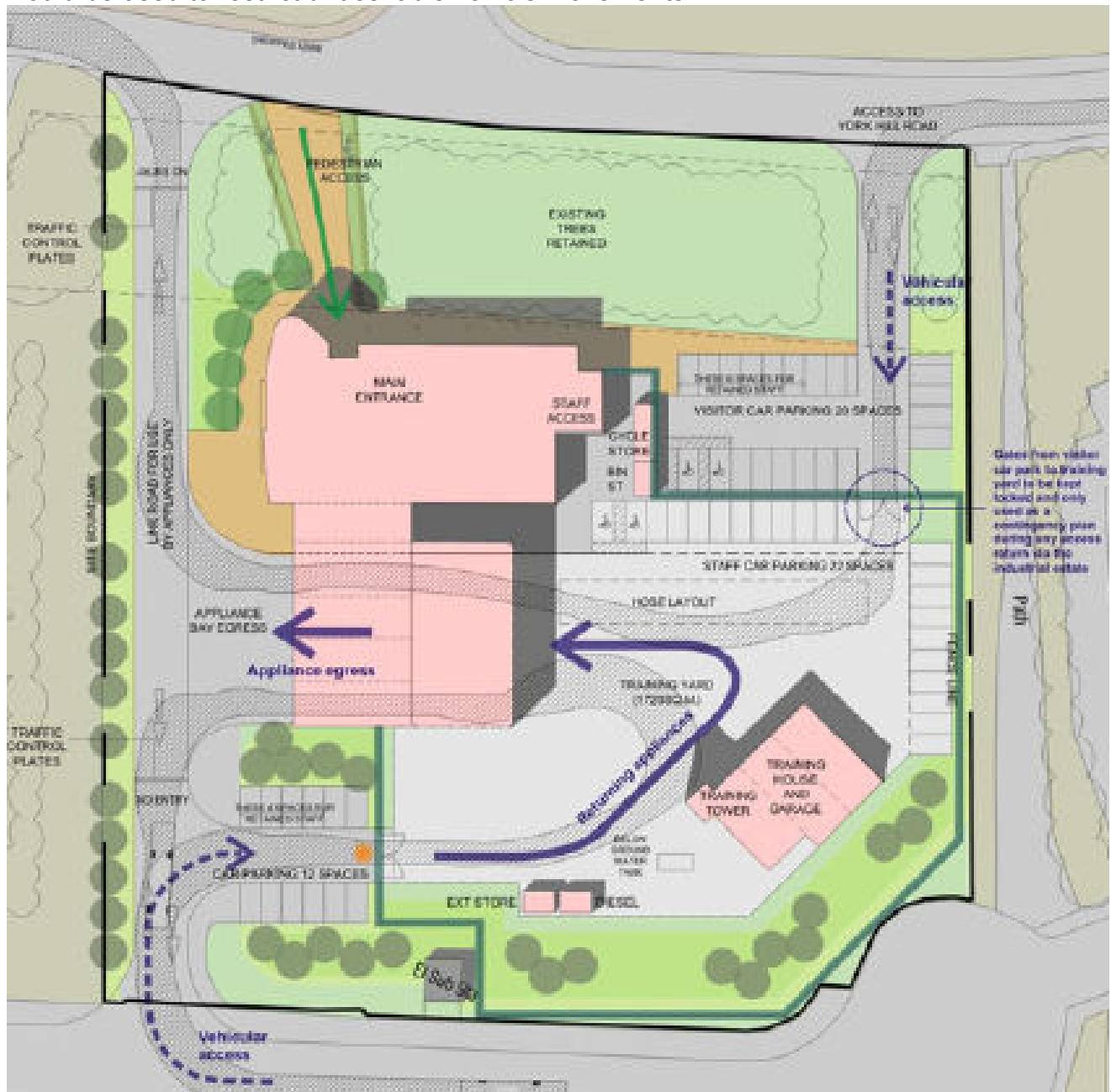
- design and access statement
- planning statement
- arboricultural impacts assessment
- landscape scheme with design statement
- lighting assessment
- noise impact assessment
- statement of community involvement

The siting of the buildings

The application site is roughly square, measuring approximately 95 metres in width and depth. The site lies on the edge of Green Lane Industrial Estate, and features a 20 metre deep

SEDGEFIELD BOROUGH COUNCIL
PLANNING APPLICATIONS - TO BE DETERMINED

landscaped buffer where it interfaces with Your Hill Road. The building would be sited slightly west of the centre of the site, behind the buffer strip, with an appliance bay wing extending southwards from the rear elevation. Visitor and staff parking would be located to the east and south of the building, and a separate training house and garage would be located in the south east corner of the site. Whilst the principle of access have already been approved at outline stage, the access and circulation layout is worthy of mention in relation to the siting of buildings. Two vehicular access points would be formed at either end of the York Hill Road frontage, with roads constructed through the ends of the landscaped buffer. The eastern access would allow ingress and egress of visitors' cars, and the western access would be for fire appliances leaving the site in response to emergency calls. A less significant pedestrian access path would be formed adjacent to the western access point. A further vehicle access point to the south would be for ingress and egress of staff vehicles, and for returning appliances. Traffic control plates would be used to restrict undesirable vehicle movements.



act from the site layout plan

Extr

SEDGEFIELD BOROUGH COUNCIL
PLANNING APPLICATIONS - TO BE DETERMINED

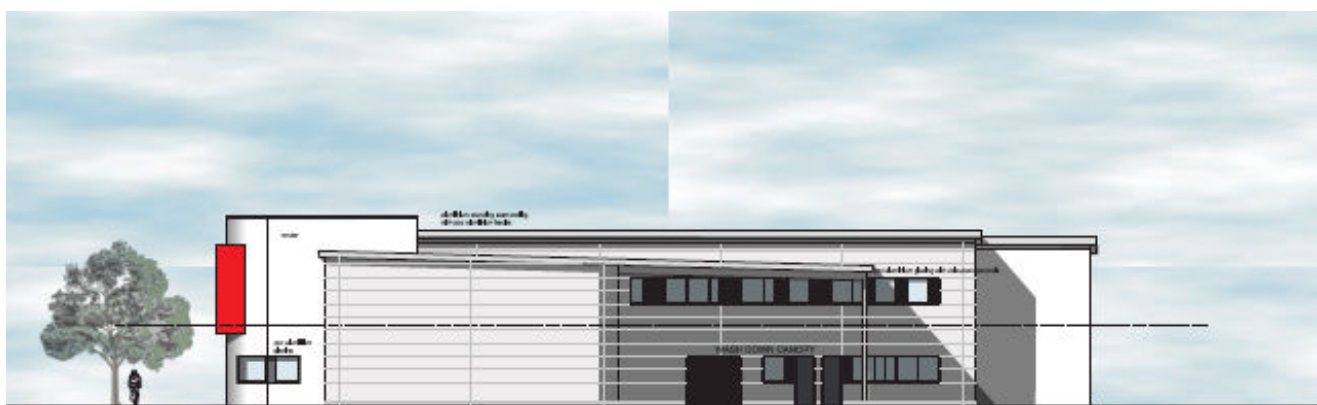
The design and external appearance of the buildings

Whilst the main administrative block of the fire station would be substantially screened by the modified and managed landscaping buffer, it would be partially visible through gaps at the access points, and may be slightly more visible when deciduous trees shed their leaves in the autumn and winter months. Notwithstanding this, the building is well designed, presenting an attractive front elevation onto York Hill Road. Whilst details of materials and detailing would be subject of further consideration under planning conditions, the front elevation would have three distinct elements; a curved rendered drum containing the community areas and primary circulation areas of the station, buff coloured brickwork, and a colonnade supporting the oversailing roof over the operational wing.



levation fronting York Hill Road(with landscaped burrer omitted)

The side elevations would not be readily visible due to existing tree cover outside the site. This would be unaffected by the development. The rear elevation would only be visible from deep within the industrial estate, and would have a slightly more functional appearance as a result of the use of cladding and glazing systems.



Rear elevation

Landscaping of the site

Much negotiation has taken place over this particular issue, principally in respect of how the development would impact upon the existing landscaped buffer. This 20 metre deep strip contains a significant number of native trees, predominantly of deciduous character. This strip has not been properly managed, and would benefit from a woodland management plan, as suggested in the submitted landscape documents. The details provided show further significant planting to the eastern boundary and other peripheral landscape treatments.

SEDGEFIELD BOROUGH COUNCIL
PLANNING APPLICATIONS - TO BE DETERMINED

CONSULTATION AND PUBLICITY RESPONSES

External Consultees

Spennymoor Town Council has no objections to the proposal.

Natural England has no objections to the proposal but advises the use of an informative to remind the applicants of their obligations regarding protected species and the provisions of Circular 06/2005.

Durham Constabulary Architectural Liaison Officer has no objections to the scheme which is to be developed and certificated under the Secured by Design standard.

Durham County Council Highways Section has no objection to the proposal, but has requested that measures are put in place to control the 'exceptional circumstances' where returning appliances might need to return by York Hill Road if Enterprise Way is obstructed for some reason.

Internal Consultees

Forward Planning Section (Policy) has no objection to the proposal on policy grounds, but has expressed the view that the development ought to accord with the spirit of Policy 38 of the Regional Spatial Strategy insofar as meeting the 10% renewable energy target unless this is not feasible or viable (see comments below).

Environmental Health Section has made comments about site operations that may need control under conditions or informative advice.

Sustainable Communities (Countryside Officer) is satisfied that ecology issues have been properly assessed and adequate mitigation proposed.

Landscape Architect has confirmed general satisfaction with the submitted landscaping proposals. Minor suggestions have been made on some details of the scheme but these will be passed on to the applicant informally in the absence of a specific objection to the submitted details.

Forward Planning Section (Highway and Contaminated Land Officer) has no objections on highway grounds.

Publicity

Green Lane Residents Association has no objections to the proposal.

The occupier of 25 Castle Close has objected on the following grounds:

- Traffic, access and road safety
- Late night activity / noise concerns
- Damage to wildlife species and habitats
- Good footpath access to surrounding areas
- Preservation of valued natural features, mature trees and hedgerows

SEDGEFIELD BOROUGH COUNCIL
PLANNING APPLICATIONS - TO BE DETERMINED

No other comments have been received.

PLANNING CONSIDERATIONS

The principle of the development of a community fire station, together with its access, has already been established in outline planning permission 7/2005/0634/DM, granted on 18th November 2005. The principle cannot therefore be re-examined in this current proposal, which essentially seeks approval of outstanding matters relating to the siting of buildings, design and external appearance, and landscaping of the site. For this reason, consideration of the proposal falls principally under the design policies of the local plan.

POLICY D1 (GENERAL PRINCIPLES)

THE COUNCIL WILL NORMALLY REQUIRE THE FOLLOWING PRINCIPLES TO BE APPLIED TO THE LAYOUT AND DESIGN OF ALL NEW DEVELOPMENTS:-

- (A) A COMPREHENSIVE AND CO-ORDINATED APPROACH WHICH TAKES ACCOUNT OF THE SITE'S NATURAL AND BUILT FEATURES AND ITS RELATIONSHIP TO ADJACENT LAND USES AND ACTIVITIES;**
- (B) ATTENTION TO THE DESIGN OF BUILDINGS AND THEIR SPATIAL RELATIONSHIPS TO OPEN SPACES, LANDSCAPING AND BOUNDARY TREATMENT TO HELP CREATE A SENSE OF PLACE;**
- (C) SATISFACTORY LANDSCAPING TO BE INCORPORATED IN THE DESIGN AND LAYOUT OF THE SITE;**
- (D) ASSISTING IN ACHIEVING THE OBJECTIVE OF THE CONSERVATION OF ENERGY;**
- (E) ACCOMMODATING THE NEEDS OF USERS OF THE DEVELOPMENT IN ACCORDANCE WITH POLICY D2; AND**
- (F) SATISFACTORY AND SAFE PROVISION FOR PEDESTRIANS, CYCLISTS, PUBLIC TRANSPORT, CARS AND OTHER VEHICLES IN ACCORDANCE WITH POLICY D3.**

THE COUNCIL WILL HAVE REGARD TO THE SUPPLEMENTARY PLANNING GUIDANCE ON CONSERVATION AREAS, THE DEVELOPMENT OF PRESTIGE BUSINESS AREAS, THE LAYOUT OF NEW HOUSING, EXTENSIONS TO DWELLINGS, TRAFFIC CALMING, PARKING STANDARDS, OPEN SPACE, LANDSCAPING, THE CONSERVATION OF ENERGY AND CRIME PREVENTION AND PERSONAL SECURITY, AS APPROPRIATE, IN THE IMPLEMENTATION OF THESE GENERAL DESIGN PRINCIPLES.

POLICY D2 (DESIGN FOR PEOPLE)

THE REQUIREMENTS OF USERS OF A DEVELOPMENT SHOULD BE TAKEN INTO ACCOUNT IN ITS LAYOUT AND DESIGN. PARTICULAR ATTENTION SHOULD BE GIVEN TO:-

- (A) PERSONAL SAFETY AND THE SECURITY OF PROPERTY, PARTICULARLY AT NIGHT;**
- (B) THE ACCESS NEEDS OF USERS, PARTICULARLY PEOPLE WITH DISABILITIES, ELDERLY PEOPLE AND PEOPLE WITH CHILDREN; AND**

SEDGEFIELD BOROUGH COUNCIL

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- (C) **PROVISION OF TOILETS, BABY CHANGING AND FEEDING FACILITIES AND PUBLIC SEATING WHERE APPROPRIATE**

POLICY D3 (DESIGN FOR ACCESS)

DEVELOPMENTS SHOULD NORMALLY MAKE SATISFACTORY AND SAFE PROVISION FOR PEDESTRIANS, CYCLISTS, PUBLIC TRANSPORT, CARS AND OTHER VEHICLES, AND WILL BE EXPECTED TO INCLUDE THE FOLLOWING, AS APPROPRIATE:-

- (A) **SAFE AND CONVENIENT PEDESTRIAN AND CYCLE ROUTE CONNECTIONS TO HOUSING AREAS, BUS STOPS, SCHOOLS, SHOPS, COMMUNITY FACILITIES AND PLACES OF EMPLOYMENT;**
- (B) **CYCLE PARKING FACILITIES AT DEVELOPMENTS OPEN TO THE PUBLIC;**
- (C) **MEASURES TO MINIMISE CONFLICT BETWEEN PEDESTRIANS, CYCLISTS AND MOTOR VEHICLES;**
- (D) **MEASURES TO MEET THE REQUIREMENTS OF PUBLIC TRANSPORT SERVICES AND USERS;**
- (E) **SATISFACTORY MEANS OF ACCESS, MANOEUVRING, TURNING AND PARKING SPACE FOR THE NUMBER AND TYPE OF VEHICLES USING THE DEVELOPMENT;**
- (F) **ADEQUATE PROVISION OF CAR PARKING AT LEAST SUFFICIENT TO PREVENT SERIOUS TRAFFIC PROBLEMS;**
- (G) **ADEQUATE PROVISION OF PARKING SPACE FOR VEHICLES USED BY PEOPLE WITH DISABILITIES CLOSE TO ENTRANCES OF BUILDINGS OPEN TO THE PUBLIC; AND**
- (H) **EFFECTIVE ACCESS AT ALL TIMES FOR EMERGENCY VEHICLES.**

The development has been carefully sited behind the landscaped buffer strip, with limited tree removal required in order to achieve access as described above. The proposal respects the surrounding natural features. Whilst the rear of the main building uses materials and finishes in keeping with the nearby industrial buildings, the design thoughtfully presents a more appealing front elevation where it interfaces with the residential area. The building would however be set back from York Hill Road by at least 25 metres, with significant screening provided by the managed landscape buffer.

