



Area Planning Committee (South and West)

Date Thursday 19 July 2018
Time 2.00 pm
Venue Council Chamber, Spennymoor - Council Offices,
Spennymoor

Business

Part A

1. Apologies for Absence
2. Substitute Members
3. Declarations of Interest (if any)
4. The Minutes of the Meeting held on 21 June 2018 (Pages 3 - 10)
5. Applications to be determined
 - a) DM/17/03250/VOC - Deneside Lodge Park, Wolsingham, Bishop Auckland (Pages 11 - 20)
Removal of holiday occupation condition (No.16) of 3/2010/0143 to allow permanent residential accommodation for over 55s
 - b) DM/18/01388/FPA - Land to Rear of Heather Cottage, Snaisgill, Middleton-in-Teesdale (Pages 21 - 28)
Erection of detached double garage, including associated change of use, hardstanding and alterations to stone boundary walls
 - c) DM/18/01379/FPA - Land at Hunter Terrace and Tennyson Road, Chilton, Co Durham (Pages 29 - 46)
16no. affordable dwellings
 - d) DM/18/01469/AD - Land North East Of Stockton Road, Sedgefield (Pages 47 - 56)
Non illuminated pole mounted sales sign (retrospective)
6. Such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration.

Helen Lynch
Head of Legal and Democratic Services

County Hall
Durham
11 July 2018

To: **The Members of the Area Planning Committee (South and West)**

Councillor H Nicholson (Chairman)
Councillor J Clare (Vice-Chairman)

Councillors J Atkinson, D Bell, L Brown, J Chaplow, E Huntington,
K Liddell, J Maitland, M McGaun, G Richardson, J Shuttleworth,
L Taylor, K Thompson, F Tinsley and S Zair

DURHAM COUNTY COUNCIL

At a Meeting of **Area Planning Committee (South and West)** held in Council Chamber, Spennymoor - Council Offices, Spennymoor on **Thursday 21 June 2018 at 1.00 pm**

Present:

Councillor H Nicholson (Chairman)

Members of the Committee:

Councillors J Atkinson, D Bell, L Brown, J Clare (Vice-Chairman), G Richardson, L Taylor, K Thompson, F Tinsley, S Zair and R Manchester

Also Present:

Councillor R Manchester

1 Apologies for Absence

Apologies for absence were received from Councillors Chaplow, Huntington, Liddell and McGaun.

2 Substitute Members

There were no substitute Members in attendance.

3 Declarations of Interest (if any)

There were no declarations of interest.

4 The Minutes of the Meeting held on 19 April 2018

The minutes of the meeting held on 19 April 2019 were agreed as a correct record and signed by the Chairman.

5 Applications to be determined;

The Chairman amended the order of business to consider item no. 5b) first.

6 DM/18/00999/FPA - Land To The East Of Hauxwell Grange, Marwood, Barnard Castle

The Committee considered a report of the Planning Officer regarding an application for the erection of agricultural storage building on Land to the East of Hauxwell Grange, Marwood, Barnard Castle (for copy see file of minutes).

The Principal Planning Officer gave a detailed presentation of the application which included a site location plan, aerial photograph, elevations, site layout and photographs of the site.

Councillor R Bell, local Member had submitted a statement to be read on his behalf during the meeting. He referred the application to Committee as he was seriously concerned about the potential use of the building to house livestock. Although a condition had been included to prohibit housing livestock, Councillor Bell considered that the Council should not take on the burden of enforcement, under the circumstances.

The site was in close proximity of Hauxwell Grange which would be dominated by the new building and Councillor Bell considered there were other more suitable locations for a machine storage facility which would not inconvenience the applicant. He referenced the economic impact and loss of holiday cottage bookings, should the application be approved and considered this to be far greater than any detriment to the applicant should permission not be granted.

Councillor Bell confirmed that the design of the building and its materials were of a construction more suitable for livestock. The building consisted of five opening steel gates and internal compartments which he described as bays. In his opinion the design of the building was to segregate animals by age or gender. He asked the Committee to reject the application it was designed to house livestock and needlessly close to residential properties.

Mr Pearson was the owner of Hauxwell Grange, a residential property with two attached holiday cottages. He stated that the applicant had a large area of land with alternative and more suitable sites for a large building. The applicant lived over two miles from the site and there was an existing access gate to the field which would provide a much safer entry point, on a road with much less traffic. Mr Pearson confirmed that the close proximity of Hauxwell Grange would provide the building with additional security and associate the two properties. There were other buildings being constructed in the area which were closer to their respective farm houses, much smaller by comparison, between 50 and 200m from the road, and built using traditional local stone. He referred to the revised drawings submitted and agreed that the construction was being built to a specification for housing livestock. The existing building was currently used once a year for shearing and he considered that even with a condition attached, this building could be used in future for animals.

If the application was approved, the house would be dominated by the new building and its visual impact could be detrimental to the success of the attached holiday cottages. He confirmed that all of the issues raised could be avoided by repositioning the building to a more appropriate site.

The Principal Planning Officer confirmed that the application had been made on the basis that the building was not to house of livestock, a condition had been included to ensure that there was sufficient control on the future use of the building.

The Chairman referred to Councillor Bell's interpretation of the drawings and asked for an elaboration on the design of the building. The Principal Planning Officer advised that the sections or bays referred to by Councillor Bell signified the frame of the building. He could not confirm why the applicant had chosen to have five doors or the reason for the construction materials, however he reminded Members of the restriction, giving sufficient control against the housing of livestock.

The Chairman referred to the issues raised regarding an alternative access into the field from a different road and the Principal Planning Officer confirmed that the operational needs of the farm was not questionable when considering an application and reminded Members that no Highways objection had been received. Councillor Atkinson added that neither Planning Officers or Members of the Committee could consider alternative locations or access routes.

In response to a question from Councillor Richardson the Principal Planning Officer confirmed that the dilapidated building in the adjacent field may be owned by a family member of the applicant.

Councillor Thompson queried whether the building could still be used to house livestock on a casual basis. The Principal Planning Officer confirmed that it was strictly prohibited by the proposed condition.

Councillor Clare referred to the objectors statements and confirmed that although they had raised some valid points, there was nothing to suggest that the application should be refused on planning grounds. The design of the building was not a matter for the Committee, nor was the location or access. In the absence of a highways objection, the Committee had to consider how dominating the building would be. He confirmed that on a site visit earlier in the day, Members had marked out the foundations and he did not deem it to be excessively large. In relation to the objections raised about the potential loss of holiday cottage bookings, Councillor Clare suggested that it would be reasonable for visitors to expect to see the presence of farm buildings in a Countryside location. He reminded Members that the condition explicitly prohibited the housing of livestock and he therefore moved that the recommendation be approved.

In response to a question from Councillor Tinsley, the Principal Planning Officer clarified that the doors were full height gated steel.

Councillor Atkinson seconded the recommendation to approve.

Resolved

That the application be approved subject to the conditions outlined in the report.

7 DM/18/00966/OUT - Land To The Rear Of West Terrace, Billy Row

The Committee considered a report of the Senior Planning Officer regarding an application for 5 no. dwellings all matters reserved except access at Land to the rear of West Terrace, Billy Row (for copy see file of minutes).

The Senior Planning Officer gave a detailed presentation of the application which included a site location plan, aerial photograph, site layout and photographs of the site.

In response to a question from the Chairman regarding an objection relating to the collection of refuse and recycling, the Senior Planning Officer confirmed that there would be no need for bins to be placed at the bottom of the access lane. The refuse and recycling team had agreed to provide one large industrial size bin, which would service all five properties. The Council would collect the bin from the top of the lane it would be loaded onto the wagon, emptied and returned.

Local Member, Councillor Manchester confirmed that there were a number of concerns regarding the access route. The agreed waste collection identified that it was not possible for a refuse vehicle to collect waste and therefore it would not be possible for emergency services access.

The lane was unable to meet adoptable standards and the report referred to access for five properties, not including the property on West Terrace. Councillor Manchester asked the Committee to reject the application.

Local resident, Mr Sewell confirmed that he did not object to the application in principal as the applicant was attempting to maximise the value of his land, but he did object to the proposed access route. The main access to the North of the field had been blocked due to the erection of another property and the lane was not wide enough for a vehicle and a wheelchair user or pedestrian to pass.

The length of the lane was not insignificant at 37m from the gate to the road and should the houses each have four bedrooms, there could be 15 cars plus delivery or service vehicles, and cars driving in opposite directions would create queueing. Mr Sewell suggested that legally there should be 3.7m between kerbs as a minimum for a fire appliance. Walls had already been damaged by vehicles and he considered that because of the width of the lane and the inability for it to meet adoptable standards, the application should be refused.

Mr Dolphin, local resident and owner of the abutting property, The Old Chapel, confirmed that the applicant had previously approached him to knock down the wall and bathroom of his property. This was for an application for 28 houses and he questioned whether there would be a further application for more houses, should this application be approved. He had lived in his property for 30 years and planted flowers in the lane which would all be destroyed should the lane be tarmacked from wall to wall. Mr Dolphin questioned why the lane was the preferred access route and suggested that an alternative route to the South West of the land be considered.

The Agent, Dr Lang, spoke on behalf of the applicant and confirmed that the access would not be the narrowest in the County. There were lanes as narrow as 2.85m and considered that a lane of 3.7m at its narrowest was sufficient for emergency vehicular access. He referred to the width of a standard garage door at 2.2m, in order to put the width of the road into context. This road at its narrowest had an additional 1.5m which was ample for pedestrians and wheelchair users to pass

alongside vehicles, and with regards to visibility he confirmed that applied caution at the junction was likely to make it safer. When considering the transport infrastructure, the NPPF was clear that a reason for refusal needed to be associated with severe cumulative impact, which could not be identified in this case.

Dr Lang referred to a dispute over the ownership of the lane and although he acknowledged that it was a civil matter, he had a copy of the title deeds as confirmation that the lane was owned by the applicant. He referred to the alleged damage to walls and confirmed that this was a civil matter and not something that could be considered by the Committee.

Dr Lang confirmed that the proposed development would meet the demand for bungalows and eliminate the continued anti-social behaviour. He asked the Committee to approve the application as per the recommendation in the report.

In responding to the issues raised regarding the width of the lane, the Planning and Development Solicitor confirmed that building regulations were not considered as part of the planning process and Highways were satisfied that the access was safe. With regards to the constraint of five dwellings, this was primarily related to access and therefore should the applicant manage to attain a wider access route through the purchase of land, there could be future applications. However this was not something that could be considered as part of this decision, neither was the dispute of ownership or the issues regarding the flowerbeds.

The Chairman asked for more information relating to bin collection and the Senior Planning Officer confirmed that refuse services had confirmed that waste collections could take place without the need for bins to be left on the road or village green. Two commercial waste bins would be provided and stored on the site. A refuse strategy and bin storage area was conditioned.

Councillor Thompson had concerns related to drainage should the lane be tarmacked and he also considered the waste strategy problematic and could set a precedent. He queried the position of the Council with regards to the five year housing land supply.

The Planning Development Solicitor confirmed that there was no certainty around the five year housing supply as in the absence of a County Durham Plan, there was no methodology in place to demonstrate one. He also confirmed that it was not advisable for the Committee to suggest alternative waste collection strategies as the refuse and recycling team had devised it and were best placed to do so.

Councillor Brown confirmed that reference had been made to the width of the lane as 3.7m however the report referred to it being 3.5m at its narrowest. She also referred to Dr Langs statement that the properties built would be bungalows, as the plans showed family homes and she had concerns with regards to safety should the lane be used by children to walk to school.

Councillor Tinsley considered the principal of development did exist and observed that the access was wide enough to accommodate emergency vehicles. He did have concerns regarding delivery trucks as the road may not be wide enough to

accommodate a vehicle turning. Overall he considered the access to be inadequate, but not enough to warrant refusal.

Councillor Clare referred to drainage constraints and noted that there should be no more surface water runoff on brownfield land. When considering the lane was approximately 4m x 37m long and on an incline he queried the potential impact on the village green should it be tarmacked.

The Planning Development Solicitor confirmed that those issues were veering into reserved matters and confirmed that Northumbrian Water would approve an appropriate drainage scheme as conditioned in the report.

Councillor Richardson did not approve of the access and did not consider drainage would be sufficient in a torrential downpour. He also queried the access arrangements with regard to the small paddock at the north west of the field. The Senior Planning Officer confirmed that he was unaware of the exact access arrangements, however access to the remaining paddock would likely be from a field gate in the corner of the development site. He confirmed that the site was on a hillside and runoff could be expected, however any techniques to alleviate the impact would be dealt with through a planning condition requiring drainage details which was included.

Councillor Richardson requested that Dr Lang be more considerate when advising of legislative process and reminded him that the decision rested with the Committee.

Councillor Atkinson confirmed that although the access was inadequate, there were no grounds to refuse the application and moved the recommendation to approve.

Councillor Clare noted that a detailed drainage plan would be agreed at reserved matters and seconded the recommendation to approve.

Resolved:

That the application be approved subject to the conditions outlined in the report.

8 DM/17/02818/FPA - Land At Redworth Road, Shildon

The Committee considered a report of the Senior Planning Officer regarding an application for the erection of 40 dwellings at Land at Redworth Road, Shildon (for copy see file of minutes).

The Senior Planning Officer gave a detailed presentation of the application which included a site location plan, aerial photograph, site layout and photographs of the site.

In response to a comment from Councillor Thompson regarding the maintenance of areas of public open space, the Planning Development Solicitor confirmed that a standard condition had been added, but it ensured that a further application would be submitted and dealt with under delegated powers.

Councillor Brown considered that the operational hours on Saturdays could cause some inconvenience and Councillor Tinsley commented that in the absence of a specific reason the Council would have to be consistent across all developments. He seconded the recommendation to approve as per the conditions outlined in the report.

Resolved:

That the application be **APPROVED** subject to the completion of a Section 106 agreement to secure the following:

- Provision of 10% affordable housing equating to 4 units;
- £82,280 for improving offsite open space and recreational provision
- £26,000 for biodiversity enhancements

And subject to the conditions as outlined in the report.

9 DM/18/00827/FPA - Wear Referrals Veterinary Hospital, Bradbury

The Committee considered a report of the Senior Planning Officer regarding an application for the extension of the existing veterinary hospital to provide additional consulting, treatment and educational space and provision of additional visitor and staff car parking with associated landscaping (for copy see file of minutes).

The Senior Planning Officer gave a detailed presentation of the application which included a site location plan, aerial photograph, site layout and photographs of the site.

Councillor Richardson confirmed that he had no objection to the proposal and moved that the recommendation be approved.

Councillor Clare commented that the current roof of the building was in a very poor state and needed to be watered in order to maintain its condition.

Councillor Atkinson seconded the recommendation.

Resolved

That the application be **APPROVED** subject to the completion of a Section 106 agreement to secure the following:

- £8,300 for biodiversity enhancements to be used towards offsite grassland creation and its future maintenance at Hardwick Country Park and associated land.

And subject to conditions outlined in the report.

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Planning Services

COMMITTEE REPORT**APPLICATION DETAILS**

APPLICATION NO:	DM/17/03250/VOC
FULL APPLICATION DESCRIPTION:	Removal of holiday occupation condition (No.16) of 3/2010/0143 to allow permanent residential accommodation for over 55s.
NAME OF APPLICANT:	Mr W Hobson
ADDRESS:	Deneside Lodge Park Wolsingham Bishop Auckland DL13 3BL
ELECTORAL DIVISION:	Weardale
CASE OFFICER:	Tim Burnham Senior Planning Officer 03000 263963 tim.burnham@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

1. Deneside Lodge Park is a holiday chalet park, which sits to the south of Wolsingham, across the River Wear. Access to the site is from an unmade road leading off the bottom of Wear Bank on the south side of the River Wear.
2. There are currently 17 chalets built on the site, but the permission is for 41 holiday chalets and up to 20 touring caravan and camping pitches on the site.
3. The occupation of all chalets is restricted to holiday use only by the conditions below:

16a) Notwithstanding Classes C2 and C3 of Schedule to the Town and Country Planning (Use Classes) Order 1987 the development hereby approved shall be occupied for holiday accommodation only and for the avoidance of doubt shall not be occupied as permanent residential accommodation or as the principal or primary places of residence.

b) If at any time hereafter any holiday unit is let out by the developer or sub let by a leaseholder the lease or sub lease shall contain a covenant on the part of the leaseholder to comply with the conditions 18a) and 18b) above, the wording of such covenant to have been previously submitted to and approved in writing by the Council's Assistant Director for Legal and Administrative Services, such approval not to be unreasonably withheld.

Reason: To prevent the holiday accommodation being used for permanent residential use. In accordance with the Tourism Good Practice Guide, PPS7 and PPS21".

17) *The site operator shall keep a register of the names, addresses and telephone numbers of the primary residences of all owners, hirers or leaseholders. Such register shall be maintained up to date by the operator and shall be made available for inspection by the local planning authority at all reasonable times.*

Reason: To ensure the holiday accommodation is used solely as short stay residences in accordance with the Tourism Good Practice Guide, PPS7 and PPS21.

4. This application seeks to remove condition 16 to allow the lodges to be occupied permanently as residential dwellings for the over 55 age group. This would have to be done in conjunction with a S106 Agreement.
5. The application has been referred to the Planning Committee by Cllr Shuttleworth on the basis that there is a need for housing development in Wolsingham.

PLANNING HISTORY

6. 3/2005/0959 Outline application for chalet park – 27.03.2009
7. 3/2010/0143 Variation of condition to allow year round (holiday) occupancy – approved 13.08.2010
8. 3/2011/0108 Reserved matters pursuant to outline permission 3/2005/0959 – approved 27.07.2011
9. 3/2012/0489 Amendments to layout – approved 10.09.2013
10. DM/16/00639/FPA Decking, storage buildings, paving, planting beds (Retrospective) – approved 14.07.2016

PLANNING POLICY

NATIONAL POLICY

11. The Government has consolidated all planning policy statements, guidance notes and many circulars into a single policy statement, the National Planning Policy Framework (NPPF). However, the NPPF does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused, unless other material considerations indicate otherwise.
12. Core Planning Principles – Among other things, paragraph 17 states that planning should, proactively support sustainable economic development, meet housing, business and other development needs of an area, and actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.
13. *NPPF Part 3 - Supporting a prosperous rural economy.* Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development.
14. *NPPF Part 4 – Promoting sustainable Transport.* Developments that generate significant movement should be located where the need to travel will be minimised and the use of sustainable transport modes can be maximised.
15. *NPPF Part 6 – Delivering a Wide Choice of High Quality Homes.* Local planning authorities should seek to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed

communities. To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities; however, isolated homes in the countryside should be avoided.

16. *NPPF Part 8 - Promoting healthy communities.* The planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Planning should aim to achieve places which promote among other things, opportunities for meetings between members of the community by bringing together those who work, live and play in the vicinity.
17. *NPPF Part 10 – Meeting the Challenge of Climate Change, Flooding and Coastal Change* Planning plays a key role in helping shape places to secure Local Planning Authorities should adopt proactive strategies to mitigate and adapt to climate change. Inappropriate development in areas at risk of flooding should be avoided.