Additional landscaping is to be provided in key areas of the site to further enhance the local environment and the setting of the community fire station.

In terms of conservation of energy, the application demonstrates that the buildings would be constructed to a standard which achieves 'very good' rating under a BREEAM model specifically designed for fire stations. Furthermore, it is stated that the development would better the Part L standards of the Building Regulations by at least 8%. The green credentials of the development are further enhanced by the harvesting of rainwater for use in training exercises. The planning permission to enable this development to take place was granted almost three years ago, prior to the emergence of the aspirational 10% renewable energy target which has now become enshrined in the latest version of the RSS. Notwithstanding the comments of the Forward Planning Section, the development demonstrates a good standard of energy efficiency, and it is considered unreasonable to impose the usual condition on a reserved matters approval when the outline planning permission did not address this issue.

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - TO BE DETERMINED

The layout and design of the development would provide good access to all users, with appropriate segregation of the public from the emergency response vehicles. Adequate off-street parking would be provided to serve both the operational needs of the fire station and its important community role.

It is considered that the proposal accords with Policies D1, D2 and D3 of the Borough Local Plan.

CONCLUSION

The development will be subject to a range of conditions set out in the outline planning permission, including one relating to significant highway improvements between York Hill Road and Butcher's Race. That work has now been agreed by the Highway Authority and will need to take place before the fire station becomes operational. Any conditions proposed for this application will be generally limited to the specific reserved matters. It is however proposed that a condition ought to be imposed to prevent abuse of the 'exceptional circumstances' argument for appliances returning to the site via York Hill Road. This can be achieved by requiring the gate between the visitors' car park and the training yard to remain locked at all times other than when returning fire appliances are physically prevented from using Enterprise Way due to serious obstruction.

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 reserved matters be approved, subject to the following conditions;

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

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

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - TO BE DETERMINED

2. The gates between the visitor car park and the training yard shall remain locked at all times other than in exceptional circumstances where returning fire appliances are prevented from accessing the site via Enterprise Way because of serious highway obstruction.

Reason: To ensure that the development operates in a manner that is safe to pedestrians and highway users and to minimise to impact of the development upon the residential amenities of local residents in compliance with Policy D1 (Principles for the Layout and Design of New Developments) of the Sedgefield Borough Local Plan.

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

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

4. No development shall commence until a detailed landscape management plan has been submitted to and approved by the Local Planning Authority, and development shall thereafter be carried out only in accordance with that approved management plan. The plan shall contain measures to preserve the existing landscape features, including the landscaped buffer strip along the northern boundary of the site.

Reason: In order to achieve long term improvements to significant landscape features which are essential to the interface between the proposed community fire station and the residential environment of York Hill Road and to comply with Policy E15 (Safeguarding of Woodlands, Trees and Hedgerows) of the Sedgefield Borough Local Plan.

INFORMATIVE

The development subject of this reserved matters approval is also subject to conditions attached to outline planning permission 7/2005/0634/DM which must be fully complied with in order for the development to be lawful.

SEDGEFIELD BOROUGH COUNCIL
PLANNING APPLICATIONS - TO BE DETERMINED

3. 7/2008/0367/DM APPLICATION DATE: 6 August 2008

PROPOSAL: **ERECTION OF EXTENSION TO EXISTING FACTORY**

LOCATION: **HYDRAM ENGINEERING AVENUE ONE CHILTON INDUSTRIAL ESTATE**
FERRYHILL CO DURHAM
DL17 0SG

APPLICATION TYPE: Detailed Application

APPLICANT: Hydram Engineering
Avenue One, Chilton Industrial Estate, Ferryhill, County Durham, DL17 0SG

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. ENGINEERS
9. ENV. HEALTH
10. L.PLANS
11. POLICE HQ
12. Government Office for the North East
13. North East Assembly
14. One North East

NEIGHBOUR/INDUSTRIAL

Unit 1A Unit 1B Unit 1C Unit 1D Unit 1E Unit 1F Unit 2A Unit 2B Unit 2C Unit 2D
Unit 2E Unit 2F Unit 2G Unit 2H Norchem Ltd Autoweld Eden Business Centre Flat 44, Avenue
Four Flat 45, Avenue Four Flat 46, Avenue Four Flat 50, Avenue Four Flat 47a, Avenue Four
Flat 47b, Avenue Four Flat 47c, Avenue Four Flat 48a, Avenue Four
Flat 48b, Avenue Four Flat 48c, Avenue Four Flat 49a, Avenue Four Flat 49b,
Avenue Four Derek Paranaby Cyclones Ltd, Avenue Four Dene Bridge
Road:20,21,22,23,24,25,26,27,28,29,30,31,32,33,34,35,36,37,38,39,40,41,42,43,44,45,46,47,
48,49,50,51,52,53,54,55,56,57,58,59,60,61,62,63,64,65,66,67,68,69,70,71,72,73,74,75
Armagrip Ind Est, Avenue Four West Chilton Terrace:100,99,98,97,96,95,94,93,
92,91,90,89,88,87,86,85,84

BOROUGH PLANNING POLICIES

IB13 Extension to Industrial and Business Premises

SEDGEFIELD BOROUGH COUNCIL
PLANNING APPLICATIONS - TO BE DETERMINED

PROPOSAL

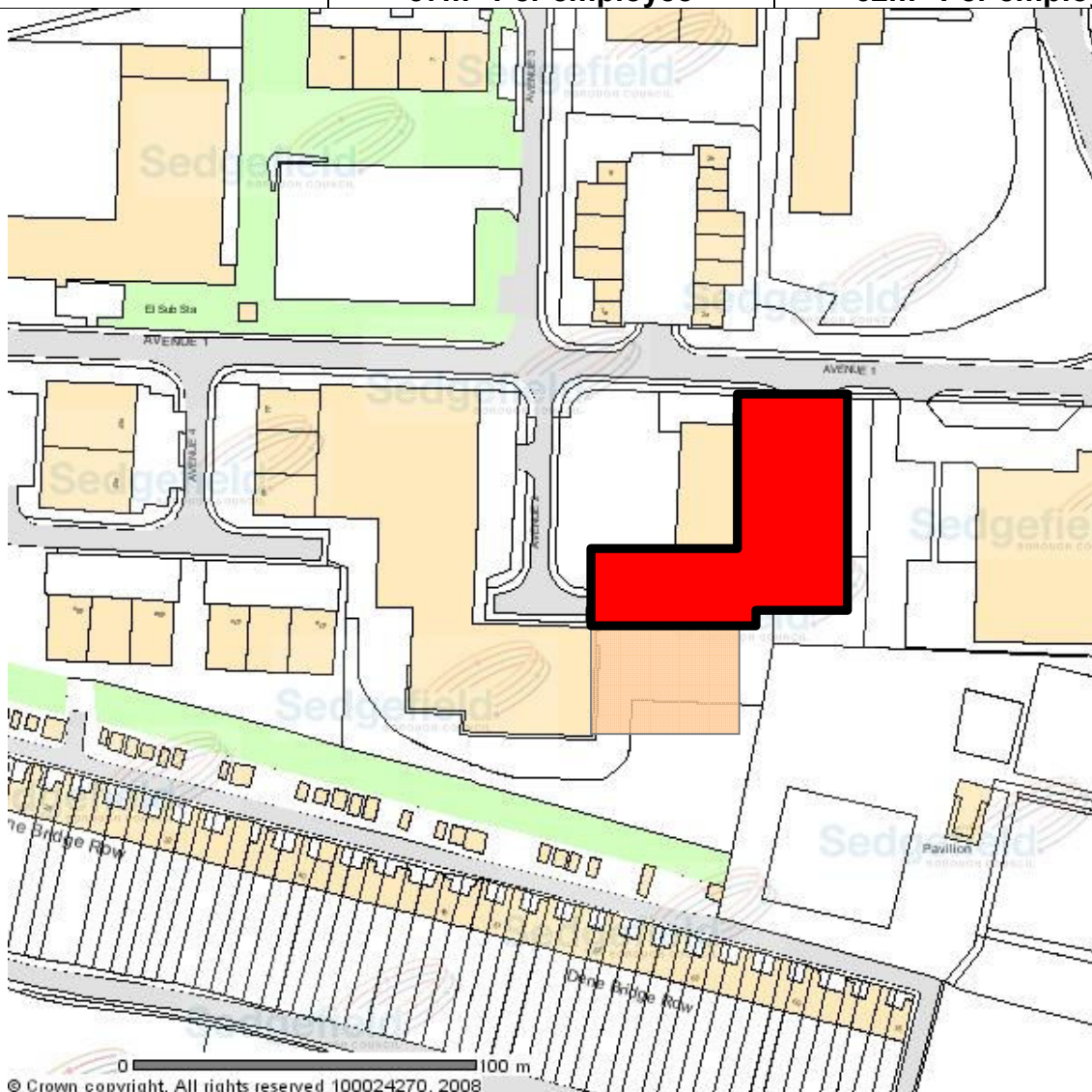
Planning permission is being sought for an extension to this large industrial premises located on the Chilton Industrial Estate. In brief, this extension will comprise 2 main elements:

A portal framed extension attached primarily to the existing portal framed building to the eastern boundary of the site (also known as 'The Eden Business Centre'), measuring 31m in maximum width, 56.51m in length, and 9.92m in pitched roof height.

A further portal framed extension linking the 'Eden Business Centre' to the existing Hydrum Industrial Building to the south (measuring 46.13m in maximum width, 21.2m in length, and 10.85m in pitch roofed height).

The plan, below, shows the extent of the extension relative to the existing premises and the overall the use of these premises may be broken down as follows:

USE	EXISTING	PROPOSED
Offices	640m ²	640m ²
General Industrial	5887m ²	7887m ²
Storage and distribution	579m ²	1094m ²
	57m² Per employee	62m² Per employee



SEDFIELD BOROUGH COUNCIL
PLANNING APPLICATIONS - TO BE DETERMINED

Access to this extension will be maintained via the existing access roadway and hard standing to the west of the 'Eden Business Centre', although a separate, existing access point (to the east of this building) will be sealed off and made good to its surroundings. This site will still allow for all vehicles including HGVs to enter the site, turn and exist in a forward gear, with ample parking provision both in and around the site. No objections have been raised regarding this arrangement, subject to compliance with DCC specification (*see conditions*).

The applicants, in a supporting economic statement have indicated that:

Hydrum Engineering Ltd is actively pursuing new large scale projects which require more production space, particularly for assembly. In addition, an increasing number of customers operate on a 'just-in-time' basis and expect hydrum to hold more stock of finished products, with this new extension able to meet such demands for new and existing customers. Plans submitted also take into account the possibility of a new powder coating plant being located within the extension (either refurbished or new depending on market conditions).

It is anticipated that the new work attracted by this increase in floor space will safeguard existing jobs on site, whilst creating up to 30 new jobs, with Hydrum policy to recruit 90% of employees from the local area. Although in the past Hydrum have considered relocating to alternative locations within County Durham and Yorkshire, Hydrum maintains strong links with the local community and is keen to continue operating from the existing site (founded 31 years ago).

CONSULTATION AND PUBLICITY RESPONSES

External Consultation Responses:

- Chilton Parish Council have raised no objections to this proposal.
- The County Highways Engineer has raised no objections to this proposal on highway grounds, subject to the removal of the existing vehicular access within the existing public highway to Avenue 1 being carried out in accordance with the requirements of S184(3), Highways Act, 1980,
- The Durham Police Architectural Liaison Officer has raised no objections to this proposal,
- NWL have not commented on this application,
- **ONE have raised no objections to this proposal.**
- **NEA have raised no objections to this proposal.**

Internal Consultation Responses:

- The Sedgfield Borough Highways engineer has raised no objections to this proposal on highway grounds, subject to a new highway verge and footpath being constructed to DCC specification where the existing access is to be removed,
- The Sedgfield Borough Environmental Health Team have raised no objections to this proposal,

SEDGEFIELD BOROUGH COUNCIL
PLANNING APPLICATIONS - TO BE DETERMINED

As part of the consultation and publicity exercise for this application, a notice was posted in the press, a site notice was also displayed adjacent to the application site and all neighbouring properties were notified. No representations have been received to date. It should however be noted that the 14 day consultation period for the press notice is still to expire at the time of writing of the report, and any comments that are received subsequent to the publication of the committee papers will be reported verbally to committee.

PLANNING HISTORY

Formal planning applications:

- 7/1984/0504/DM (Erection of factory) - APPROVED
- 7/1987/0412/DM (Proposed erection of extension to existing engineering factory) - APPROVED
- 7/1993/0215/DM (Extension to factory) - APPROVED
- 7/1993/0433/DM (Application to vary planning permission 7/1993/0215/DM for phase 3 extensions to factory) - APPROVED
- 7/1997/0251/DM (Erection of fence) - APPROVED
- 7/1999/0382/DM (Erection of factory extension with associated parking and boundary fence) - APPROVED
- 7/2000/0197/DM (Factory extension (Phase 11) erection of gas storage container and security fence) - APPROVED
- 7/2004/0838/DM (Extension to factory) - APPROVED
- 7/2005/0106/DM (Installation of extraction fan chimneys and air conditioning units - retrospective) – NO DATA ON RECORDS
- 7/2005/0409/DM (Extension to front entrance) - APPROVED
- 7/2006/0148/DM (Erection of 4no. 10 metre lighting columns) - APPROVED

PLANNING CONSIDERATIONS

The main planning considerations in determining this planning application are:

- Whether the proposal accords with the locational requirements of the Sedgefield Borough Local Plan,
- The impact on surrounding land uses, and
- Highway safety,

Locational requirements

The application site is located within the 'Chilton Industrial Estate' (a defined 'General Industrial Area'), as set out by adopted Local Plan policies IB2 (*Designation of type of industrial estates*) and IB6 (*Acceptable uses in General Industrial Areas*) of the Sedgefield Borough Local Plan. These policies normally allow for development in 'General Industrial Areas' where:

- Existing uses of adjoining land are not adversely affected,
- There is no loss of environmental quality on the estate,

Furthermore, Policies IB13 (*Extensions to industrial premises*), and D1 (*General principles for the layout and design of new developments*), require that such works must show regard to the sites natural and built features, and the relationship to adjacent land uses and activities, whilst accommodating the needs of all users, ensuring that:

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- Adjacent industrial or business premises are not adversely affected,
- The site is not over intensely developed, and
- The environmental effect in terms of residential amenity or traffic movement is not significantly detrimental to the character of the area.

It is generally considered that the proposed extension will meet the future growth demands of this company, resulting in job retention and further employment opportunities, whilst allowing this company to remain operating from this site, to the economic benefit of Sedgfield Borough as a whole.

The impact on surrounding land uses

Although it is noted that the proposed works will fall within 100m of residential properties to the south of the site (Denebridge Row), it is not considered that the proposed works will have any adverse impact upon the residential amenity or future privacy of these neighbouring residents which are located beyond a densely developed landscaped buffer strip and the existing Hydrum premises which also serves as a useful screen (*see photographs below*):



Furthermore, it is not considered that these works will impact the working conditions of nearby business premises, being of an industrial nature which is sympathetic to its location.

All materials have been carefully selected to complement the existing buildings, with profiled metal plastisol colour wall cladding, with powder coated, double glazed aluminium frames, and profiled metal plastisol colour roof cladding. 10% of the roof area will be fitted with roof lights, but with no resulting privacy/amenity issues arising.

In environmental; terms, it is not considered that the proposed works will have any adverse environmental impact on its surroundings, whilst being of a scale and design compatible with its industrial setting. The imposition of a condition limiting the sound output levels of machinery to be installed within the extension will also safeguard the amenity of nearby residents.

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Highway safety

Finally, highways implications have been carefully considered and adhered to in accordance with the requirements of policy D3 (*Design for access*), subject to the existing vehicular access to be removed being made good in accordance with County Council's specification.

CONCLUSION

In view of the foregoing, this application is considered to accord with the requirements of adopted Local Plan policies IB2, IB6, IB13, D1 and D3, demonstrating an acceptable level of industrial design, which will have minimal impact on surrounding amenity, whilst proving essential to the future function of this site.

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

For all the reasons above, it is recommended that planning permission is granted subject to the following conditions:

1. The development hereby approved shall be begun not later than the expiration of 3 years from the date of this permission.
Reason: In accordance with Section 91 of the Town and Country Planning Act 1990.
2. The external surfaces of the development hereby approved shall be only of materials closely matching in colour, size, shape and texture of those of the existing building of which the development will form a part.
Reason: In the interests of visual amenity, and to comply with Policy D1 (General Principles for the Layout and Design of New Developments) of the Sedgefield Borough Local Plan.
3. The existing vehicular access to the development from Avenue1 shall be closed in a manner to be agreed in writing with the Local Planning Authority before the development hereby approved is brought into use.
4. There shall be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters, whether direct or via soakaways.
Reason: To prevent pollution of the water environment and to comply with PPS23 (Planning and Pollution Control).

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5. The development hereby approved shall not commence until details of a scheme for foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority. The scheme so approved shall thereafter be implemented prior to the development being brought into use.

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal and to comply with PPS25 (Development and Flood Risk).

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order) details of any extraction units and/or fans shall be submitted to and approved by the Local Planning Authority.

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 IB13 (Extension to industrial and business premises) of the Sedgefield Borough Local Plan

7. No fixed plant or machinery with a sound pressure level greater than 100dBA at 3.5 metres measured as an Lmax shall be installed within the premises hereby approved without the prior consent of the Local Planning Authority.

Reason: In order to enable the Local Planning Authority to exercise control over the installation of additional noise generating plant or machinery in the interests of protecting the amenity that nearby residents may reasonably expect to enjoy.

INFORMATIVE: REASON FOR GRANT OF PLANNING PERMISSION

In the opinion of the Local Planning Authority the proposal development is appropriate in location to the scale and character of the surrounding area, makes adequate provision for car parking and access, and would not cause significant harm to adjoining business and industrial premises.

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:

- IB2 (Designation of type of industrial estates)
- IB6 (Acceptable uses in general industrial areas)
- IB13 (Extension to industrial and business premises)
- D1 (General principles for the layout and design of new developments)
- D3 (Design for access)

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4. 7/2008/0384/DM APPLICATION DATE: 8 September 2008

PROPOSAL: **ERECTION OF NEW TWO STOREY WORKSHOP TRAINING BUILDING WITH CLASSROOMS, ANCILLARY AND STAFF FACILITY, REFURBISHMENT OF EXISTING TRAINING CENTRE AND CONSTRUCTION OF INTERNAL ROAD AND CAR PARKING AND ASSOCIATED DRAINAGE AND LANDSCAPING**

LOCATION: **COULSON STREET SPENNYMOOR CO DURHAM**

APPLICATION TYPE: Detailed Application

APPLICANT: Bishop Auckland College Woodhouse Lane, Bishop Auckland,

CONSULTATIONS

1. SPENNYMOOR TC
2. Cllr. J.M. Khan
3. Cllr. A. Smith
4. Cllr. Andrew Gray
5. DCC (PLANNING)
6. Stephen McDonald
7. NEDL
8. Countryside Team
9. REGENERATION
10. POLICE HQ
11. LANDSCAPE ARCH
12. DESIGN
13. ECONOMIC DEV
14. L.PLANS
15. Lee White
16. VALUER
17. ENV. HEALTH
18. ENGINEERS
19. ENV AGENCY
20. BR TELECOM
21. BR GAS
22. BUILDING CONTROL
23. NORTHUMBRIAN WATER
24. DCC (TRAFFIC)
25. RAF High Moorsley
26. Sustainable Communities

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NEIGHBOUR/INDUSTRIAL

Frog & Ferret Public House Pixley Dell Nursery Edmar Tyres AQS Bathrooms
Brooklands Garages Sawley Transport
Coulson Street:6,27,Gardiners Transport,Deerness Rubber Ltd,SBC Training Centre,Thorn
Lighting,Flat 1 9 ,Flat 2 9 ,Flat 3 9 ,Flat 4 9 ,Flat 5 9

BOROUGH PLANNING POLICIES

D1	General Principles for the Layout and Design of New Developments
D3	Design for Access
E13	Promotion of Nature Conservation
L11	Development of New or Improved Leisure and Community Buildings

PROPOSAL

Detailed planning permission is sought by Bishop Auckland College for the erection of a two-storey training centre building on land adjacent to the existing Sedgefield Borough Council training centre at Coulson Street, Spennymoor. The development would accommodate classrooms and workshops, ancillary and staff facilities, and would include new access roads and car parking areas, together with landscaping.

The proposal arises from a wider project that involves the merger of Sedgefield Borough Training Services with Bishop Auckland College to enhance the quality and choice of locally available construction skills training, and will replace existing facilities at the Council's Chilton Depot and the College's Woodhouse Lane campus at Bishop Auckland. Those existing facilities are now considered inadequate.

The proposal would constitute a significant expansion of the existing training facilities, which would be refurbished as part of the development of the site.

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Durham County Council (Archaeology Section) has no objections to the proposal

Durham Constabulary (Architectural Liaison Officer) has made a range of comments on security and safety matters. These will be forwarded to the applicant.

Environment Agency No response has been received at the time of writing this report.

Northumbrian Water Ltd. No response has been received at the time of writing this report.

MOD Estates in its capacity of safeguarding the operation of a radar facility at High Moorsley, has no objection to the proposal.

Utilities:

Northern Gas Networks states that the proposed development would not necessitate any gas diversionary works.

Internal Consultees

Forward Planning Section has made comments on the policy implications of the proposal, which have been used in the preparation of this report.

Sustainable Communities Section (Ecology) expressed general satisfaction with the extended phase 1 survey, but raised points that needed to be addressed by the applicant. The ecology report has been updated and is now generally to the satisfaction of the Countryside Officer. Comments are suggested for inclusion as informative advice.

Sustainable Communities Section (Energy) initially requested further technical information on the proposed biomass plant to establish whether it is of appropriate output and acceptable carbon emissions and whether it would meet at least 10% of the predicted energy demands. Further information submitted by the applicant demonstrated that the installation would be likely to exceed the minimum 10% requirement.

Environmental Health Section is broadly in agreement with the geotechnical and geoenvironmental report, and recommends that the remediation measures identified are completed and certified in a validation report submitted to the Council. Other precautionary working practices are identified and can be dealt with by way of the imposition of informatives.

Landscape Architect / Tree Officer are concerned that the development would result in the loss of many maturing trees, particularly on the periphery of the site. Extensive discussions have taken place with the applicant on this issue, leading to amendments to the proposal to reduce the impact upon existing landscape features. This matter is set out more fully later in this report.

Publicity

No public comments have been received about the proposal.

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PLANNING CONSIDERATIONS

The main considerations of this proposal are:

- Whether the development accords in principle with national, regional and local policy
- Layout and design
- Landscaping
- Ecology
- Renewable energy

POLICY

The North East of England Plan – Regional Spatial Strategy to 2021

This plan was published on 15th July 2008 and sets out regional planning policy in its most robust form to date. Policy 14 of the RSS states that strategies, plans, programmes and planning proposals should support the growth and increasing role of universities and colleges in the regional economy, and specifically cites that this should be achieved by enabling the necessary infrastructure and campus development to facilitate their expansion. This proposal is essentially an expansion of the campus of Bishop Auckland College to significantly improve construction skills training, and will inevitably forge greater links with local businesses involved with the ambitious development objectives of the South West Durham Growth Point. Accordingly, the proposal is in conformity with the RSS.

Planning Policy Statement (PPS)1 – Delivering Sustainable Development

This national planning policy documents sets out principles for the delivery of sustainable development. The proposal conforms to the general approach, design and community involvement principles. In terms of spatial plans, the Council has commissioned the preparation of a Masterplan for the entire Merrington Lane area in recognition of the significant change in character of that area as a result of the loss or relocation of major industrial employers. In preparing a brief for this exercise, account has been taken of the current proposal, and it is expected that the development would not conflict with the plan when it is eventually adopted.

Sedgefield Borough Local Plan

The application site lies within an area presently zoned for uses compatible with Policy IB6 (General Industrial Areas). Whilst the proposal represents an educational facility and is not specifically identified in Policy IB6 as an appropriate use of such land, it is not a land use identified as unacceptable, and it is related to construction skills training which would generally support the industrial and commercial base of Spennymoor. The principle of educational development has in any event been established by the existing SBC training centre. In any event, the emerging PPS4 (below) reflects more up to date thinking on economic development.

Education proposals are usually considered against the background of Policy L11 – Development of New or Improved Leisure and Community Buildings. In terms of the site location within Spennymoor, its compatibility with the scale and character of the surrounding area, its provision of parking and access, and its nature of operation and limited impact upon residential amenity, the proposal is considered to accord with Policy L11.

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Planning Policy Statement (PPS)4 – Planning for Sustainable Economic Development

This emerging policy recognises that in a rapidly changing global economy, higher and further education establishments are forms of economic development. The flexible approach to permitting zoned industrial land to be used for further education conforms to the main principles set out in PPS4.

Open Space Needs Assessment

This 2007 study identified the application site as an area of open space, primarily on the basis that it is an amenity roadside buffer with trees, grass and pavement. Whilst this does not preclude its development, it is considered that additional emphasis should be placed on retaining and enhancing the landscape features of the site. This matter is dealt with later in this report.

LAYOUT AND DESIGN

The defined application site includes the existing Borough Council training centre and the majority of a parcel of Council owned land to the north east. In total, the site amounts to 1.1 hectares of land zoned in the local plan for industrial purposes.

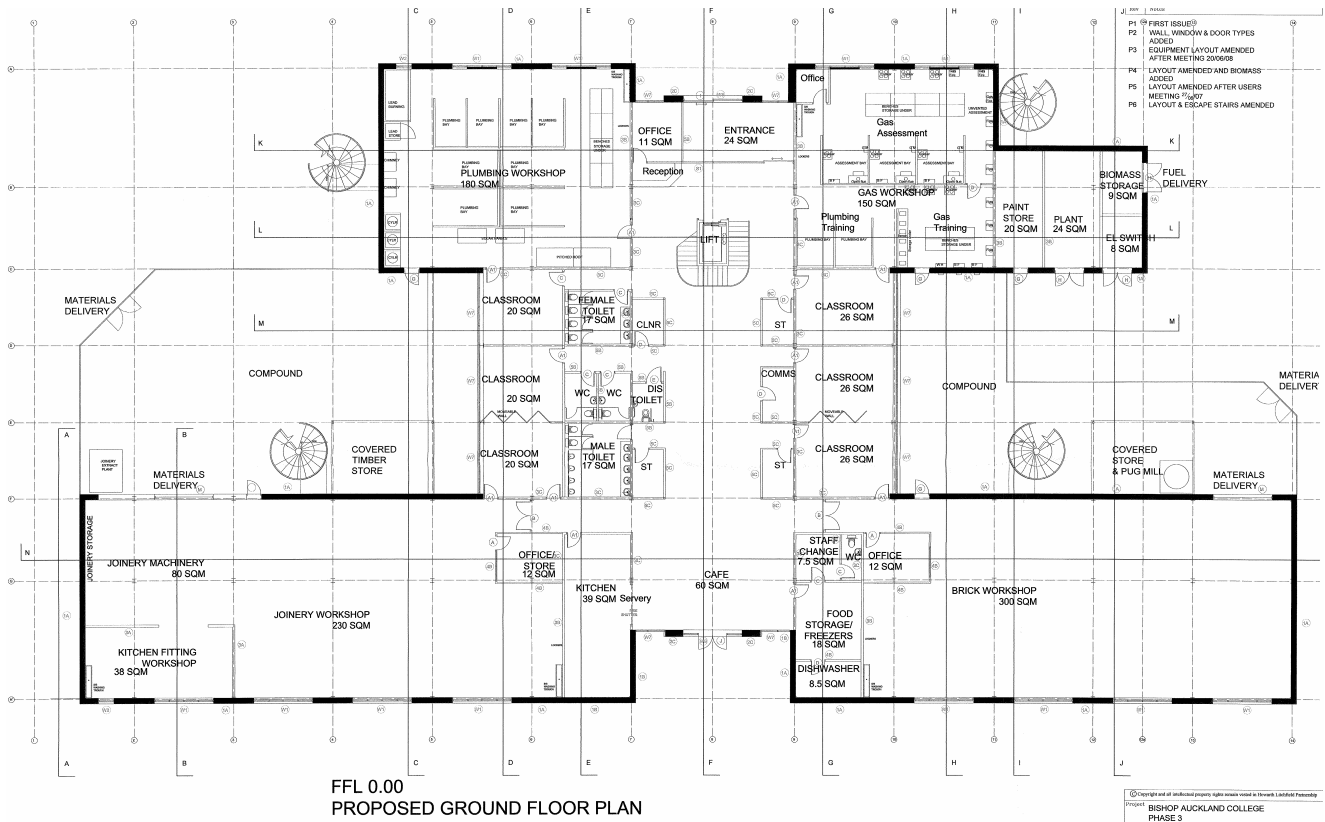
The proposed new training centre is a two storey building, with a broadly 'H' shaped footprint. The front elevation would face north west, overlooking the car park and Coulson Street beyond. The longer rear elevation overlooks Merrington Lane, and has been designed in two blocks, joined by a recessed atrium containing a cafeteria. This design effectively breaks up the visual bulk of the building when viewed from Merrington Lane.