The above represents a summary of those policies considered most relevant in the Development Plan

LOCAL PLAN POLICY:

18. The following saved policies of the Wear Valley Local Plan are relevant to the application:
19. *Policy ENV1: Protection of the Countryside.* This Policy seeks to protect and enhance the countryside of Wear Valley. Development will be allowed only for the purposes of agriculture, farm diversification, forestry or outdoor recreation or if it is related to existing compatible uses within the countryside as defined in other Local Plan policies.
20. *Policy H17: Housing for the Elderly:* Such accommodation will only be approved where it is among other things, located within the limits to development; and on or near public transport routes and close to a stopping point.
21. *Policy TM1: Criteria for Tourist Proposals:* The Council will give encouragement to schemes which provide tourism facilities provided they are of a scale compatible with their surroundings, can be absorbed into the landscape, can be accessed safely and do not affect local amenity.
22. *Policy T1: General (Highways) Policy:* All developments which generate additional traffic will be required to provide adequate access, not exceed local network capacity and be capable of access by public transport.

The above represents a summary of those policies considered most relevant in the Development Plan the full text, criteria, and justifications of each may be accessed at <https://www.durham.gov.uk/article/3272/Wear-Valley-District-Local-Plan>

RELEVANT EMERGING POLICY:

The County Durham Plan -

23. Paragraph 216 of the NPPF says that decision-takers may give weight to relevant policies in emerging plans according to: the stage of the emerging plan; the extent to which there are unresolved objections to relevant policies; and, the degree of consistency of the policies in the emerging plan to the policies in the NPPF. An 'Issues & Options' consultation was completed in 2016 on the emerging the County

Durham Plan (CDP) and the 'Preferred Options' was approved for consultation at Cabinet in June 2018. However, the CDP is not sufficiently advanced to be afforded any weight in the decision making process at the present time.

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

24. *Highway Authority:* In terms of the current lawful permission (and conditions) the lodges are in practice likely to have a very low occupancy level during normal off-peak tourism periods (i.e. Nov to Mid-April), irrespective of their lawful potential year round occupancy. Permanent sole residential occupancy will also create separate servicing and delivery journeys to that associated with holiday home. In summary, there will inevitably be a greater amount of annualised vehicular and pedestrian movements as a result. The conditioned highway improvements (predominantly, a short section of footway abutting the entry radius from the C30) have not been undertaken. If the proposed variation of condition is acceded to then there is naturally a greater justification for this condition than previously. It is considered that any permission will act as precedent for the rest of the immediate area becoming a Park Home style arrangement.
25. *Environment Agency:* No objections subject to strict accordance to the submitted flood risk assessment including measures to include:
- Identification and provision of safe route(s) into and out of the site to an appropriate safe haven.
 - Evacuation plan must be prepared and agreed to ensure the users and occupants of the lodges aware of the risk and know what to do in times of flood event.
 - Residential lodges remain 300mm levels above existing ground level.
 - Signage to be placed in areas of flood risk to ensure occupants and visitors are aware the land is subject to flooding.

INTERNAL RESPONSES:

26. *Spatial Policy:* In approving the original scheme, it was accepted that there was demand for tourism in this part of County Durham which would bring benefits to the local area and economy. However, as part of the current submission no evidence has been provided to justify why they are no longer suitable as holiday lets. Were these lodges to be lost to residential use, it would mean that the benefit to the rural economy in terms of tourism and associated local spend would also be lost too. The site is at risk of flooding, and lodges used as permanent residential properties falls into a higher risk category than those used for tourism purposes. Given the location of this site to the south of Wolsingham and the distances residents would have to travel on foot to access shops, services and facilities within the village, I would question the sites appropriateness for housing (putting to one side the fundamental issue of flood risk) to those exclusively within the over 55 age group, given that they are more likely to have mobility issues than those in younger age groups.

PUBLIC RESPONSES:

27. The application has been publicised by way of site notice. Two letters of support have been received. One representation suggests that this proposal will free up other housing within Wolsingham so that young couples can get onto the property ladder. Another letter is from an older couple who are considering buying a plot.

PLANNING CONSIDERATIONS AND ASSESSMENT

28. Having regard to the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004 the relevant Development Plan policies, relevant guidance and all other material planning considerations, including representations received, it is considered that the main planning issue in this case is whether the current holiday occupation restrictions on the site are reasonable and necessary, in the interests of being consistent with the principles of sustainable development, and if so, whether any material considerations would justify their removal.

Whether the conditions are reasonable and necessary

29. As is evident from the grant of the relevant planning permissions, the Council considered the development of the site for holiday accommodation compliant with the development plan and, in particular, policies ENV1 and TM1 of the Wear Valley Local Plan.

30. Policy ENV1 sets out the type of development permissible in the open countryside, including tourism, while policy TM1 specifically gives encouragement to tourist development providing it meets various detailed criteria.

31. To ensure that the accommodation is used for its intended tourism-related purpose, the two relevant conditions restricting occupancy of the lodges to holiday accommodation only are obvious necessities. Without them, the accommodation could be used for permanent residential purposes.

32. As the site is located in the open countryside and is both visually and physically detached from the town of Wolsingham, a residential scheme on the site would have been contrary to policy ENV1, and so too would the current application.

33. Furthermore, in developments of greater than 5 residential units, they must be served by a highway suitable for adoption including layout, geometry, surfacing, footways, lighting and drainage. The access serving the site and the internal access road between units is incompatible with such standards. Nor is the access road depicted as in the ownership of the applicant to enable the necessary improvements to be secured.

34. In that overall context, it is clear that the holiday occupancy conditions are a necessary imposition to ensure the development on the site complies with the development plan and, as such, they meet the tests of paragraph 206 of the NPPF, which requires that conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.

Whether any reasons justify removal of the conditions

35. The applicant puts forward two main arguments to justify removal of the holiday conditions. First, in simple terms, it is suggested that the site is in an accessible location where occupants could easily access the services and facilities in

Wolsingham and beyond by both walking, or public transport, and therefore the site is a sustainable location for housing.

36. This is not accepted. It is over 700m from the site entrance to the Market Place in the town, which is also where the nearest stop for the regular bus service along the A689 is located. The first 200m of that journey is along a narrow, unadopted road with no footway or street lighting, before then having to cross a bridge with a very narrow footway. It is only at the 30mph signs at the entrance to the town that the pedestrian footway provision improves.
37. It is noted that the distance to the town centre is at the “Preferred Maximum” walking distance suggested in the IHT (2000) “Providing Journeys on Foot” guidance, and well beyond the recommended 250-300m walking distance to bus stops in the latest CIHT (2018) “Buses in Urban Developments” guidance. These distances together with the initial/end part of the route having no footway and street lighting provision for pedestrians, are likely to be a deterrent for pedestrian journeys to and from the site, and even more so for the over 55s which the proposal is aimed at, particularly in the winter months.
38. Therefore, walking and public transport would not be a realistic alternative to reliance on private car travel from this site, especially for the elderly who are likely to have more limited mobility as they get older and who would be less inclined to use routes that are not perceived to be safe. This is contrary to the aims of the NPPF in respect of locating development where the need to travel will be minimised and the use of sustainable transport modes can be maximised. It is also contrary to policy H17 of the Wear Valley Local Plan, which requires housing for the elderly to be on or near public transport routes and close to a stopping point. While the current holiday users are also likely to be reliant on car travel for the same reasons, permanent residential occupation would result in a material increase in the number of journeys through day to day shopping, leisure, employment, school, health and family/friend visits. A permanent residential unit is also more likely to have two cars per unit.
39. Furthermore, the reason why Wear Valley Local Plan policy TM1 and NPPF Part 3 encourages tourist accommodation in the open countryside, is largely based around the economic benefits visitors bring to the area. The rural visitor economy is extremely important to Weardale and it is estimated that it supports around 11,000 jobs in the County. Those economic benefits played a significant role in the original grant of planning permission for the site.
40. The economic benefits would not manifest themselves in the same way if the units were to be used as permanent places of residence. A number of recent appeal decisions in the area have supported that view. Wolsingham is an attractive town, well placed in relation to tourist, leisure and recreation opportunities in the Weardale area, which could benefit directly from increased visitor spend. One of the Council’s key economic objectives is to increase the amount and range of holiday accommodation to increase tourist spend in the area, but this proposal would run directly contrary to that objective and take away the potential for the units to generate the economic benefits that justified them in the first place. It could also, all too easily, serve as a precedent for other holiday parks across the County, which would be very damaging to the local visitor economy. As such, there is also significant conflict with the aims of Part 3 of the NPPF, which aims to support a strong rural economy.
41. The second line of argument put forward by the applicant is that the proposal would help address a shortage of housing, particularly for the elderly.

42. The Council's position on 5-year housing land supply was publically tested at a recent public inquiry (APP/X1355/W/17/3180108 – decision issued 10th May 2018). The Inspector concluded that the most appropriate measure for assessing the housing requirement is the 1,629dpa (1 of 3 scenarios within the County Durham Plan 'Issues and Options' (June 2016)) as it currently provides the best evidence of the objectively assessed housing need for County Durham. Against this figure, the Inspector concluded that the Council has a housing land supply of 4.75 years. It is also identified within the Council's Strategic Housing Market Assessment that there is a shortage of bungalows for the elderly across the housing market in County Durham. So in general terms the proposal would help address an identified housing shortage.
43. However, in order to meet the NPPF objectives of sustainable, inclusive and mixed communities, as well as other objectives such as increasing opportunities for social interaction and reducing the need to travel, housing for the elderly should be appropriately located close to facilities, social support networks and public transport. This is reflected in the criteria of Wear Valley Local Plan policy H17. For the reasons already set out above, the application site does not meet these criteria, and as a result, residents would not be closely integrated into the rest of the community within the town.
44. Furthermore, the lodges, whilst being single storey, are not purpose designed and built for the elderly, most being without level access on account of their location within Flood zones 2 and 3, which requires them to be elevated at least 300mm above ground level. Nor is the gravel surfacing within the site entirely mobility friendly, particularly as the site is at risk from flooding and requires an evacuation plan.
45. The NPPF states that to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously. In addition, where the Council does not have a 5 year housing land supply, paragraph 14 of the NPPF is engaged, which means granting planning permission unless any adverse impacts would significantly and demonstrably outweigh the benefits when considered against the policies in the NPPF considered as a whole.
46. Having regards to all of the above, it is considered that the site does not represent an appropriate and sustainable solution to address the shortfall of older persons housing within the County, nor is it compatible with appropriate highway standards for permanent residential occupation. Furthermore, paying particular regard to the importance of tourism to the area and the NPPFs clear approach to building a strong, competitive economy, it is considered that the economic loss to the area that would result from the proposal, and realistic potential to create a precedent for other holiday parks in the County to further detriment of the rural economy, would significantly and demonstrably outweigh any benefits of adding the units to the Council's overall supply of housing.

CONCLUSION

47. The holiday occupancy conditions on this site are necessary and reasonable in the interests of ensuring a sustainable pattern of development and supporting the rural economy through tourism.
48. The site is not an appropriate location, or compatible with appropriate highway standards for permanent housing and more substantially, the proposal would take

away the potential for the units to generate the economic benefits that justified them in the first place. The economic loss to the area that would result from the proposal, and realistic potential to create a precedent for other holiday parks in the County, would significantly and demonstrably outweigh any benefits to housing supply.

49. The proposal to remove the holiday occupancy conditions would not therefore amount to sustainable development under the terms of the NPPF taken as a whole and would conflict with Wear Valley Local Plan policies ENV1, H17 and T1.

RECOMMENDATION

That the application be **REFUSED** for the following reasons:

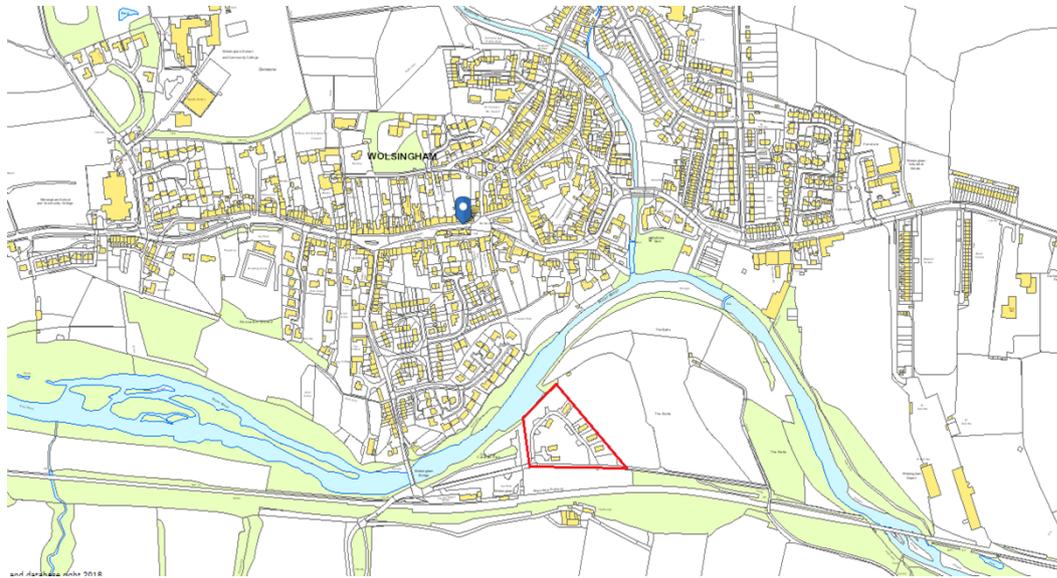
1. The holiday occupancy conditions on this site are necessary and reasonable in the interests of ensuring a sustainable pattern of development and supporting the rural economy through tourism.
2. The site is not an appropriate location or compatible with appropriate highway standards for permanent housing, and the proposal would take away the potential for the units to generate the economic benefits that justified them in the first place. The economic loss to the area that would result from the proposal, and realistic potential to create a precedent for other holiday parks in the County, would significantly and demonstrably outweigh any benefits to housing supply. The proposal to remove the holiday occupancy conditions would not therefore amount to sustainable development under the terms of the NPPF taken as a whole and would conflict with Wear Valley Local Plan policies ENV1, H17 and T1.

STATEMENT OF PROACTIVE ENGAGEMENT

The Local Planning Authority in arriving at its decision to recommend refusal of this application have, without prejudice to a fair and objective assessment of the proposal, considered the proposal in relation to relevant planning policies, material considerations and representations received. However, in balance of all considerations, the issues of concern could not result in a positive outcome being achieved. Pre application advice stated from the outset that the proposals could not be supported.

BACKGROUND PAPERS

Submitted application form, plans supporting documents
The National Planning Policy Framework (2012)
National Planning Practice Guidance Notes
Wear Valley Local Plan
The County Durham Plan (Submission Draft)
All consultation responses received



Planning Services

Variation of condition 15(a) of 3/2011/0108 to allow for use of 17no. units as permanent residential accommodation

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21st June 2018

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COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	DM/18/01388/FPA
FULL APPLICATION DESCRIPTION:	Erection of detached double garage, including associated change of use, hardstanding and alterations to stone boundary walls.
NAME OF APPLICANT:	Mr Martin Ingall
ADDRESS:	Land to Rear of Heather Cottage Snaigill Middleton-in-Teesdale DL12 0RP
ELECTORAL DIVISION:	Barnard Castle West
CASE OFFICER:	Bev Walker Assistant Planning Officer 03000 263951 beverley.walker@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

1. The application site lies within the North Pennines Area of Outstanding Natural Beauty (AONB) and comprises part of the Snaigill Plantation immediately to the north of the lane serving a small group of residential properties.
2. This is a revised application following a previous refusal for the erection of a detached garage on the site. Amendments have been made to the design and layout of the garage. The garage is intended to serve Heather Cottage, one of the two dwellings immediately opposite. The garage would measure 6m in length, 6m in width and 4.265m to the ridge. It would be constructed of stone under a slate roof with timber vertically boarded doors. The garage would be orientated about 30 degrees to the lane with an area of hardstanding to the front and necessitating removal of approximately 10m of the boundary wall to facilitate access. New boundary walls would also be constructed around the site.
3. The application is reported to the South West Area Planning Committee at the request of Cllr Bell and Cllr Henderson.

PLANNING HISTORY

4. DM/17/03068/FPA - Change of use of land to domestic and erection of detached double garage – Refused 15.11.17 for the following reason:
“The proposal by reason of its siting, scale and design would cause harm to the landscape of the North Pennines Area of Outstanding Natural Beauty. This is contrary to saved policies ENV2 and GD1 (A,B & I) of the Teesdale District Local Plan, as well as paragraphs 109 and 115 of the National Planning Policy Framework.”

PLANNING POLICY

NATIONAL POLICY

5. The Government has consolidated all planning policy statements, guidance notes and many circulars into a single policy statement, the National Planning Policy Framework (NPPF). However, the NPPF does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused, unless other material considerations indicate otherwise.
6. Core Planning Principles – Among other things, paragraph 17 states that planning should, always seek to secure high quality of design and a good standard of amenity for all existing and future occupants of land and buildings, take account of the different roles and character of different areas .. recognising the intrinsic character and beauty of the countryside.., contribute to conserving and enhancing the natural environment.
7. NPPF Part 7 – Requiring Good Design. Paragraph 56 identifies that good design is a key aspect of sustainable development and is indivisible from good planning and should contribute positively to the area. Paragraph 58 states that planning decisions should, among other things, aim to ensure that developments add to the overall quality of the area and are visually attractive as a result of good architecture and appropriate landscaping. Paragraph 64 states permission should be refused for development of poor design that fails to improve the character and quality of an area.
8. NPPF Part 11 – Conserving and Enhancing the Natural Environment. Paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by among other things, protecting and enhancing valued landscapes. Paragraph 115 states great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty.

The above represents a summary of those policies considered most relevant in the Development Plan

LOCAL PLAN POLICY:

9. The following policies of the Teesdale Local Plan are relevant to the application and remain consistent with the aims of the NPPF:
10. Policy GD1: General Development Criteria: All new development and redevelopment within the district should contribute to the quality and built environment of the surrounding area and includes a number of criteria to which development must comply. Among other thing new development should be in keeping with the character and appearance of the area in terms of form, mass, scale, layout and materials (Ba); and would not unreasonably harm the rural landscape of the area (I).
11. Policy ENV2 (North Pennines Area of Outstanding Natural Beauty) Priority will be given to the protection and enhancement of the landscape qualities of the North Pennines AONB. Development which adversely affects the special scenic quality and nature conservation interest of the AONB will not be permitted.

The above represents a summary of those policies considered most relevant in the Development Plan the full text, criteria, and justifications of each may be accessed at <http://www.durham.gov.uk/article/3271/Teesdale-Local-Plan>

RELEVANT EMERGING POLICY:

The County Durham Plan -

12. Paragraph 216 of the NPPF says that decision-takers may give weight to relevant policies in emerging plans according to: the stage of the emerging plan; the extent to which there are unresolved objections to relevant policies; and, the degree of consistency of the policies in the emerging plan to the policies in the NPPF. An 'Issues & Options' consultation was completed in 2016 on the emerging the County Durham Plan (CDP) and the 'Preferred Options' was approved for consultation at Cabinet in June 2018. However, the CDP is not sufficiently advanced to be afforded any weight in the decision making process at the present time.

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

13. *Highway Authority:* No objection.
14. *AONB Partnership:* No comments received.

INTERNAL CONSULTEE RESPONSES:

15. *Landscape and Trees:* No objection subject to tree protection measures.

PUBLIC RESPONSES:

16. The application has been publicised by way of a press notice, a site notice and neighbour letters.
17. Six letters of support have been received commenting on improvements to parking and lack of visual impact.

The above is not intended to repeat every point made and represents a summary of the comments received on this application. The full written text is available for inspection on the application file which can be viewed at <https://publicaccess.durham.gov.uk/online-applications/>

APPLICANTS STATEMENT:

18. In November 2017, the applicant had planning permission refused for a double garage on land adjacent to what was to be his and his wife's new home at Snaisgill, Middleton in Teesdale, on their relocation from Kent. That decision stated that the siting, scale and design of the proposed garage would cause harm to the landscape of the North Pennines Area of Outstanding Natural Beauty.
19. Subsequently, the applicant, in looking at alternative arrangements, was told that any proposal would have to minimise the amount of dry stone wall lost (along the unmade access track to the dwellings at Snaisgill); that adjacent trees were not impacted upon; and that there was to be minimal encroachment into open countryside within the AONB.