The ground floor of the building would provide the following facilities:

- Joinery workshop
- Brick workshop
- Plumbing workshop
- Gas workshop
- Six classrooms
- Offices
- Cafeteria
- Ancillary stores, toilets and plant rooms

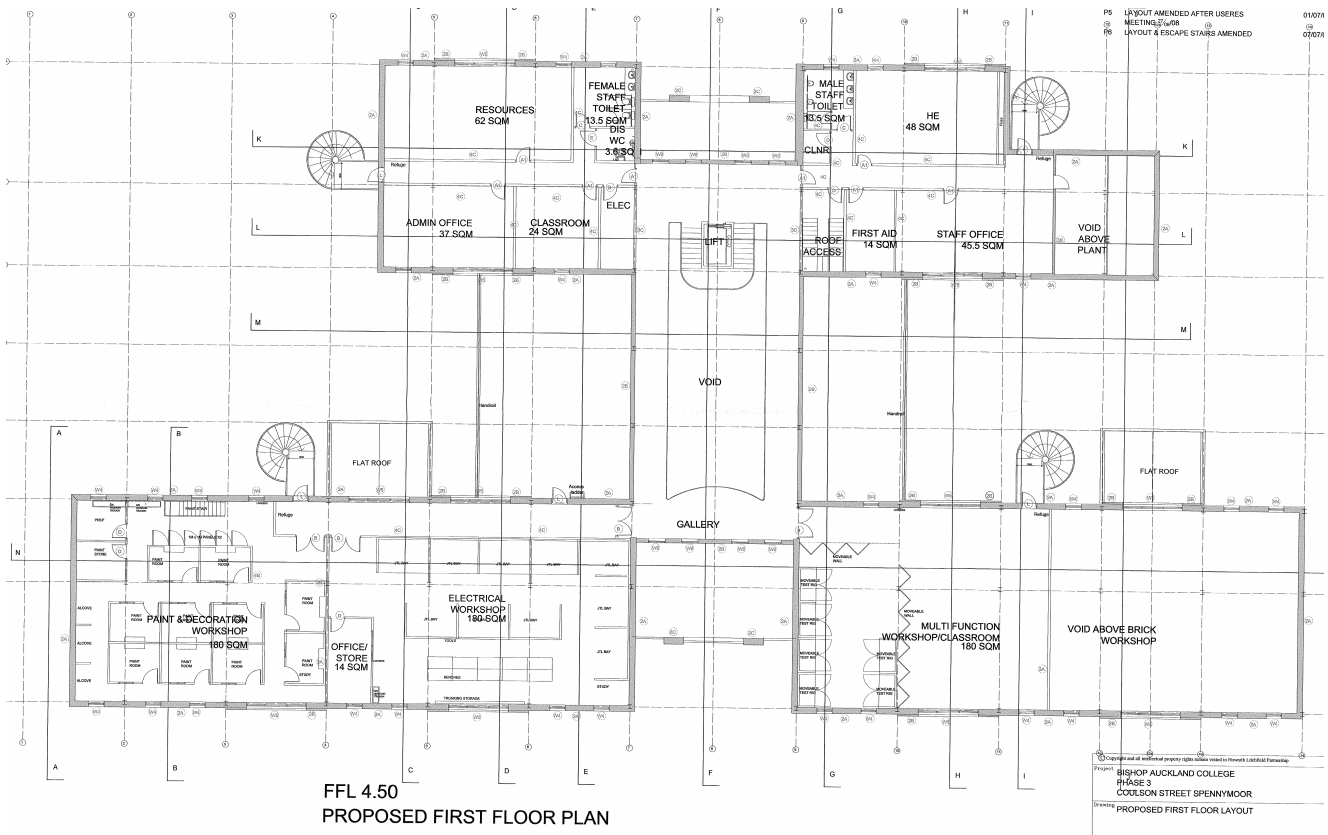
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The first floor would provide the following facilities:

- Paint and decoration workshop
- Electrical workshop
- Large classroom (mezzanine above brick workshop)
- Staff room
- Classroom
- Admin office
- Resources room
- First aid room and toilets

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Externally, the building would be finished in a combination of buff coloured brick and buff/yellow rendered panels. The front and rear elevations of the central atrium would be constructed of partially glazed grey curtain walling, featuring red coloured rendered panels to provide visual focal points to the entrances. The grey coloured standing seam metal pitched roof would feature a central channel to conceal plant and equipment required for the workshops.

The revised plans remove the originally proposed new vehicle access from Coulson Street, focusing all vehicle and pedestrian access at the existing access point currently serving the SBC training centre. This change has allowed slight repositioning of the new building in a north westerly direction to reduce conflict with the existing landscape features along the Merrington Lane boundary.

Car parking in the original scheme was laid out to provide 110 spaces. The revised scheme reduces this number by 36 spaces to 74, and this is considered acceptable under the present DCC access and parking standards. These standards do not require the provision of any student parking at all, but the revised scheme would provide approximately 40 spaces for students, with capacity to increase the number in future if necessary. This is considered acceptable and would minimise the risk of on-street parking in Coulson Street and Merrington Lane.

For all these reasons, the development is considered to comply with the design principles set out in Policy D1 of the Local Plan.

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LANDSCAPING

The existing undeveloped area of the application site comprises a truncated triangular parcel of land with a mature hedge along most of its boundaries, and containing groups of maturing trees, primarily on the periphery. These landscape features are seen as important, although they do not benefit from specific protection under any preservation orders. From the outset, significant efforts have been made to ensure the retention of as many of these features as possible, but two main potential conflicts were identified; adjacent to the new building along the Merrington Lane elevation, and along parts of the Coulson Street boundary, where a new access and car parking would be likely to involve removal of, or damage to existing trees.

Against the background of the concerns and objections of the Landscape Architect and Tree Officer, it was realised that the landscape features placed significant constraints on the layout of the proposed development, and that retention of all these features would not be possible in the delivery of this important educational facility. The most practical way forward therefore has been to formulate a 'landscape heirarchy' and to modify the scheme to minimise the conflicts.

In order to achieve a reasonable balance between delivery of the scheme and the landscape impact, Planning Officers drew up the following landscape hierarchy:

1. Protect the mature hedgerow at all cost
2. Accept that some existing trees may be lost
3. Adjust the layout to minimise the conflict with trees
4. Seek compensatory landscape planting in a landscaping scheme

Further negotiations achieved further repositioning of the proposed new building further away from the hedge and trees on the Merrington Lane boundary, although this is constrained by the presence of a main sewer that passes through the site. The removal of the additional vehicle access and a reduction in the number of car parking spaces means that there will be no need to remove trees and hedgerow along Coulson Street, and that protection measures can be put in place during the construction phase.

A landscaping scheme has been received based on the revised layout.

ECOLOGY

The application was accompanied by an ecology report that was considered by the Countryside Officer to be generally acceptable. Minor issues were identified which led to a revised report being submitted. Provided appropriate conditions are imposed to ensure avoidance, mitigation and enhancements for biodiversity, there is no objection to the proposal on ecology grounds. Minor comments on the landscaping scheme have resulted in informative advice being proposed in relation to the treatment of the open space area at the north eastern end of the site.

RENEWABLE ENERGY

The development has been designed to very high BREEAM standards and should, in itself, be energy efficient. However, apart from stating that a biomass boiler would be installed, the submitted application did not provide any evidence of how the renewable energy targets would

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be achieved. Following the submission of additional information, the Energy Officer is satisfied that the proposal is likely to meet, and possibly exceed the target of at least 10% of predicted energy demands being achieved using renewable energy sources. The usual condition should still however be imposed.

CONCLUSION

The proposal represents an opportunity to increase the construction skills base in the Spennymoor area, in conjunction with the phased expansion of the Bishop Auckland College campus. Whilst the development proposal will be determined several months in advance of the Merrington Lane / South Spennymoor Masterplan being finalised, funding targets mean that determination of the application cannot be delayed until adoption of that plan. Outline planning consents are already in place for residential development of the Thorn Lighting and Greyhound Stadium sites, and because the current proposal is likely to fit well with the future development of those sites in design terms, it is not considered that it would conflict in any way with the longer terms objectives of the Masterplan. The proposal in its amended form is considered to strike a acceptable balance between development of the site and retention of valuable existing landscape features, and on-site parking would exceed the levels prescribed by the current DCC access and parking standards.

RECOMMENDATION

For the reasons set out in this report it is recommended that detailed planning permission be granted subject to the following conditions and informative advice;

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

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

2. The development hereby approved shall be carried out only in accordance with the submitted application, as amended by the following document(s) and plans: Amended site layout plan, drawing no. 116 revision P11 (received on 30th September 2008.)

Amended Ecology report by Barker Shepard Gillespie dated September 2008 (received on 26th September 2008.)

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

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

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

4. 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 PPS23 (Planning and Pollution Control).

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

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal and to comply with PPS25 (Development and Flood Risk).

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

Reason: To prevent pollution of the water environment and to comply with PPS23 (Planning and Pollution Control).

7. No development shall commence until details of the existing and proposed site levels have been submitted to and approved in writing by the Local planning Authority. Development shall take place in accordance with the approved plans.

Reason: In order to control the level at which the development takes place in order to protect the visual and residential amenity of the area and to comply with Policy D1 and D5 of the Sedgefield Borough Local Plan.

8. 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. Reason: In the interests of safeguarding the visual amenity of the residential area

9. 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 Planning Policy Statement PPS23 (Planning and Pollution Control).

10. Prior to the commencement of development on site a vehicle wheel washing facility shall be installed at the main exit from the site in accordance with details, including its siting, to be agreed beforehand by the Local Planning Authority. All construction traffic leaving the site must use the facility and it must be available and maintained in working order at all times.

Reason: In the interest of amenity and to reduce the amount of mud on the roads in accordance with Planning Policy Statement PPS23 (Planning and Pollution Control).

11. No development shall take place unless entirely in accordance with the mitigation detailed within the Baker Shepherd Gillespie Ecology Report, titled 'Bishop Auckland College, Spennymoor, September 2008, Final' and bearing the reference 3767_n003_fin rep_va_sg.doc.

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Reason: To contribute to the maintenance of a favourable conservation status of LBAP habitats and species and to comply with PPS9 (Biodiversity and Geological Conservation).

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

Reason: In order to safeguard protected species in accordance with PPS9 (Biodiversity and Geological Conservation).

13. The remediation scheme set out in the approved Geotechnical and Geoenvironmental Assessment carried out by Cundall (Job No.N8004) dated 20th June 2008, must be carried out in accordance with its terms prior to the commencement of development other than development required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with PPS23 (Planning and Pollution Control).

14. If during development contamination not previously identified is found to be present at the site, it shall be notified immediately in writing to the Local Planning Authority. No further development (unless otherwise agreed beforehand in writing by the LPA) shall be carried out until the applicant has submitted, and obtained written approval from the LPA for an addendum to the Method Statement, carried out in accordance with condition 13 of this planning permission. This addendum must detail how this unsuspected contamination shall be dealt with. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 13.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with PPS23 (Planning and Pollution Control).

15. A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority. Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority. This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without

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unacceptable risks to workers, neighbours and other offsite receptors in accordance with PPS23 (Planning and Pollution Control).

16. Prior to commencement of development a scheme to minimise energy consumption shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for a minimum of 10% embedded renewable energy. Thereafter the development shall operate in accordance with the approved scheme unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to minimise energy consumption and to comply with Regional Planning Guidance Note 1, Policies EN1 and EN7.

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

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

18. All trees and hedges to be retained shall be properly fenced off from those parts of the site to be developed and shall not be removed without prior approval of the Local Planning Authority. Details of the type and positioning of the protective fencing shall be submitted and approved by the Local Planning Authority prior to development commencing.

Reason: To enable the Local Planning Authority to ensure that existing natural features on the site are protected and retained in the interests of the visual amenity of the site and to comply with Policy E15 (Safeguarding of Woodlands, Trees and Hedgerows) of the Sedgefield Borough Local Plan.

19. The proposed development shall be served by vehicular access(es) and associated highway improvements constructed in accordance with details to be submitted to and approved beforehand in writing by the Local Planning Authority. The submitted details shall include the stopping up of two redundant vehicle access crossings and the provision of a new 1.8 metre wide footway along the entirety of the southern side of Coulson Street to both junctions with Merrington Lane. The approved access shall be constructed prior to the development being first opened to students.

Reason: To ensure the formation of a satisfactory means of access in the interests of highway safety, and to comply with Policy D3 (Design for Access) of the Sedgefield Borough Local Plan.

INFORMATIVE: REASON FOR GRANT OF PLANNING PERMISSION:

In the opinion of the Local Planning Authority the proposal would meet appropriate standards in terms of environment, road hierarchy, open space, privacy and amenity, and it would not conflict with the key Design policies of the approved development plan.

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 consideration .H1 Housing Development in Major TownsD1 General Design Principles

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - TO BE DETERMINED

INFORMATIVE

Be a considerate developer. In order to minimise any disturbance to adjoining or nearby properties, it is recommended that: Site works (including deliveries and temporary site generators) are only be carried out during the following hours:

Monday - Friday (08:00 to 18:00 hours) ·

Saturday (09:00 to 14:00 hours) ·

Sunday and Bank Holiday (Noisy work audible at site boundary should not be permitted)

INFORMATIVE

All noisy plant, vehicles, equipment and machinery used in connection with site development activities should be properly operated, used and maintained so as to control and minimise noise and dust emissions. Where necessary and practicable, they should be fitted with suitable silencers or enclosed to reduce noise levels. There shall be no burning of combustible materials unless it is not reasonable practicable to dispose of the material in any other suitable manner.