20. At this point, the scheme presently before you for consideration was formulated, in which the design of the garage was substantially improved (as now confirmed by the planning officer); tree surveys and reports were prepared to ensure appropriate protection of trees; the amount of dry stone walling was actually increased; and the positioning of the garage was changed to significantly less intrude into what was regarded as open countryside. In making the revised, improved application, it was also proved by a series of photographs that the site itself had no impact on the AONB, as there were no vantage points from which it could be seen.
21. Lengthy and somewhat tortuous discussions ensued, with even a suggestion by the local planning authority that the applicant revert to a garage position as refused in his previous application, albeit with the improved design of garage. By this suggestion, the intrusion into the countryside would be recreated.
22. The whole purpose of the current application is that the garage is in a much less intrusive position; it is better designed than originally; important trees are maintained; and it is strongly supported by local residents who see all the benefits derived from the proposal, one of which is that the unmade lane will remain passable for all rather than cars parked causing difficulties for others. It is generally not understood what concerns the planning officers have regarding the proposal, although there seems to be a residual dislike of the position in which the proposed garage sits. It is strongly felt that the proposal has addressed and satisfied all the concerns expressed in the refusal of the previous application; local residents and neighbours, as well as local Members, strongly support the proposal; and it is requested that Members of the Committee see the positivity in the scheme arising from all the efforts made by the applicant, and determine that planning permission should be granted.

PLANNING CONSIDERATIONS AND ASSESSMENT

23. Having regard to the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the relevant Development Plan policies, guidance notes and all other material planning considerations, including representations received, it is considered that the main issue in this case is the effect of the proposal upon the character and appearance of the area, with particular regard to the AONB designation.

Character and appearance

24. Areas of Outstanding Natural Beauty (AONBs) are designated nationally and given the highest status of protection for their landscape and scenic beauty, alongside National Parks and the Norfolk and Suffolk Broads. The statutory purpose of AONB designation is to conserve and enhance the natural beauty of the area, as confirmed by Section 82 of the Countryside and Rights of Way Act 2000 (CRoW Act). Section 85 places a duty on all public bodies to consider the AONBs nationally protected status in any land use related decisions. So far as land use planning is concerned, the National Planning Policy Framework (NPPF) is the principal source of policy advice: this gives "great weight" to AONBs' protection. Teesdale Local Plan, saved policies ENV2 (AONB development) and GD1 (general design criteria) are consistent with these aims and therefore can still be given significant weight.
25. The small group of properties at Snaisgill lie just to the east off the unclassified road which travels northwards along the northern valley slope of the Hudeshope Beck, at the point where the landscape transitions from a mosaic of enclosed

pasture in the lower valley to open moorland to the north. The Snaisgill Plantation surrounds the properties to the north, east and west, although the area to the north is more open. Access to the properties is gained from a short lane to the north. A dry stone wall, which is the typical form of enclosure in the area, runs along the northern side of the lane up to the last property Rose Cottage and provides clear distinction between the countryside to the north and residential properties to the south. The single garage at Rose Cottage lies parallel to the lane and has encroached only marginally, by 2m, into the land to the north and because it is located at the end of the lane its impact on the character of the lane and area is limited. As a whole, the lane has an intimate rural character, which contributes positively to the character of the AONB.

26. The proposed double garage would be located wholly on land to the north of the lane, distinctly separate from the dwelling (Heather Cottage) it would serve, or any of the other properties, and would therefore be viewed as a standalone building. In such circumstances it is a basic principle of good design to orientate new buildings with the main alignment of the existing buildings to help integrate the building into its surroundings, however the proposal does not do this. The orientation of the garage at an abnormal angle to the lane would be uncomfortably at odds with the existing established character of buildings along the lane and therefore completely out of character with its surroundings in terms of layout. This orientation would also in turn lead to an excessive area of hardstanding in front of the building, a very large gap in the roadside wall, and unnecessary grassed areas to the sides of the garage and west of the access, effectively giving the impression of a large garden extension to the north, rather than just a garage. All of this could be reduced considerably by improving the orientation of the garage either parallel or perpendicular to the lane, whilst still retaining sufficient manoeuvring space to produce a better designed development that would serve the same purpose, but with less physical and suburbanising presence than what is proposed.
27. Thus, while there has been an improvement to the design of the garage, the proposal as a whole is considered to be excessive for what is actually required. The proposal would significantly change the intimate rural character of the site to an unnecessary degree giving it an overly suburban character. While wider views of the site are currently limited and new landscaping to the north would assist whenever the plantation is felled, the impact when viewed from the lane would still be harmful to the character and appearance of the area and statutory purposes of the AONB designation, which sets a very high standard for design for all new development.
28. There is conflict with Teesdale Local Plan Policies GD1(Ba) in respect of scale and layout, and ENV2 in respect of protecting the natural beauty of the North Pennines AONB. There is also conflict with NPPF paragraphs 17, 56 and 109 in respect of ensuring development is well designed, contributes positively to making places better for people and protects the intrinsic character and beauty of the countryside and valued landscapes, particularly AONBs which share the highest status of protection.

CONCLUSION

29. The design of the garage itself has been improved since the previous refusal, but the scheme still requires improvements in respect of layout and the overall scale of development before it can be considered wholly acceptable. In particular, the orientation of the garage, excessive areas of associated hardstanding and other

unnecessary grassed areas within the site would not help to integrate the development sensitively into its surroundings. Instead, the development would sit incongruously in relation to the existing buildings and would occupy a far greater area than is necessary resulting in an overly domestic character of development in a rural setting. This would be harmful to the character and appearance of the area and statutory purposes of the AONB designation.

30. Therefore, notwithstanding the absence of objections to the proposal, for the reasons set out in this report, and mindful that the statutory purpose of AONB designation is to conserve and enhance the natural beauty of the area, it is considered that the proposals conflict with Teesdale Local Plan Policies GD1(Ba) in respect of scale and layout, and ENV2 in respect of protecting the natural beauty of the North Pennines AONB. There is also conflict with NPPF paragraphs 17, 56 and 109 in respect of ensuring development is well designed, contributes positively to making places better for people and protects the intrinsic character and beauty of the countryside and valued landscapes, particularly AONBs which share the highest status of protection.

RECOMMENDATION

That the application be **REFUSED** for the following reason

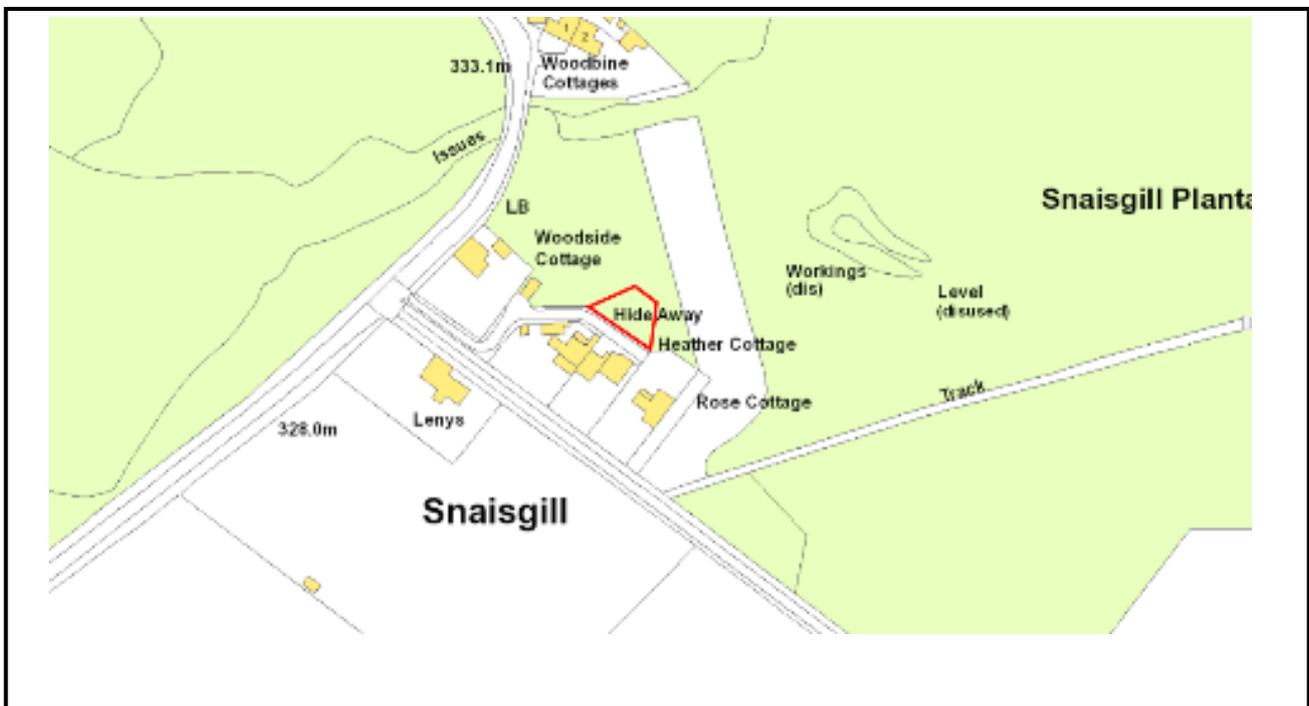
1. The proposal, by reason of its layout and the amount of associated hardstanding and grassed areas within the site, would not integrate the development sensitively into its surroundings causing harm to character and appearance of the area and contrary to the statutory purposes of the AONB designation, which is to conserve and enhance the natural beauty of the area. This is contrary to saved policies ENV2 and GD1 (A, B & I) of the Teesdale District Local Plan, as well as paragraphs 17, 56 and 109 of the National Planning Policy Framework.

STATEMENT OF PROACTIVE ENGAGEMENT

31. The Local Planning Authority in arriving at its decision to recommend refusal of this application have, without prejudice to a fair and objective assessment of the proposal, considered the proposal in relation to relevant planning policies and representations received. The planning authority provided advice on what it considers would be an acceptable scheme prior to and during the application, but the applicant has chosen to proceed with the submitted scheme.

BACKGROUND PAPERS

Submitted Application Forms, Plans and supporting documents
National Planning Policy Framework
Teesdale District Local Plan
Representations received



Planning Services

First floor extension and single storey extension to rear

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19th July 2018

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COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	DM/18/01379/FPA
FULL APPLICATION DESCRIPTION:	16no. affordable dwellings
NAME OF APPLICANT:	Livin
ADDRESS:	Land at Hunter Terrace and Tennyson Road, Chilton, Co Durham
ELECTORAL DIVISION:	Chilton
CASE OFFICER:	Mark O'Sullivan, Senior Planning Officer, 03000 261056, mark.o'sullivan@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

1. The application relates to two separate parcels of land located to the north and south of Hunter Terrace, Chilton. The northern parcel has an area of 0.3Ha and comprises a mixture of grassland and cobbled roads left behind from former terraced housing which previously occupied the site. 5no. residential properties remain (no's 1-5 Hunter Terrace) located south of the site, with residential garage development to their rear (north). No's 1 and 2 Hunter Terrace are presently occupied under private ownership, with no's 3, 4 and 5 vacant.
2. To the east of this parcel of land is the Wheatsheaf PH and customer car park fronting onto Durham Road which forms the main thoroughfare through Chilton town centre. To the west are residential properties on Tennyson Road, Burns Road and Ford Terrace. To the north is the Chilton Health Centre.
3. The smaller southern parcel of land is 0.08Ha in area and consists of grassland with vegetation planting along its southern boundary. Historically this site was occupied by the former St John's Ambulance Hall, which was recently demolished. To the south lies Chilton Care Centre and an area of open space. To the east is Hutton House, with residential properties on Ford Terrace to the west.
4. Permission is sought to construct 16no. residential units comprising 10no. 2 bed bungalows and 6no. 2 bed dwellings across the two identified developable areas. Proposed plots 9-11 and 12-14 would comprise short terraces of two storey dwellings, with the remainder being semi-detached bungalows. All dwellings would be of brick and tile construction with white upvc fenestration. The applicant has submitted a detailed materials specification as part of the application.
5. All 16no. units would be made available for affordable rent providing a mix of both family housing and bungalows for older persons and/or disabled. 6no. dwellings would be made available for outright purchase after five years under the Government's Rent to Buy initiative with the applicant to enter into a s106 agreement to secure 2no. dwellings as affordable rented accommodation in perpetuity.

6. The 16no. dwellings would be accessed directly from Hunter Terrace and Tennyson Road and would be supported by 24no. off-street car parking spaces. In addition, works to provide 6 metres junction radii improvements on Hunter Terrace, Tennyson Road and Norman Terrace are proposed. The existing cobbled roads which intersect the northernmost site form part of the adopted highway, with the applicant looking to formally stop these up should permission be granted.
7. If approved the land owner would seek to compulsory purchase the 2no. privately owned dwellings on Hunter Terrace and a small number of garages to the rear to facilitate the development.
8. The application is being reported to the Planning Committee in accordance with the Councils scheme of delegation relating to major applications.

PLANNING HISTORY

9. Demolition consent was granted in March 2009 for the demolition of properties on former Victoria Terrace, Oswald Terrace and Westwood Terrace Chilton (planning ref: 7/2008/0590/DM). It was determined as part of this application that no's 1-5 Hunter Terrace would not be demolished. Demolition consent was later granted in October 2013 for the demolition of the St John's Ambulance Hall, Hunter Terrace with land to be levelled, soiled and grassed (planning ref: 7/2013/0393/DM). All cleared land forms part of the current application site. Planning approval was granted in June 2014 for the demolition of all remaining buildings across the site and the erection of 18no. affordable dwellings under planning approval ref: 7/2013/0363/DM. This approval was never implemented and subsequently withdrawn in January 2018 pending submission of the current application.

PLANNING POLICY

NATIONAL POLICY

10. The Government has consolidated all planning policy statements, guidance notes and many circulars into a single policy statement, the National Planning Policy Framework (NPPF), although the majority of supporting Annexes to the planning policy statements are retained. The overriding message is that new development that is sustainable should go ahead without delay. It defines the role of planning in achieving sustainable development under three topic headings – economic, social and environmental, each mutually dependent.
11. The presumption in favour of sustainable development set out in the NPPF requires local planning authorities to approach development management decisions positively, utilising twelve 'core planning principles'. The following elements of the NPPF are considered relevant to this proposal;
12. *Part 4 – Promoting sustainable transport.* Transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. Smarter use of technologies can reduce the need to travel. The transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel. However, the Government recognises that different policies and measures will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas.

13. *Part 6 - Delivering a wide choice of high quality homes.* To boost significantly the supply of housing, applications should be considered in the context of the presumption in favour of sustainable development.
14. *Part 7 – Requiring good design.* The Government attaches great importance to the design of the built environment, with good design a key aspect of sustainable development, indivisible from good planning.
15. *Part 10 – Climate Change, flooding and coastal change.* Planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development.
16. *Part 11 – Conserving and enhancing the natural environment.* The planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government’s commitment to halt the overall decline in biodiversity.

LOCAL PLAN POLICY:

17. The development plan is the Sedgefield Borough Local Plan saved policies:
18. *Policy D1 - General principles for the layout and design of new developments* - requires the layout and design of all new developments to take account of the site’s relationship to the adjacent land uses and activities.
19. *Policy D3 - Design for access* - seeks to ensure new development makes satisfactory provision for all road users and pedestrians.
20. *Policy D5 - Layout of new housing development* - sets criteria for the layout of new housing developments.
21. *Policy E15 – Safeguarding of woodlands, trees and hedgerows* - seeks to ensure that new proposals retain areas of woodland, important groups of trees, copses and hedgerow wherever possible, replacing any trees which are lost.
22. *Policy H17 - Backland and infill housing development* - sets criteria for new backland and infill housing development.
23. *Policy L2 – Provision of open space in new housing development* – seeks to ensure open space provision in housing developments of 10 or more dwellings.
24. *Policy L5 – Safeguarding of areas of open space* – sets criteria for the retention of areas of open space.

RELEVANT EMERGING POLICY:

The County Durham Plan

25. Paragraph 216 of the NPPF says that decision-takers may give weight to relevant policies in emerging plans according to: the stage of the emerging plan; the extent to which there are unresolved objections to relevant policies; and, the degree of consistency of the policies in the emerging plan to the policies in the NPPF. An

'Issues & Options' consultation was completed in 2016 on the emerging the County Durham Plan (CDP) and the 'Preferred Options' was approved for consultation at Cabinet in June 2018. However, the CDP is not sufficiently advanced to be afforded any weight in the decision making process at the present time.

The above represents a summary of those policies considered most relevant in the Development Plan the full text, criteria, and justifications of each may be accessed at <http://www.cartoplus.co.uk/durham/text/00cont.htm>.

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

26. *Chilton Town Council* – Offer full support to the application.
27. *Highway Authority* – No objections.
28. *NHS* – Has made no comment on the application.
29. *NWL* – No objections, providing the application is carried out in strict accordance with the submitted document entitled "Proposed Drainage Plan". Details to be controlled by condition.
30. *Coal Authority* – No objections. The application site does not fall with the defined Development High Risk Area.

INTERNAL CONSULTEE RESPONSES:

31. *Environmental Health (Contaminated Land)* – No objections, subject to condition.
32. *Environmental Health (Noise)* – Given the proximity of the site to the Wheatsheaf PH, there is potential of noise associated with fixed plant, use of the indoor areas and use of the beer garden to the rear. Any approval should be subject to a noise impact assessment (to be controlled by condition). Given the constraints of the site and proximity of existing residential properties, the granting of planning permission for the development may result in a statutory nuisance being created. The potential impacts of the demolition/construction phase should be suitably controlled by condition.
33. *Ecology* – No objections, subject to adherence to the recommendations as set out within section 4 of the submitted Ecological Appraisal (Quants Environmental, November 2017).
34. *Spatial Policy* – Paragraph 14 of the NPPF is relevant and the scheme should be granted planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF taken as a whole. The site is previously-developed and has benefitted from a resolution to grant planning permission (subject to the completion of the s106 legal agreement) in recognition that it would redevelop a former housing area.
35. *Drainage* – No objections, subject to the surface water management scheme for the development being implemented in accordance with the submitted Flood Risk Assessment.
36. *Affordable Housing* – The proposed development has an affordable housing need of 10%, equating to 2no. affordable units. These would be provided at affordable rent in perpetuity as outlined in the Affordable Housing Statement.

37. *Education* – There would be sufficient space to accommodate the pupils generated by the development in primary and secondary schools.
38. *Sustainable development / Energy* – Has made no comment on the application.
39. *Landscape* – No objections, subject to condition controlling tree protection arrangements and the submission of a detailed landscape scheme.
40. *Landscape (Arboriculture)* - The proposed development is unlikely to have a major impact on significant trees, although construction will be close to a number of small ornamentals to the south of the site that are marked for retention on the layout plan. These trees should be adequately protected pre commencement and for the duration of the development to BS5827 (2012).
41. PROW – No objections.

PUBLIC RESPONSES:

42. The application has been publicised by way of site notice and notification letters to neighbouring residents. No objections have been received in response.