INFORMATIVE

The Environmental Health Section requests that further information about the proposed biomass boiler is submitted, including details of emissions, noise and steps to ensure good ventilation.

INFORMATIVE

The Council's Countryside Section has made the following comments relating to biodiversity: "The ecologist has stated that there is a low risk of ground nesting breeding birds being affected by the development, due to current management practises. As such it is recommended that instead of further survey work, the precautionary principle be implemented and suitable mitigation and compensation be included into the design of the site.

The report includes a number of biodiversity enhancement suggestions, as mentioned in my previous memo, which have been agreed to be included in the architect's plans for the site. It is however noted in a recent amendment to the site layout, that a fairly large area of greenspace is to be retained (it is thought due to contaminated land designation) to the North East of the site. It is **strongly recommended that this area of land be left as open as possible. Existing trees/scrub to be retained, with no further trees/shrubs planted.** If the area is to be 'capped off' it is recommended that a species rich seed mix be broadcast onto the area, and appropriate traditional management techniques be employed. This will provide good ground nesting bird, and invertebrate habitat. "

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - TO BE DETERMINED

5. 7/2008/0420/DM APPLICATION DATE: 1 August 2008

PROPOSAL: **CONSTRUCTION OF NEW ROUNDABOUT AND ACCESS ARRANGEMENTS**

LOCATION: **LAND AT MIDDRIDGE ROAD/GREENFIELD WAY NEWTON AYCLIFFE CO DURHAM**

APPLICATION TYPE: Detailed Application

APPLICANT: Yuill Homes
Cecil House, Loyalty Road, Hartlepool, TS25 5BD

CONSULTATIONS

1. GREAT AYCLIFFE TC
2. Cllr. V Crosby
3. Cllr. D Bowman
4. Cllr. Irene Hewitson
5. DCC (TRAFFIC)
6. MIDDRIDGE P.C.
7. ENV AGENCY
8. ENGINEERS
9. L.PLANS
10. Sustainable Communities

NEIGHBOUR/INDUSTRIAL

Bluebells
Ridge View
Malbrineath
Gulf Petrol Filling Station
Alverton Drive:57,59,61,63,65,67,69,38,40,42,44,46,48,50
Gamul Close:10,9,8,7
Raddive Close:10,11,12,14

BOROUGH PLANNING POLICIES

D3 Design for Access

BACKGROUND

Detailed planning approval was first granted to construct a roundabout at this location in 1999 (App. No. 1999/0047). The roundabout was designed to provide vehicular access to the adjacent site at Eldon Whins which was allocated for housing development under Policy H7 Sedgfield Borough Local Plan (1996).

SEDGEFIELD BOROUGH COUNCIL
PLANNING APPLICATIONS - TO BE DETERMINED

This planning consent was not implemented and, as such, a second planning application was submitted in 2004 (App. No. 2004/0589/DM). This application was also approved but once again was not implemented.

In September 2007 Policy H7 was deleted as part of the Statutory review of the Development Plan and as a consequence is no longer allocated for residential development.

In April 2008 a third planning application (App. No.2008/0198) was received to construct a roundabout and this application was accompanied by an outline application (App. No.2008/0197) for 400 houses. In June 2008 both applications were refused. The application for residential development was refused primarily on the grounds that the application represented the development of a green field site in the open countryside and the applicants have until 19 December in which to appeal. The application for the roundabout was refused because insufficient ecological information had been supplied at that time in order to adequately assess the ecological status of the existing site or to assess the implications of development. Rather than appeal against the decision the applicant has now commissioned the ecological information which was previously omitted, hence, the resubmission for the roundabout.

THE PROPOSAL

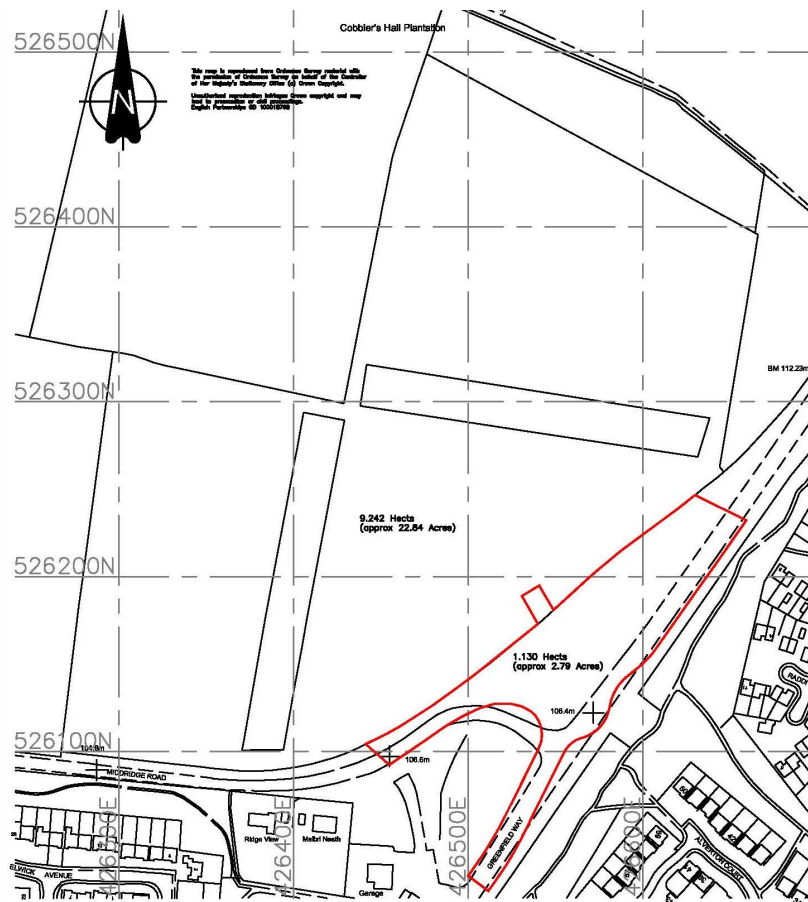
Detailed planning permission is being sought for the construction of a 4 arm roundabout and associated access arrangements at land at Greenfield Way and Middridge Road, Newton Aycliffe.

The application has been accompanied by a Design and Access Statement to explain how the location of the roundabout and access road has been designed to minimise the visual and environmental impact of the proposal whilst accommodating both the estimated traffic flow for the local traffic and could service the proposed development site. As outlined above a detailed Ecological Assessment Report has also been submitted in support of this planning application.

It is proposed to replace the current unsatisfactory 'T' junction with a roundabout, the centre of which would be located in the existing highway verge to the north of the existing junction of Middridge Road and Greenfield Way.

The site location is outlined below.

SEDFIELD BOROUGH COUNCIL
PLANNING APPLICATIONS - TO BE DETERMINED



The proposed roundabout would have four roads leading off it namely Middridge Road westwards towards Middridge Village and Shildon, Greenfield Way to the north east towards Rushyford, Greenfield Way to the south west towards the western parts of Newton Aycliffe and lastly a northern leg to serve the proposed housing development site at Eldon Whins.

Greenfield Way would be substantially re-aligned to meet the roundabout and Middridge Road would be re-aligned to join the roundabout thereby eliminating the sharp bend in the road immediately before the existing junction is reached.

Whilst the roundabout has primarily been designed to facilitate access to and from the adjacent development site to the west, an added benefit of the scheme would be to slow down traffic currently travelling along Greenfield Way and create a safer environment for pedestrians, cyclists and road users in general. It should be noted that the proposals to develop the wider area to the west for residential purposes has previously been refused by this Council, however, the applicant retains a right of appeal regarding this refusal.

SEDFIELD BOROUGH COUNCIL
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Two Ash trees are located in this highway verge but both of these are to be safeguarded within this proposal. The submitted details do not include detailed plans of the associated landscaping, footways, cycle paths, bus lay bys or street lighting details. It has been suggested that these details be agreed by condition.

CONSULTATION RESPONSES

A summary of the consultation responses received has been outlined below for Members' consideration.

Great Aycliffe Town Council has raised no objection regarding this proposal.

Middridge Parish Council has formally objected to this proposal. The Parish Council point out that the primary justification for the proposal outlined within the submitted Design and Access statement 'to allow safe and suitable access to the Eldon Whins site for the proposed residents and visitors' is without merit because planning approval to develop the proposed housing site to the west of the proposed roundabout has previously been refused by Sedgefield Borough Council. Concern was also raised that the planning application does not contain details of the proposed footpath and cycle ways associated with this proposal.

Durham County Council's Highway Engineer **has stated that the principle of the roundabout at this location has been established for some time. The layout of the proposed roundabout is generally considered acceptable; however, the detailed design and**

SEDFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - TO BE DETERMINED

construction of the works associated with the roundabout would need to be carried out by Durham County Council under a Section 278 Agreement under the Highway Act 1980.

It was also stated that there may be a need to create bus lay-bys on the north-eastern exit and approach to the roundabout if bus penetration cannot be achieved into the adjacent housing site. It was also noted that the construction works would alter the street lighting arrangements in this area. It was also pointed out that the current siting of the proposed roundabout may potentially require the permission of the Borough Council as landowner, an issue that needs to be clarified prior to commencement.

It was also recommended that the proposed roundabout, including footway / cycleway links and any public transport infrastructure works must be completed prior to the occupation of any dwelling located at the adjacent planning application site (were this to be approved under a separate planning application).

It was also pointed out that the existing highway drainage system on the C35 Mldridge Road has capacity difficulties. As such, it was stated that the applicant must contact Durham County Council direct to confirm the highway drainage improvements the applicant will need to fund prior to the discharge of any surface water from the proposed roundabout.

Durham County Council's Archaeologist has raised no objection regarding this proposal subject to the imposition of a planning condition requiring the applicant to submit and carry out an agreed programme of archaeological works within this area.

The Environment Agency has confirmed that they would not object to this proposal provided that surface water is disposed of into main sewers, as stated within the planning application. However, if the sewerage system owner does not agree to total discharge they have been asked to be reconsulted.

Sedgefield Borough Council's Countryside Officer has stated that the highway verge where the roundabout is to be located is currently being managed traditionally, by an annual late summer hay-cut, in order to encourage high species diversity.

As such there are a variety of plant species, which are currently present within the grassland sward. This verge forms part of a larger corridor, locally known as Aycliffe Butterfly Meadows, which runs from Bluebell Garage, through to the Town Council Offices. The whole of this linear habitat is managed in the same way, and as such has a good variety of plant species. This verge therefore forms an important corridor for species (plant and animal) migration. Road Verges of Conservation Importance are listed as a priority habitat under the Durham Biodiversity Action Plan (DBAP), and as such is capable of being a material consideration in the making of planning decisions (PPS 9 - Biodiversity and Geological Conservation).

It was recommended that a phase 2 vegetation survey be undertaken of this stretch of grassland verge, to ascertain the current range of plants in this area. This would determine what our options are with respect to maintaining or enhancing biodiversity as part of this application.

A phase 2 survey has now been carried out and this has demonstrated that the site does contain a number of ground flora species'. However, this survey has confirmed that the species listed are very common of open woodlands and hedgerows and although attractive, are not

SEDFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - TO BE DETERMINED

listed under the Durham BAP. The area in question is also quite narrow in width (2-3m) and is a transitional area between the grassland habitat of the verge and an open woodland/hedgerow habitat. It has been confirmed that the hedgerow boundary will remain in situ (apart from access road) so there will be very little overall loss of habitat across the site. A strip of vegetation on the opposite side of the hedgerow to match that being removed as part of the roundabout works on the road side of the hedgerow can be left and possibly seeded with appropriate species mix or left to colonise naturally in order to retain the wildlife corridor. This would effectively double the amount of the habitat type.

The Countryside Officer has confirmed that the mitigation works proposed are satisfactory and has suggested that these provisions are incorporated into the landscape design for the roundabout.

Sedgefield Borough Council's Highways Engineer has no objections on highway grounds to the proposal provided that the design and specification of the proposed roundabout is agreed with the Highway Authority.

PUBLICITY RESPONSES

Although this application has been advertised via the posting of several site notices around the application site and direct neighbour notification no representations have been received from local residents regarding this proposal.

PLANNING CONSIDERATIONS

Notwithstanding the fact that the roundabout is designed to serve a site which is no longer considered acceptable for residential development, the Council have to consider the planning merits of the current proposal. Whilst it would appear to be irrational to consider an application for a roundabout to serve a site which is no longer considered to be suitable for residential development the current application could not be refused on these grounds as they are not material to the consideration of the application.

Planning Policy

Notwithstanding the principle objection to the residential development proposal at the adjacent site the proposed roundabout itself is considered acceptable in Policy terms.

Highway Implications

As mentioned Durham County Council's Highway Engineer has stated that the principle of the new roundabout is considered to be acceptable subject to the applicant entering into a Section 278 Agreement and the proposed roundabout, including the footway / cycleway links and any public transport infrastructure works, are completed prior to the occupation of the first dwelling at the adjacent development site, if this separate scheme were to be granted planning approval.

It was also recommended that the proposed roundabout, including footway / cycleway links and any public transport infrastructure works must be completed prior to the occupation of any dwelling located at the adjacent planning application site, if this were to be granted planning approval.

SEDGEFIELD BOROUGH COUNCIL
PLANNING APPLICATIONS - TO BE DETERMINED

Have the ecological issues been fully and adequately addressed ?

The potential impact of proposed development upon wildlife species protected by law is of paramount importance in making any planning decision. It is a material planning consideration which, if not properly addressed, could place the Local Planning Authority vulnerable to legal challenge on a decision to grant planning permission without taking into account all relevant planning considerations. Subsequent injury to, or loss of protected wildlife species or associated habitat could leave the authority, including its officers and Members, at risk of criminal prosecution.

Circular 06/2005 emphasises the weight that must be attached to the impact that development may have upon protected wildlife species in Paragraph 99;

“It is essential that the presence or otherwise of protected species, and the extent that they be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant considerations may not have been addressed in making the decision”.

Following commissioning and submission of the Phase 2 vegetation survey it has now been demonstrated that the site does contain a number of ground flora species'. Although attractive, these are not listed under the Durham BAP and can be found almost anywhere in the County.

Whilst the proposed construction of the proposed roundabout would result in the limited loss to this habitat compensatory measures can be undertaken for a strip of vegetation on the opposite side of the hedgerow to be safeguarded and seeded with appropriate species mix or left to colonise naturally in order to retain and enhance this wildlife corridor. Thereby, further improving the bio-diversity of this area.

CONCLUSION

In conclusion, it is considered that the design and layout of the proposed roundabout is satisfactory in planning Policy and highway terms and it has been demonstrated that the proposed works will not detrimentally affect bio-diversity in this area. Although concern has been raised that the submitted scheme does not include details of the proposed footpath and cycle provision these are matters which can be conditioned as part of a planning approval and would be resolved prior to construction of the proposed roundabout.