APPLICANTS STATEMENT:

43. The proposed scheme will provide 16no. dwellings offering a mix of both family general needs housing and bungalows for older persons and/or disabled. All homes within the scheme will be available for affordable rent with six houses available for outright purchase after five years under the Government's Rent to Buy initiative. Additionally the provision of eight bungalows on the scheme for affordable rent, satisfies a much identified need for older persons accommodation and targets the growing demographics of this age group.
44. The proposed scheme compliments the adjoining residential areas and is conveniently located close to local amenities for residents. The scheme design is arranged in sets of semi-detached properties therefore allowing for side gardens and off street parking provision thereby reducing road congestion. The boundary enclosures to frontages are designed to provide an open feel offering natural surveillance, whilst the rear gardens are provided with a secure boundary.
45. We understand that the site was formerly terraced two storey housing, as such we feel this proposed development is less imposing than the previous terrace housing and will provide an open and attractive development.

The above represents a summary of the comments received on this application. The full written text is available for inspection on the application file which can be viewed at <http://82.113.161.89/WAM/showCaseFile.do?action=show&appType=planning&appNumber=10/00955/FPA>

PLANNING CONSIDERATIONS AND ASSESSMENT

46. Having regard to the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004 the relevant Development Plan policies, relevant guidance and all other material planning considerations, including representations received, it is considered that the main planning issues relate to the principle of development, scale/design, privacy/amenity, highways, arboricultural impact, ecology, land contamination and planning obligations.

The principle of the development:

47. Paragraph 47 of the NPPF requires Local Planning Authorities to maintain a five-year supply of deliverable sites (against housing requirements) to ensure choice and competition in the market for land.
48. In September 2017, the Government published a consultation document entitled *"Planning for the Right Homes in the Right Places"*, which introduced a standard methodology for calculating housing need (OAN). Applying that methodology for County Durham, the housing need figure would be 1,368 dwellings per annum. The Government published its response to the consultation in March 2018, and clarified that the standardised approach is the most appropriate method for calculating need as it meets the three key principles of being simple, realistic and based on publicly available data. At the same time, a revised draft NPPF was issued for consultation, with paragraph 61 advising that, 'in determining the minimum number of homes needed, strategic plans should be based upon a local housing need assessment, conducted using the standard method in national planning guidance'.
49. The Government also issued draft planning guidance on 9 March 2018, which sets out that where a local plan is more than five years old and the housing figure needs revising, as is the case in County Durham, the starting point for calculating land supply will be local housing need using the standard methodology.
50. The Council's position on 5-year housing land supply was publically tested at a recent public inquiry (APP/X1355/W/17/3180108 – decision issued 10th May 2018) with the Inspector concluding that the use of the Government proposed standardised methodology for calculating land supply would be premature until it has formally come in to force or until the council has adopted a formal position in relation to its OAN. On the 13th June, the 'Preferred Options' of the County Durham Plan (CDP) was presented to the Council's Cabinet and endorsed for consultation. The CDP is aligned with the standardised methodology and formally endorses the use of 1,368dpa as the OAN figure. The Council is able to demonstrate in excess of 6 years supply of deliverable housing land against this figure.
51. Accordingly, the weight to be afforded to the boost to housing supply as a benefit of the development is clearly less than in instances where such a healthy land supply position could not be demonstrated. This will need to be factored into the planning balance.
52. The application site is located within the Chilton settlement which is classified as a smaller town/larger village within the County Durham Settlement Study. Policy H1 of the Sedgefield Borough Local Plan concerning housing development within Chilton is out of date. Where the development plan is absent, silent or relevant policies are out of date, paragraph 14 of the NPPF explains that planning permission should be granted unless any adverse impact of the propose development would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF as a whole.
53. In this instance there are no specific policies within the NPPF which indicate that the proposed development should be restricted. The overarching principles of the NPPF seek to secure development in sustainable locations. Paragraphs 47- 55 of the NPPF seek to boost significantly the supply of housing to create sustainable, inclusive and mixed communities.

54. Saved policies H17 and D5 of the Sedgefield Borough Local Plan support new residential development on backland and infill locations where this can achieve a satisfactory means of access and parking provision, satisfactory amenity and privacy for both the new dwellings and existing adjacent dwellings, and where development is in keeping with the scale and form of adjacent dwellings and the local setting of the site.
55. The application site is located in an established residential environment with good links to local amenities and services in the town and surroundings. Historically the site was occupied by residential development which in recent years has been cleared apart from a small number of houses that were retained including some left vacant. Planning permission was granted in June 2014 for the clearance of the entire site and the erection of 18no. dwellings with the principle of residential development in this location considered acceptable.
56. The redevelopment of the site as currently proposed would provide 10no. 2 bed bungalows and 6no. 2 bed dwellings (built over two storeys) that would be made available at affordable rent. Such provision would support the aims of part 6 of the NPPF which seeks to deliver a wide choice of high quality homes across the County.
57. Subject to the following material planning considerations, the proposed development would be considered acceptable in principle.

Scale/Design:

58. Part 7 of the NPPF and saved policies H17 and D1 of the Sedgefield Borough Local Plan seek to ensure good design in new developments, having regard to a sites natural and built features and the relationship to adjacent land uses and activities. Development should be in keeping with the scale and form of adjacent dwellings and the local setting of the site.
59. The proposed development would provide a mix of bungalows and houses arranged in short terraced rows and semi-detached pairs. The proposed development form would be less dense than previously but the dwellings would be of a scale and design which would complement their predominantly terraced surrounds and would be constructed from alnwick blend red bricks and grey tiles with grey cladding panel sympathetic to the surrounding street scene. The applicant has provided a detailed materials specification which is considered acceptable. Proposals would satisfy the principles of Part 7 of the NPPF and saved policies H17 and D1 of the Sedgefield Borough Local Plan.

Privacy / Amenity:

60. Saved policies H17, D1 and D5 of the Sedgefield Borough Local Plan seek to ensure that new developments provide satisfactory amenity and privacy for new and existing adjacent dwellings. Supplementary Planning Guidance Note 3 sets minimum separation criteria between dwellings, requiring a minimum 21m distance between opposing windows of primary elevations and 14m between primary and gable elevations of neighbouring property.
61. The proposed development would front onto Hunter Terrace and Tennyson Road, providing sufficient private amenity space to the front and rear of each plot in addition to off street parking provision. Plots 1 and 2 to the south of Hunter Terrace would maintain 21m separation from opposing plots 5 and 6 to the north. Plots 7-11 to the east of Tennyson Road would maintain a separation of approximately 24m from

opposing properties to the west. To the north of the site, plots 12-16 would look towards the Chilton Medical Centre with all plots maintaining a satisfactory degree of separation from one another.

62. The two storey elements would be focused towards the centre of the site (plots 9-14) facing east and west, with adjacent bungalow development to the south ensuring no loss of sunlight or over dominance.
63. Means of enclosure are detailed on submitted plans with rear gardens to be divided by 1.8m high close boarded fencing. The rear boundary of all plots would include a 1.8m high brick wall with the frontages remaining open plan in nature. The enclosures would ensure satisfactory privacy between neighbouring plots without appearing overbearing, or of a scale and design that detracts from the surrounding street scene. Gardens and communal amenity areas would be landscaped with such detail to be controlled by condition in the interests of amenity and visual impact.
64. Permitted development rights for extensions and outbuildings would be removed by condition given the limited space available around each dwelling so as to ensure the existing separation distances are not unacceptably reduced in the interests of residential amenity.
65. The Wheatsheaf PH is located some 25m to the east of plots 7-14 and only 13m to the south of plots 15-16. Given the nature of this adjacent use and potential for noise from use of the main building, external drinking areas and the customer car park, it is deemed appropriate to request the submission of a noise impact assessment to demonstrate the likely impact of the existing noise climate on the proposed development and mitigation measures. It is considered that although the amenities of future occupants of these dwellings may be affected by the adjacent PH use, such impacts can be effectively mitigated and maintained thereafter through the imposition of a condition if approved.
66. With regards to the demolition and construction phases, it is inevitable that some level of disturbance to neighbouring residents would result from site operations. However, this can be appropriately controlled in terms of site operations and operational hours so as to minimize noise emissions from the site during more sensitive hours. The Environmental Health section consider that any planning permission be subject to a condition requiring the submission, prior approval of and adherence to a detailed construction management plan.
67. Subject to the above, the proposed development is considered to satisfy the provisions of saved local plan policies H17, D1 and D5 and SPGNote3.

Highways:

68. Saved policies H17 and D3 of the Sedgefield Borough Local Plan, and Part 4 of the NPPF require new development to achieve a safe and suitable access. NPPF paragraph 32 states development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are considered to be severe.
69. The 16no. dwellings would accessed directly from Hunter Terrace and Tennyson Road and would be supported by 24no. off-street car parking spaces which complies with the minimum requirements outlined in the DCC Residential Car Parking Standards. The distribution of the off-street car parking across the site is acceptable.

70. Submitted plans show the existing footpath to the front of properties to be widened to 1800mm and resurfaced as required. Existing tight radii on Hunter Terrace and Tennyson Road have also been addressed by the creation of 6m junction radii to improve vehicular access and manoeuvrability through the site. Plans also detail the stopping up of sections of existing adopted highway within the northernmost section of the site which are no longer required. The applicant is to be reminded by informative of the requirement to contact DCC neighbourhood services in this regard.
71. Subject to the above, the application is considered acceptable in accordance with saved policies H17 and D3 of the SBLP and Part 4 of the NPPF. It is not considered that the residual cumulative highways impacts of the development would be severe.

Arboricultural impact

72. Saved policy E15 of the Sedgefield Borough Local Plan seeks to ensure that development proposals retain areas of woodland, important groups of trees, copses and hedgerow wherever possible, replacing any trees which are lost. The majority of the application site was previously developed, with cleared land left to grass pending future redevelopment. 1no. existing tree located to the rear of proposed plot no.3 is to be felled although this is not considered a specimen worthy of retention. A number of unprotected trees are marked for retention close to the southern boundary of the site (to the south of plots 1 and 2) with new tree planting dispersed across the site.
73. The proposed development is unlikely to have a major impact on significant trees, with approval recommended subject to a condition requiring the adequate protection of landscaping to the south of the site and the submission of a detailed landscape scheme covering all new landscape proposals. No objections are raised with the proposed development to satisfy the provisions of saved policy E15 of the Sedgefield Borough Local Plan.