Whilst the proposed roundabout design is considered satisfactory in planning terms, the Local Planning Authority remains of the opinion that the proposed development of the land to the west for residential purposes remains unacceptable. Should members be minded to approve the application it is proposed to include an informative stating that approving the application does not imply that consent will be forthcoming for residential development on the adjoining site and does not prejudice this Council's earlier refusal of that scheme.

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 approve

SEDFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - TO BE DETERMINED

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

HUMAN RIGHTS IMPLICATIONS

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

RECOMMENDATION

It is RECOMMENDED that the application be granted subject to the following conditions:

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

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

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

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

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

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

4. The development hereby approved shall be carried out in accordance with the mitigation works detailed within Section 4.5 of the Eldon Whins, Midridge Road, Newton Aycliffe, Co. Durham – Ecological Assessment Report dated 18/07/08.

Reason: In order to safeguard protected species in accordance with PPS 9 - Biodiversity and Geological Conservation.

5. Any vegetation clearance work, including the felling of trees, or removal of hedgerows should be undertaken over the winter months (September – March), well in advance of the bird breeding season, to ensure legal compliance. At any other time of year the area will need to be checked for nests by a suitably qualified ecologist prior to removal.

Reason: In order to safeguard protected species in accordance with PPS 9 - Biodiversity and Geological Conservation

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PLANNING APPLICATIONS - TO BE DETERMINED

6. Full details of the footways, cycle paths and bus lay by including the timing of implementation shall be submitted to and approved by the Local Planning Authority before work commences. The footways, cycle paths and bus lay bys so approved shall be provided in accordance with the approved details.

Reason: In order to ensure that the proposal makes satisfactory and safe provision for pedestrians, cyclists and public transport in accordance with Policy D3 of the Sedgefield Borough Local Plan.

7. No development shall take place until the applicant has secured the implementation of an agreed programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.

Reason: The site is in an area of high archaeological potential requiring archaeological investigation as required by PPG16.

8. No development approved by this permission shall be commenced until the Local Planning Authority has approved a detailed scheme for the discharge of surface water drainage from the proposed roundabout in writing. The details thereby approved shall be implemented in accordance with approved details to the satisfaction of the Local Planning Authority.

Reason: To ensure that the proposed roundabout would not exacerbate existing flooding problems and to comply with PPS25.

INFORMATIVE: REASON FOR GRANT OF PLANNING PERMISSION

In the opinion of the Local Planning Authority the proposal is acceptable in terms of highway safety and design and would not cause significant harm to the amenity of 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 material considerations.

D3 DEVELOPMENTS SHOULD NORMALLY MAKE SATISFACTORY AND SAFE PROVISION FOR PEDESTRIANS, CYCLISTS, PUBLIC TRANSPORT, CARS AND OTHER VEHICLES.

Item 6

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - COUNTY MATTERS

1. 7/2008/0442/CM

APPLICATION DATE: 13 August 2008

PROPOSAL: PROPOSED EXTENSION TO ENGLISH BLOCK TO PROVIDE A NEW ACCESSIBLE WC WITH CHANGING BED

LOCATION: GREENFIELD COMMUNITY & ARTS COLLEGE GREENFIELD WAY
NEWTON AYCLIFFE CO DURHAM

APPLICANT: Durham County Council
Mr Brian Robinson, Corporate Services, County Hall, Durham, DH1 5UL

CONSULTATIONS

1. GREAT AYCLIFFE TC
2. Cllr. V Crosby
3. Cllr. D Bowman
4. Cllr. Irene Hewitson
5. BUILDING CONTROL
6. ENGINEERS
7. ENV. HEALTH

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

This proposal involves the construction of an extension to the Greenfield Community and Arts College in Newton Aycliffe.

The proposed extension is to provide a new accessible WC and changing facility in the existing English block. The development would measure approximately 3 metres by 4 metres and would be constructed from bricks to match the existing property.

CONSULTATION AND PUBLICITY

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

PLANNING CONSIDERATIONS

The proposed development is extremely minor in nature and will not be visible from off the application site. The development will provide a much needed facility for the school and will not have any impact upon the amenity of the area or the character of the building. It is therefore

SEDGEFIELD BOROUGH COUNCIL
PLANNING APPLICATIONS - COUNTY MATTERS

considered that the development is be acceptable in terms of scale and design. Furthermore, there will be minimal loss of any recreational space as a result of this development.

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 this proposal.

SEDGEFIELD BOROUGH COUNCIL
PLANNING APPLICATIONS - COUNTY MATTERS

2. 7/2008/0459/CM

APPLICATION DATE: 15 August 2008

PROPOSAL: PROPOSED ERECTION OF 1800MM HIGH GREEN POWDER COATED MESH PANEL FENCING AND 3000MM HIGH GREEN COATED MESH SPORTS REBOUND FACILITIES

LOCATION: CHILTON PRIMARY SCHOOL CHILTON CO DURHAM

APPLICANT: Mr Charles Mercer
Durham County Council, Estates Division , Corporate Services, Room 1/65, County Hall, Durham

CONSULTATIONS

1. CHILTON P.C.
2. Cllr. C. Potts
3. Cllr. T.F. Forrest
4. Cllr. B.F. Avery
5. BUILDING CONTROL
6. ENGINEERS
7. ENV. HEALTH
8. LANDSCAPE ARCH

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

Planning permission is being sought for the erection of an 1800mm green powder coated mesh fence, a 3000mm ball stop fence and 2no. 1500mm single access gates within the grounds of Chilton primary School, Chilton. The aim is to create a segregated junior playground area and Sure Start/early years garden area, whilst maintaining a pedestrian access to the main entrance of the building. Such works will also involve the replacement of existing 1200mm mesh and steel palisade fencing on the site (much of which was only approved back in 2005 – see *planning history*).

The latest OFSTED report for this school identified security/safety concerns with the existing low fencing along the front of the school building, with a subsequent risk assessment for site security identifying a need to upgrade this fencing in key locations. Submitted plans show this 1800mm fencing to be erected along the school frontage and around the aforementioned playground area to the west, with the proposed 3000mm ball stop fence to be sited to the western elevation of the sports hall, which is timber clad and being damaged by balls being kicked against it.

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PLANNING HISTORY

- 7/2005/0562/CM (*Erection of boundary fence*) – Recommended that the County Council considers utilising an alternative form of fencing, such as ‘Paladin’ fencing, which would be more suitable in appearance given its siting within a residential area.

PLANNING CONSIDERATIONS

This application is considered to accord with the requirements of adopted Local Plan Policy L11 (*Development of new and improved community buildings*), which seeks to encourage improvements to community facilities providing they are appropriate in scale and character to the surrounding area and do not significantly harm the living conditions for nearby residents. The new fencing design is considered an improvement upon that previously approved on the site, being more sympathetic to its residential surroundings, and a noticeable deviation from the recently installed ‘industrial style’ palisade fencing.

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 raises no objections to this proposal.

SEDGEFIELD BOROUGH COUNCIL
PLANNING APPLICATIONS - COUNTY MATTERS

3. 7/2008/0497/CM

APPLICATION DATE: 10 September 2008

PROPOSAL: ERECTION OF COVERED WALKWAY TO SCHOOL FRONTAGE

LOCATION: CLEVES CROSS PRIMARY SCHOOL FERRYHILL CO DURHAM

APPLICANT: Mrs Alison Lazenby
Cleves Cross Primary School, Ferryhill, Co Durham, DL17 8QY

CONSULTATIONS

1. FERRYHILL TOWN COUNCIL
2. ENGINEERS 10/09/2008 01/10/2008
3. ENV. HEALTH 10/09/2008 01/10/2008
4. L.PLANS 10/09/2008 01/10/2008
5. Cllr. D.A. Newell 10/09/2008 01/10/2008
6. Cllr. P Crawthorne 10/09/2008 01/10/2008
7. Cllr. B Lamb 10/09/2008 01/10/2008
8. BUILDING CONTROL 11/09/2008 02/10/2008

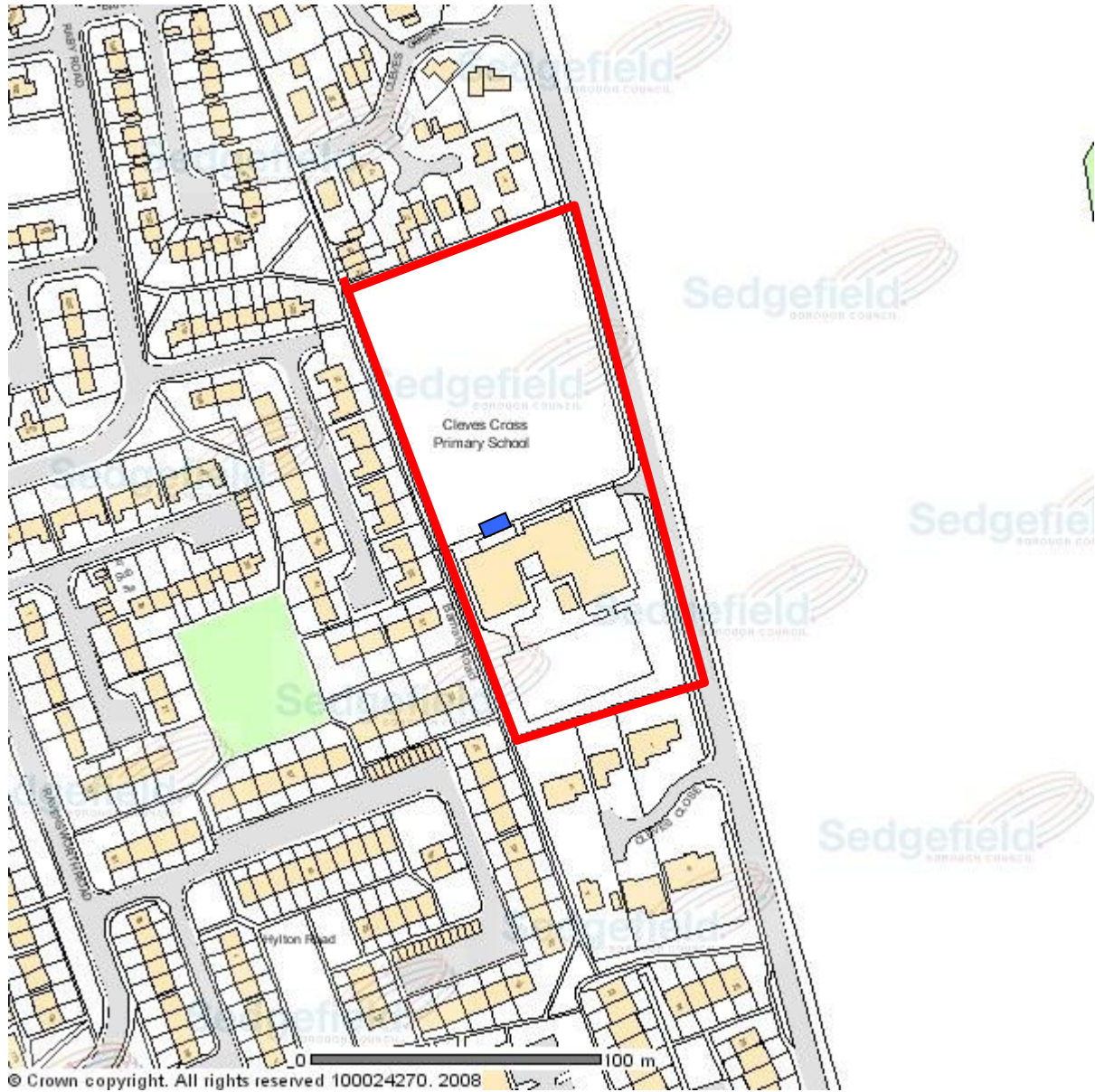
This application is for development by Durham County Council and will therefore be dealt with by the County Council under Regulation 3 of the Town and Country Planning General Regulations 1992. The views of the Borough Council have been sought upon the proposal as a consultee.


THE PROPOSAL

Planning permission is being sought for the erection of a covered walkway to the front (northern) elevation of Cleves Cross Primary School, Ferryhill. Working with Durham County Council as part of the Travel Planning Initiative (which aims to increase the number of students walking, cycling and travelling sustainable to help reduce congestion around the school), this project will allow a natural place for parents to congregate when dropping off and waiting for pupils, away from the main road, therefore encouraging increased pedestrian use of the school. The proposed location of this structure (*see plan below*) is presently hard surfaced (bitmac footway construction measuring 5m wide by 30m in length), and sited in a prominent position adjacent to the large school playing field to the north. This structure will measure approximately 2.5m in height.

This walkway will be constructed from translucent cladding with a mild steel frame (light blue powder coating finish). The school grounds are well secured, enclosed by metal palisade security fencing and well screened by natural landscaping, with pedestrian access from Barnard Road to the west and vehicular access from the east. Having investigated other possible sites for this shelter, this location is considered the most appropriate with regard to safe access, security and practicality.

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PLANNING APPLICATIONS - COUNTY MATTERS



Proposed site of walkway 

Application site (looking south towards school building and proposed shelter site):

SEDGEFIELD BOROUGH COUNCIL
PLANNING APPLICATIONS - COUNTY MATTERS



CONSULTATION AND PUBLICITY

- Ferryhill Town Council have raised no objections to this proposal,
- The Sedgefield Borough Highways Engineer has raised no objections to this proposal on highway grounds,
- The Sedgefield Borough Environmental Health team have raised no objections to this proposal,

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

PLANNING HISTORY

- No planning history for this site

PLANNING CONSIDERATIONS

The application is considered to accord with the requirements of adopted Local Plan Policies L11 (*Development of new and improved community buildings*), D2 (*Design for People*), and D3 (*Design for Access*) which together seek to encourage improvements to community facilities providing they are appropriate in scale and character to the surrounding area and do not significantly harm the living conditions for nearby residents, whilst meeting the access needs of users of the development, minimising traffic/pedestrian conflicts. The structure will be of an acceptable scale and design, being set against the backdrop of the adjacent school building and visible primarily from the north and west only. The nearest residential properties to the north are in excess of 100metres away and sufficiently screened by landscaping and fencing. The development will therefore have little impact upon the residential amenity of the area.

SEDGEFIELD BOROUGH COUNCIL
PLANNING APPLICATIONS - COUNTY MATTERS

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 raises no objections to this proposal.

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Item 7

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - DELEGATED DECISIONS

1. 7/2008/0248/DM OFFICER:Mark O'Sullivan

APPLICATION DATE: 22 August 2008

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

LOCATION: 86 STONEYBECK BISHOP MIDDLEHAM FERRYHILL CO DURHAM

APPLICANT: Mr Alan Fishwick
86 Stoneybeck, Bishop Middleham, County Durham, DL17 9BN

DECISION: STANDARD APPROVAL on 22 September 2008

2. 7/2008/0457/DM OFFICER:Mark O'Sullivan

APPLICATION DATE: 20 August 2008

PROPOSAL: ERECTION OF SINGLE STOREY REAR EXTENSION

LOCATION: 5 HAREBELL CLOSE SPENNYMOOR
CO DURHAM DL16 6FQ

APPLICANT: Mr Malcolm Lamb
5 Harebell Close, The Coppice, Spennymoor, County Durham, DL16 6FQ

DECISION: STANDARD APPROVAL on 12 September 2008

3. 7/2008/0456/DM OFFICER:David Gibson

APPLICATION DATE: 19 August 2008

PROPOSAL: ERECTION OF SINGLE STOREY SIDE AND REAR EXTENSION

LOCATION: 24 GILPIN ROAD NEWTON AYCLIFFE CO DURHAM

APPLICANT: Mrs L Maddison
24 Gilpin Road, Newton Aycliffe, Co Durham, DL5 5EQ

DECISION: STANDARD APPROVAL on 12 September 2008

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - DELEGATED DECISIONS

4. 7/2008/0454/DM OFFICER:Mark O'Sullivan

APPLICATION DATE: 19 August 2008

PROPOSAL: ERECTION OF SUN ROOM EXTENSION TO THE REAR

LOCATION: 14 STUDLEY DRIVE SPENNYMOOR CO DURHAM

APPLICANT: Mr John Davidson
14 Studley Drive, Spennymoor, Co Durham

DECISION: STANDARD APPROVAL on 12 September 2008

5. 7/2008/0453/DM OFFICER:David Gibson

APPLICATION DATE: 20 August 2008

PROPOSAL: ERECTION OF SINGLE STOREY REAR EXTENSION

LOCATION: 3 ST EDMUNDS TERRACE SEDGEFIELD STOCKTON-ON-TEES TS21
3AW

APPLICANT: Mr Paul Anderson
3 St Edmunds Terrace, Sedgefield, TS21 3AW

DECISION: STANDARD APPROVAL on 22 September 2008

6. 7/2008/0450/DM OFFICER:Mark O'Sullivan

APPLICATION DATE: 19 August 2008

PROPOSAL: VARIATION OF CONDITION 1 OF PLANNING PERMISSION
7/2008/0026/DM TO SUBSTITUTE THE REQUIREMENT FOR A
CONTINUOUS MEANS OF ENCLOSURE TO THE SOUTH WEST OF THE
APPROVED DWELLING WITH A VEHICULAR AND PEDESTRIAN
ACCESS INCLUDING GATES AND BOUNDARY WALL

LOCATION: THE BUNGALOW DENHAMFIELDS GARAGE COMMERCIAL STREET
FERRYHILL CO DURHAM DL17 0DF

APPLICANT: Mr K Crabtree
Denhamfields Garage , Commercial Street, Ferryhill, Durham, DL17 0DF

DECISION: STANDARD APPROVAL on 19 September 2008

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - DELEGATED DECISIONS

7. 7/2008/0446/DM OFFICER:Mark O'Sullivan

APPLICATION DATE: 13 August 2008

PROPOSAL: ERECTION OF SINGLE STOREY REAR EXTENSION

LOCATION: 19 ST BEDE AVENUE FISHBURN CO DURHAM

APPLICANT: Mr D Wright
19 St Bede Avenue, Fishburn , Co Durham

DECISION: STANDARD APPROVAL on 9 September 2008

8. 7/2008/0444/DM OFFICER:David Gibson

APPLICATION DATE: 19 August 2008

PROPOSAL: ERECTION OF SINGLE STOREY EXTENSION TO SIDE AND REAR
COMPRISING GARAGE, UTILITY ROOM AND SUN ROOM

LOCATION: 21 BUTTERWICK COURT WOODHAM CO DURHAM

APPLICANT: Mr W Connor
21 Butterwick Court, Woodham, Newton Aycliffe, Co Durham, DL5 4RD

DECISION: STANDARD APPROVAL on 12 September 2008

9. 7/2008/0441/DM OFFICER:Mark O'Sullivan

APPLICATION DATE: 12 August 2008

PROPOSAL: ERECTION OF CONSERVATORY TO THE REAR

LOCATION: 12 TROUTBECK CLOSE SPENNYMOOR CO DURHAM

APPLICANT: Mr Stephen Hunter
12 Troutbeck Close, Spennymoor, Co Durham

DECISION: STANDARD APPROVAL on 22 September 2008

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - DELEGATED DECISIONS

10. 7/2008/0439/DM OFFICER:Mark O'Sullivan

APPLICATION DATE: 22 August 2008

PROPOSAL: ALTERATIONS TO FRONT WALL AND EXTENSION TO DROPPED KERB

LOCATION: 65 BECKWITH CLOSE SPENNYMOOR CO DURHAM

APPLICANT: Mr Anthony Quinn
65 Beckwith Close, Kirk Merrington, Spennymoor, Co Durham

DECISION: STANDARD APPROVAL on 19 September 2008

11. 7/2008/0435/DM OFFICER:Mark O'Sullivan

APPLICATION DATE: 11 August 2008

PROPOSAL: ERECTION OF SINGLE STOREY GARDEN ROOM TO THE REAR,
CONSTRUCTION OF PITCHED ROOF OVER EXISTING GARAGE AND
KITCHEN AND ERECTION OF FRONT PORCH

LOCATION: 97 MAYFIELDS SPENNYMOOR CO DURHAM

APPLICANT: Mr P Best
97 Mayfields, Spennymoor, Co Durham

DECISION: STANDARD APPROVAL on 9 September 2008

12. 7/2008/0431/DM OFFICER:Mark O'Sullivan

APPLICATION DATE: 12 August 2008

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

LOCATION: 14 ST MARYS GROVE SPENNYMOOR DL16 6LR

APPLICANT: Dr Andrew Sanderson
14 St. Mary's Grove, Tudhoe, Co. Durham, DL16 6LR

DECISION: STANDARD APPROVAL on 9 September 2008

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - DELEGATED DECISIONS

13. 7/2008/0428/DM OFFICER:Mark O'Sullivan

APPLICATION DATE: 11 August 2008

PROPOSAL: ERECTION OF TWO STOREY EXTENSION TO THE REAR TO PROVIDE ADDITIONAL SURGERIES AND OFFICES

LOCATION: DENTIST SURGERY DURHAM ROAD OLD SORTING OFFICE
FERRYHILL CO DURHAM DL17 8LG

APPLICANT: Burgess Hyder Group
Ferryhill Dental Health, Centre, Durham Road, Ferryhill, Co Durham

DECISION: STANDARD APPROVAL on 12 September 2008

14. 7/2008/0423/DM OFFICER:Mark O'Sullivan

APPLICATION DATE: 4 August 2008

PROPOSAL: ERECTION OF CONSERVATORY TO THE REAR

LOCATION: 28 GERARD STREET SPENNYMOOR CO DURHAM

APPLICANT: Mr Paul Grainger
28 Gerard Street, Spennymoor, Co Durham

DECISION: STANDARD APPROVAL on 18 September 2008

15. 7/2008/0466/DM OFFICER:Mark O'Sullivan

APPLICATION DATE: 21 August 2008

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

LOCATION: LAND ADJACENT TO 48 NORTH STREET SPENNYMOOR CO DURHAM

APPLICANT: Mrs J Walker
48 North Street, Spennymoor, Co Durham

DECISION: STANDARD APPROVAL on 22 September 2008

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - DELEGATED DECISIONS

16. 7/2008/0419/DM OFFICER:Mark O'Sullivan

APPLICATION DATE: 28 July 2008

PROPOSAL: ERECTION OF SUN ROOM EXTENSION TO THE REAR

LOCATION: 21 WESTFIELD TERRACE BISHOP MIDDLEHAM CO DURHAM

APPLICANT: Mr P Caislaw
21 Westfield Terrace, Bishop Middleham , Ferryhill, Co Durham

DECISION: STANDARD APPROVAL on 9 September 2008

17. 7/2008/0415/DM OFFICER:Mark O'Sullivan

APPLICATION DATE: 4 August 2008

PROPOSAL: ERECTION OF EXTENSION TO FRONT

LOCATION: 26 THE GREEN BISHOP MIDDLEHAM FERRYHILL CO DURHAM DL17 9BE

APPLICANT: Mrs Jayne Brownlee
26 The Green, Bishop Middleham, Ferryhill, County Durham, DL17 9BE

DECISION: STANDARD APPROVAL on 12 September 2008

18. 7/2008/0411/DM OFFICER:David Gibson

APPLICATION DATE: 28 July 2008

PROPOSAL: CHANGE OF USE OF PART OF 19 MAIN STREET FROM RESIDENTIAL TO RETAIL SHOP (EXTENSION OF EXISTING RETAIL SHOP AT 17 MAIN STREET)

LOCATION: 17/19 MAIN STREET SHILDON CO DURHAM

APPLICANT: Mr R Newton
14 Spitfire Court, Scorton, Richmond, North Yorks, DL10 7TF

DECISION: STANDARD APPROVAL on 19 September 2008

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - DELEGATED DECISIONS

19. 7/2008/0409/DM OFFICER:Mark O'Sullivan

APPLICATION DATE: 21 July 2008

PROPOSAL: DISPLAY OF 2 NO. DIRECTIONAL SIGNS, 1 NO. INTERNALLY ILLUMINATED WALL MOUNTED SIGN AND 2 NO. INTERNALLY ILLUMINATED GOAL POST SIGNS

LOCATION: LIDL FOODSTORE WESLEYAN ROAD SPENNYMOOR CO DURHAM

APPLICANT: Mr Gary Rafferty
Lidl Uk, Parsons Court , Welbury Way, Aycliffe Business Park, Newton Aycliffe, Co Durham

DECISION: STANDARD APPROVAL on 18 September 2008

20. 7/2008/0404/DM OFFICER:Mark O'Sullivan

APPLICATION DATE: 29 July 2008

PROPOSAL: ERECTION OF 1 NO. DWELLING

LOCATION: LAND ADJACENT TO 29 WOOD STREET SPENNYMOOR CO DURHAM

APPLICANT: Mrs K Thompson
29 Wood Street, Spennymoor, Co Durham

DECISION: STANDARD APPROVAL on 18 September 2008

21. 7/2008/0389/DM OFFICER:Mark O'Sullivan

APPLICATION DATE: 14 July 2008

PROPOSAL: ERECTION OF CONSERVATORY TO THE REAR

LOCATION: 21 NEWLANDS ROAD TRIMDON VILLAGE CO DURHAM

APPLICANT: Mr & Mrs Fleming
21 Newlands Road, Trimdon Village, Co Durham

DECISION: STANDARD APPROVAL on 8 September 2008

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - DELEGATED DECISIONS

22. 7/2008/0387/DM OFFICER:Mark O'Sullivan

APPLICATION DATE: 23 July 2008

PROPOSAL: ERECTION OF GARAGE AND UTILITY ROOM TO THE SIDE AND CONSTRUCTION OF CANOPY TO THE FRONT

LOCATION: 16 LABURNUM ROAD CHILTON LANE FERRYHILL CO DURHAM
FERRYHILL
DL17 0DS

APPLICANT: Mr Robert Johnson
16 Laburnum Road, Chilton Lane , Ferryhill, Co Durham

DECISION: STANDARD APPROVAL on 17 September 2008

23. 7/2008/0385/DM OFFICER:David Gibson

APPLICATION DATE: 28 July 2008

PROPOSAL: CREATION OF ACCESS

LOCATION: THE PADDOCK 3 HOWE HILLS ELSTOB LANE SEDGEFIELD CO
DURHAM TS21 2HF

APPLICANT: Mr Len Farley
The Paddock, 3 Howe Hills, Elstob Lane, Mordon, Sedgefield, Durham, TS21
2HF

DECISION: STANDARD APPROVAL on 22 September 2008

24. 7/2008/0373/DM OFFICER:Mark O'Sullivan

APPLICATION DATE: 5 August 2008

PROPOSAL: ERECTION OF SINGLE STOREY REAR EXTENSION

LOCATION: LINUM SOUTH VIEW FISHBURN CO DURHAM TS21 4AL

APPLICANT: Mr Shaun Peacock
Linum, South View, Fishburn, Stockton on Tees, Cleveland, TS21 4AL

DECISION: STANDARD APPROVAL on 18 September 2008

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - DELEGATED DECISIONS

25. 7/2008/0364/DM OFFICER:David Gibson

APPLICATION DATE: 11 August 2008

PROPOSAL: ERECTION OF 3NO. EXTERNALLY ILLUMINATED SIGNS AND 3NO. NON ILLUMINATED SIGNS

LOCATION: THE GRETNA GREEN AYCLIFFE CO DURHAM DL5 6JG

APPLICANT: Joanne Bradford
107 Station Road, Burton Upon Trent, Staffordshire, DE14 1BZ

DECISION: STANDARD APPROVAL on 22 September 2008

26. 7/2008/0355/DM OFFICER:David Gibson

APPLICATION DATE: 21 July 2008

PROPOSAL: ERECTION OF CONSERVATORY TO REAR

LOCATION: 29 CUMBY ROAD NEWTON AYCLIFFE CO DURHAM

APPLICANT: Mr A Hill
29 Cumby Road, Newton Aycliffe, Co Durham, DL5 5JU

DECISION: STANDARD APPROVAL on 15 September 2008

27. 7/2008/0344/DM OFFICER:Mark O'Sullivan

APPLICATION DATE: 4 August 2008

PROPOSAL: DEMOLITION OF EXISTING WORKSHOP/BARN AND ERECTION OF A GRANNY ANNEXE WITH GARAGING

LOCATION: TYRE HOUSE FISHBURN CO DURHAM

APPLICANT: Mr & Mrs B & J Pike

DECISION: STANDARD REFUSAL on 29 September 2008

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - DELEGATED DECISIONS

28. 7/2008/0310/DM OFFICER:Mark O'Sullivan

APPLICATION DATE: 9 June 2008

PROPOSAL: AMENDMENT TO ORIGINAL APPLICATION 7/2005/0356/DM TO MODIFY REAR EXTENSION

LOCATION: 11 SOUTH VIEW SPENNYMOOR CO DURHAM

APPLICANT: Mr Ross
1 Gerard Street , Spennymoor, Co Durham

DECISION: STANDARD APPROVAL on 9 September 2008

29. 7/2008/0306/DM OFFICER:David Gibson

APPLICATION DATE: 14 July 2008

PROPOSAL: ERECTION OF 4 METRE HIGH STEEL FLOWER SCULPTURE

LOCATION: LAND AT GREENFIELD WAY NEWTON AYCLIFFE CO DURHAM

APPLICANT: Mr A Bailey
Great Aycliffe Town Council, Council Offices, School Aycliffe Lane, Newton Aycliffe, Co Durham, DL5 6QF

DECISION: STANDARD APPROVAL on 8 September 2008

30. 7/2008/0417/DM OFFICER:Mark O'Sullivan

APPLICATION DATE: 7 August 2008

PROPOSAL: DISPLAY OF ILLUMINATED COMPANY SIGN TO EAST ELEVATION

LOCATION: TRIDONIC BUTCHERS RACE GREEN LANE INDUSTRIAL ESTATE SPENNYMOOR CO DURHAM

APPLICANT: Mr Gavin Brydon
Tridonic Uk Ltd, Merrington Lane Ind Est, Spennymoor, Co Durham

DECISION: STANDARD APPROVAL on 12 September 2008

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - DELEGATED DECISIONS

31. 7/2008/0475/DM OFFICER:David Gibson

APPLICATION DATE: 28 August 2008

PROPOSAL: ERECTION OF CONSERVATORY TO REAR

LOCATION: 12 WINDSOR COURT SHILDON CO DURHAM

APPLICANT: Mr D Church
12 Windsor Court, Shildon, Co Durham, DL4 1PP

DECISION: STANDARD APPROVAL on 25 September 2008

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Item 8

SEDGEFIELD BOROUGH COUNCIL

APPEALS OUTSTANDING UP TO 1ST OCTOBER 2008

Ref.No. AP/2008/0001
Location LAND WEST OF HARDWICK PARK AND NORTH OF THE A689
SEDGEFIELD STOCKTON ON TEES
Proposal CHANGE OF USE OF THE LAND FOR THE SITING OF 330 STATIC
CARAVANS AND 48 LODGES TOGETHER WITH ANCILLARY
LANDSCAPE, ACCESS, DRAINAGE AND ENGINEERING WORKS AND
THE USE OF BRAKES FARMHOUSE AS A MANAGEMENT CENTRE
TOGETHER WITH THE ERECTION OF AN AGRICULTURAL BUILDING
TO INCLUDE ANCILLARY SHOP
Appellant Theakston Farms LLP
Received 27th February 2008

An Inspector's letter was received on 1st September 2008. The Appeal was Dismissed.
The details of the decision will be reported to Committee in due course.

Ref.No. AP/2008/0003
Location LOW HARDWICK FARM SEDGEFIELD CO DURHAM
Proposal USE OF LAND FOR OFF ROAD RECREATIONAL MOTOR SPORTS
ACTIVITY AND ASSOCIATED ENGINEERING OPERATIONS
(RETROSPECTIVE)
Appellant Mr Alf Walton
Received 25th March 2008

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

Ref.No. AP/2008/0005
Location REAR OF 51 ATTWOOD TERRACE TUDHOE SPENNYMOOR CO.
DURHAM
Proposal CHANGE OF USE FROM BAKEHOUSE TO 1NO. 2 BED DWELLING
INCLUDING INCREASING ROOF HEIGHT TO CREATE FIRST FLOOR
LIVING SPACE
Appellant Pauleen Sedgewick
Received 8th May 2008

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

Ref.No. AP/2008/0006
Location ST JOHNS SCHOOL HOUSE CENTRAL PARADE SHILDON CO
DURHAM
Proposal ERECTION OF DWELLING AND DETACHED DOUBLE GARAGE WITH
BOILER ROOM
Appellant Mr D Stephenson
Received 13th June 2008

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

Ref.No. AP/2008/0008/EN
Location 17 NORTH END SEDGEFIELD STOCKTON ON TEES
Proposal APPEAL AGAINST REMEDIAL NOTICE
Appellant Wendy Earnshaw
Received 24th July 2008

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

Ref.No. AP/2008/0009
Location 128 HIGH STREET BYERS GREEN SPENNYMOOR CO DURHAM
Proposal ERECTION OF TWO STOREY REAR EXTENSION
Appellant Mrs P Green
Received 24th July 2008

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

Ref.No. AP/2008/0010/EN
Location ST JOHNS SCHOOL HOUSE CENTRAL PARADE SHILDON CO DURHAM
Proposal ERECTION OF FENCE IN EXCESS OF PERMITTED HEIGHT USING INAPPROPRIATE MATERIALS
Appellant Mr David Stephenson
Received 13th August 2008

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

Ref.No. AP/2008/0011
Location ELM ROAD W.M.C 20 ELM ROAD SHILDON CO DURHAM
Proposal ERECTION OF SMOKING SHELTER TO FRONT ELEVATION
Appellant Mr David Bainbridge
Received 16th September 2008

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

Item 9

ITEM NO.

REPORT TO DEVELOPMENT CONTROL

10 October 2008

REPORT OF HEAD OF PLANNING

Planning and Development Portfolio

Tree Preservation Order No. 55/2008 1 Gilpin Road Newton Aycliffe

1. SUMMARY

- 1.1 A provisional Tree Preservation Order (TPO) was made at the above site on 24 July 2008. 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 area.

2 RECOMMENDATIONS

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

3. BACKGROUND

- 3.1 The mature tree provides a major landscape feature and contributes significantly to the character of the area.

The tree is highly visible in the landscape and is close to a local shopping area.

In order that the standards of pruning works can be controlled and the quality of the tree preserved it is considered necessary to give the tree legal protection.

This tree softens the impact made by the Oak Tree public house.

The tree is an excellent example of the species in very good condition.

The tree is scheduled to be felled.

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. Great Aycliffe Town Council was also consulted. 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 One letter of objection to the Order was received.

5. COMMENTS ON THE OBJECTIONS

5.1 Height of the roots

The height on the buttress roots are probably as a result of insertion of the driveway rather than any strain on the roots. The tree certainly does not show any of the characteristics of, what is called in forestry terms, 'partial wind throw'.

5.2 Effects of the root system

As we understand it, there is a fear of damage rather than any actual damage to your property. The reasons why tree roots *may* cause damage are very complicated. The local planning authority would need technical evidence to support the likelihood of damage before this objection could be given any weight. The tree is in the region of 80-100 years old and would appear to have caused only superficial movements of the driveway blocks hitherto.

5.3 Health and safety issues

Upon inspection the tree was considered an excellent specimen with no signs of weak branch attachment nor indications of disease. It would be very difficult for an adult to climb the tree. Any attempt to do so would involve trespass onto your property and we would assume that this in itself would negate any liability from third parties. We are not aware of any claim in the UK for such a scenario.

5.4 Tree felling in the wider area

Every tree felled is judged on its merits and liabilities. Discussion of each tree felled in Newton Aycliffe would be prohibitive but if you feel you need an explanation for specific trees we would only be too happy to provide the reasons for the management option.

In this case the local planning authority felt that the reasons for the retention of the tree outweighed the reasons for felling the tree.

5.5 Selling of timber

References to 'felling' appear to have been confused with the word 'selling'.

5.6 Responsibility for the tree

The responsibility for the tree remains with the landowner unless the local planning authority refuses works to the tree. The serving of a TPO does not constitute refusal of consent. Refusal of consent can only occur if an application for works is submitted and subsequently refused. Limited liability for any damage would then transfer to the local planning authority, the details of which are outlined in the Order. The issue of the cost of works is not a material consideration when considering the value of the tree to the community. We should however point out that the serving of the Order has saved the owners a considerable amount of money that would have been spent on removing the tree.

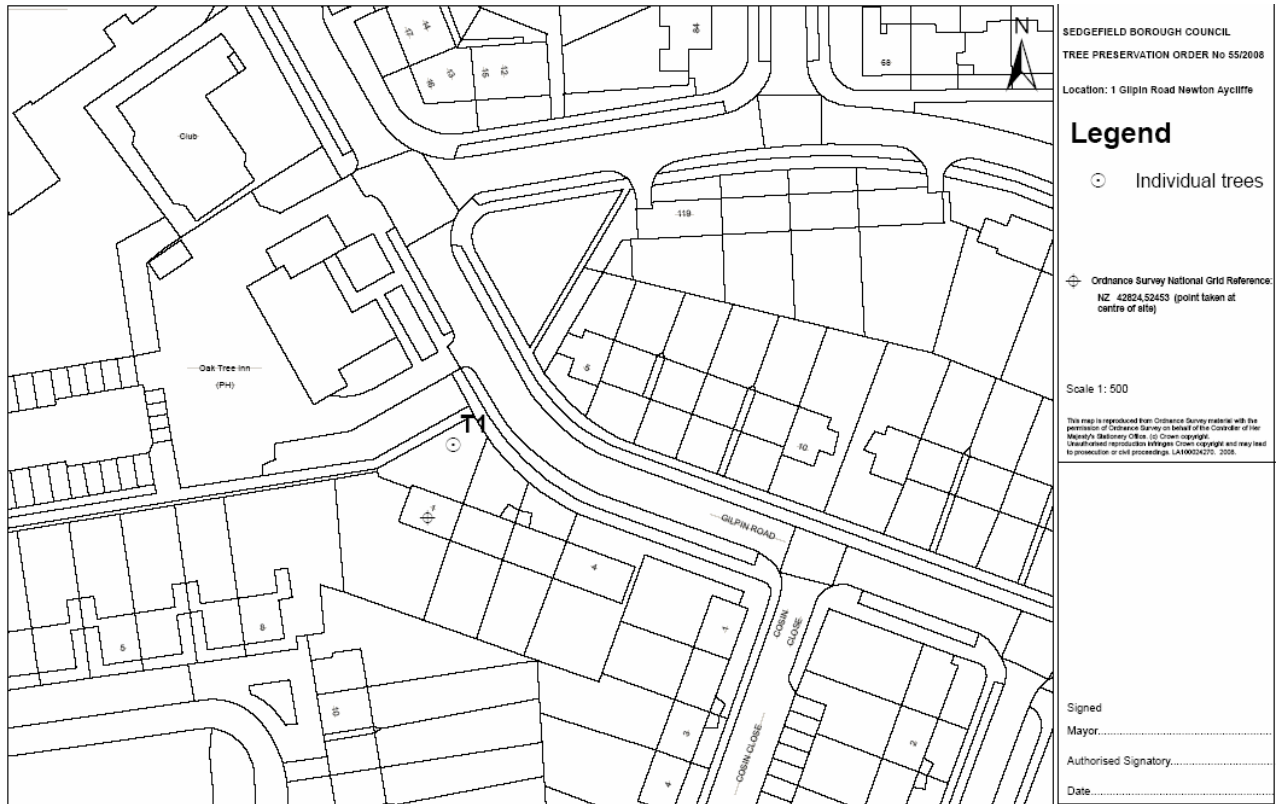
5.7 Landscape impact

The tree provides a partial screen and pleasant foil to the harsh brick and tarmac environment of the public house. The loss of the tree will be a significant loss to the local streetscene.

Following objections to TPO's we carry out a systematic assessment of the tree in question and we enclose the results of that assessment in item b of the Appendix to this report.

Appendix - Background Papers

Item a Tree Preservation Order 51/2007: Plan and Schedule



T1 Oak

Item b TEMPO evaluation

TREE EVALUATION METHOD FOR PRESERVATION ORDERS		
SURVEY SHEET AND DECISION GUIDE		
	Tree/Group No.	Species;
Surveyor; Rodger Lowe	T1	Oak
Owner; Mr and Mrs Hardy		
Location; 1 Gilpin Road		
Date; 19 September 2008		
<u>PART 1; Amenity Assessment</u>		
a) Condition and suitability for Tree Preservation Order		
Refer to Guidance Note for definitions		
Score		
5) Good	Highly suitable	5
3) Fair	Very suitable	
1) Poor	Unlikely to be suitable	
0) Unsafe, Dead	Unsuitable	
b) Longevity and suitability for Tree Preservation Order		
Refer to 'Species Guide' section in Guidance Notes		
Score		
5) 100+	Highly suitable	
4) 40 -100+	Very suitable	4
2) 20 - 40	Suitable	
1) 10 - 20	Just suitable	
0) < 10	Unsuitable	
c) Relative public visibility and suitability for Tree Preservation Order		
Consider realistic potential for future visibility with changed land use		
Score		
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	
d) Other factors		
Trees must have accrued 7 points or more (with no zero scores) to qualify		
Score		
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	2	
1) Trees with none of the above		
Part 2; Expediency assessment		
Trees must have accrued at least 9 point to qualify		
Score		
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
7-10	Does not merit TPO	
11-14	TPO defensible	
15+	Definitely merits TPO	20 Confirm TPO

Item c Letter of objection

Mr & Mrs N Hardy
1 Gilpin Road
Newton Aycliffe
County Durham
DL5 5EQ

To
Head of Planning Services
Neighbourhood Services
Sedgefield Borough Council
Council Offices
Spennymoor
DL16 6JQ

1/8/2008

Comments / objections regarding the TPO/2008 on our Oak Tree.

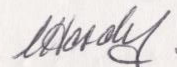
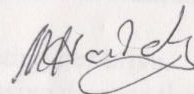
This oak tree is in close proximity to our house and is very large (being approx 100yrs old); because of this we are very concerned about the following:

- 1) The roots at the base of the tree are very high, protruding from the ground, this we believe is because the extreme height of the tree is putting strain on the roots.
- 2) We are concerned regarding the tree roots underground in relation to the house foundations, drains, pipes etc.
We are also concerned that the roots may be affecting our drive.
We do not want to wait until there could be expensive damage that we may not be covered by our insurance.
- 3) Health and safety regarding large branches being blown off the tree during gale force winds (we have a public pathway close to the tree, in fact the tree overhangs the pathway)
We are also worried re our liability and risk to children climbing the Tree.

- 4) One of the reasons quoted in the order refers to the tree providing a major landscape feature of the area. Did all the trees that have been felled this year in Newton Aycliffe have no significance to their areas?
Why were these trees felled? some of them big fine mature trees like ours, but not in a garden close to a house like ours.
- 5) Mr Lowe said twice on the phone that we were **selling** the tree - this is definitely not the case as we would be paying for the tree to be felled and removed at great cost to us!
We are Senior Citizens on a limited income and can ill afford this cost, we gave this serious thought and decided it was the better option than having to pay for regular pruning which as time goes by we will not be able to afford.
It is only 6yrs since the tree was professionally pruned and already it is enormous.
- 6) How does the tree soften the impact of the Oak Tree Pub? It does not prevent the noise of disco music and late night revellers!
There are other trees around the pub and a specimen tree on the green opposite our house. These all continue to be visible to both the shopping area and pub but do not present the same risks as the tree in our front garden.

We hope the council will look upon these comments favourably and understand our reasons are not purely selfish and we have given consideration to our community.

Yours Sincerely



Mr & Mrs N Hardy

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

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