Ecology:

74. Part 11 of the NPPF seeks to ensure that when determining planning applications, local planning authorities seek to conserve and enhance biodiversity. The application has been submitted alongside a preliminary ecological appraisal (Quants Environmental, November 2017) identifying no habitats of significant ecological value to be affected by the proposed redevelopment of the site. Subject to adherence to the mitigation measures as detailed within section 4 of this report, including but not restricted to the undertaking of a watching brief of the site and the installation of bird boxes (locations to be agreed), no ecological objections are raised, with the application considered to satisfy the provisions of Part 11 of the NPPF.

Land contamination:

75. Part 11 of the NPPF seeks to prevent unacceptable risks from pollution and land instability. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner. The application has been submitted alongside a phase 2 geo-environmental appraisal and gas risk assessment (Patrick Parsons, January 2018) confirming further soil remediation works are required prior to commencement of development on the site. No objections are raised subject to the imposition of a condition controlling these necessary works prior to commencement of development. Subject to the above, the application would satisfy the provisions of Part 11 of the NPPF.

Planning obligations:

76. Affordable Housing – The NPPF is supportive of delivering affordable housing as a component of ensuring sustainable development. The definition of affordable housing, as contained in the Framework is: Social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices. Affordable housing should remain at an affordable price for future eligible households or include a subsidy to be recycled for alternative affordable housing provision. The 2016 SHMA for County Durham identifies an annual need for approximately 378no. additional affordable units across the County.
77. The applicant is a social housing provider who has stated that all of the 16no. units would be made available at 100% affordable rent. The 6no. houses would be made available for rent to buy with a rental period applicable for 5 years followed by an option to purchase. In addition, Livin will enter into a S106 agreement to secure 2no. dwellings as affordable rent in perpetuity.
78. Open Space contribution – Saved policy L5 of the Sedgefield Borough Local Plan seeks to ensure the retention of areas of open space unless special circumstances apply. The Open Space Needs Assessment (OSNA, 2010) sets out the most up to date position in respect to open space provision across the County and provides a formula for calculating requirements on a site specific basis. This is a relevant material consideration in conjunction with Policy L2 of the SBLP and paragraph 73 of NPPF. Paragraph 173 of the NPPF is clear that to ensure viability, the costs of any requirements to be applied to development, should provide competitive returns to a willing land owner and willing developer to enable the development to be delivered.
79. Historically the application site was occupied by residential properties and the St John's Ambulance Hall. Following the clearance of these sites, the majority of the land was grassed over pending redevelopment. The northernmost parcel does not form an area of designated open space within the authority's open space needs assessment, although a section of the southern parcel (not formerly developed) does. The proposed layout would see the redevelopment of both parcels of land and would provide limited areas of open amenity space primarily in the form of soft landscaped areas interspersed throughout the development.
80. The applicant has provided supporting information indicating that the viability of the Chilton Regeneration Scheme could be threatened if any additional fees to offset the absence of open space provision were to be pursued with the proposals heavily reliant upon HCA funding. The views of the Councils Spatial Policy section have been sought in this regard who agree that in this instance, given the information provided in respect of the challenges associated with bringing the site forward, this represents evidence in the context of para 173 of the NPPF sufficient to waive the open space contribution.
81. Large areas of open space (unaffected by the development) exist close to the site to the north, east and south which is readily accessible (all within walking distance). It is further noted that until recently the site was occupied by 25no. terraced properties. The current proposals represent an overall reduction in the level of development at the site with no net increase in demand for informal play space. In addition the scheme is 100% affordable and forms an important part of a wider regeneration initiative in the area with associated community and social benefits to result.

Planning balance:

82. Paragraph 49 of the NPPF advises that housing applications should be considered in the context of the presumption in favour of sustainable development. In cases where existing policies for the supply of housing are out of date, paragraph 14 of the NPPF is engaged and the acceptability of a proposal needs to be considered in the context of the planning balance test. This requires that applications should be approved unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the framework as a whole.
83. The application site concerns previously developed land, centrally located within the Chilton settlement, in close proximity to shops and services within the main town. The economic benefit resulting from the delivery of these properties through their construction and the future economic activity of residents would be seen as a benefit. Likewise, the provision of 16no. affordable residential units within an established residential setting would contribute to the mix of house types meeting a defined need for bungalows across the County. Furthermore, affordable housing provision (with 2no. to remain in perpetuity) would be provided in line with the requirements set out within the 2016 SHMA.
84. The environmental benefits of the scheme would see the removal of existing deteriorating garage structures and vacant housing stock which has fallen into disrepair, and the delivery of a well-designed scheme which integrates well into its surrounds, supporting the wider regeneration initiatives of the Chilton settlement. The proposed dwellings would be of a scale and design sympathetic to their surrounds without impacting the amenities of neighbouring properties or the wider character of the street scene with associated parking provision to be provided away from the main highway.
85. The redevelopment of the site would lead to some temporary disturbance to local residents during the construction period. However such concerns can be effectively managed through condition, controlling working hours and construction activities so as to minimise the adverse impacts relating to site development.
86. Having regard to the above, it is considered on balance that the adverse impacts of the development are significantly outweighed by the overall benefits.

CONCLUSIONS

87. The proposals would provide a mixture of 16no. affordable dwellings within the Chilton settlement in a sustainable, brownfield location. Such provision would contribute to the mix and supply of housing within the settlement, whilst seeing the removal of deteriorating garage structures and vacant dwellings which are falling into disrepair, in line with the wider regeneration objectives of the Chilton settlement.
88. Planning permission was granted for the erection of 18no. dwellings in this location as recently as June 2014 although this consent was never implemented. The principle of infill residential development nevertheless remains acceptable and in compliance with the aims of the NPPF and relevant development plan policies.
89. The development would result in a scheme that can be appropriately integrated within the surrounding residential environment without compromising highway safety, residential amenity, landscaping, ecology, drainage or land contamination. Redevelopment of the site would provide much needed affordable housing throughout

the entire scheme and a section 106 legal agreement would secure the provision of 2no. affordable units in perpetuity.

90. All representations have been carefully considered and there have been no adverse impacts identified that would significantly and demonstrably outweigh the benefits of the proposal when assessed against the policies of the NPPF as a whole, or the other relevant policies of the Sedgefield Borough Local Plan. In accordance with NPPF Paragraph 14 and the presumption in favour of granting permission, the proposal is recommended for approval.

RECOMMENDATION

That the application be **APPROVED** subject to the completion of a Section 106 Obligation to secure the retention of 2no. affordable units in perpetuity and the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.
2. The development hereby approved shall be carried out in strict accordance with the following approved plans:
L-01 (Location Plan), received 09 May 2018
SK.103 revD (Proposed site plan), received 14 June 2018
SK.110 revA (2B4P House – Plans elevations and sections), received 09 May 2018
SK.112 revB (2B3P Bungalow pair – Plans and elevations), received 09 May 2018
SK.113 (2B3P Bungalow pair – Plans and elevations), received 09 May 2018
SK.114 (2B3P Bungalow pair –Plans and elevations), received 09 May 2018
C-GA-04 revP1 (Proposed levels plan), received 09 May 2018
C-GA-05 revP1 (Proposed drainage plan), received 09 May 2018
C-GA-003 revP1 (Stopping up plan), received 09 May 2018
External Materials Schedule and samples, received 09 May 2018
Reason: For the avoidance of doubt and in the interests of proper planning.
3. Prior to the commencement of development hereby approved, a detailed noise impact assessment, compliant with the methodology stated in BS 4142: 2014, demonstrating the noise rating level from nearby commercial noise sources shall be submitted to and approved in writing by the Local Planning Authority. Should the assessment demonstrate that the rating level of existing commercial operations/fixed plant be more than 5dB LAeq (1 hour) (07.00-23.00) and 0dB LAeq (15 mins) (23.00-07.00) above the background noise level (LA90) at noise sensitive receptors, then a scheme of sound attenuation measures must be proposed in agreed in writing by the Local Planning Authority. Approved noise mitigation measures shall be implemented in full prior to first occupation of the dwellings hereby approved and maintained thereafter.
Reason: In the interests of the privacy/amenities of neighbouring occupiers and to comply with saved policies H17 and D1 of the Sedgefield Borough Local Plan.
4. No external construction works, works of demolition, deliveries, external running of plant and equipment shall take place other than between the hours of 0730 to 1800 on Monday to Friday and 0800 to 1400 on Saturday. No internal works audible outside the site boundary shall take place on the site other than between the hours of 0730 to

1800 on Monday to Friday and 0800 to 1700 on Saturday. No construction works or works of demolition whatsoever, including deliveries, external running of plant and equipment, internal works whether audible or not outside the site boundary, shall take place on Sundays, Public or Bank Holidays. For the purposes of this condition, construction works are defined as: The carrying out of any building, civil engineering or engineering construction work involving the use of plant and machinery including hand tools.

Reason: In the interests of the privacy/amenities of neighbouring occupiers and to comply with saved policies H17 and D1 of the Sedgfield Borough Local Plan.

5. Prior to the commencement of any part of the development or any works of demolition, hereby permitted, a Construction Management Plan shall be submitted to and approved in writing by the local planning authority. The Construction Management Plan shall include as a minimum but not necessarily be restricted to the following:
 1. A Dust Action Plan including measures to control the emission of dust and dirt during construction
 2. Details of methods and means of noise reduction
 3. Where construction involves penetrative piling, details of methods for piling of foundations including measures to suppress any associated noise and vibration.
 4. Details of measures to prevent mud and other such material migrating onto the highway from construction vehicles;
 5. Designation, layout and design of construction access and egress points;
 6. Details for the provision of directional signage (on and off site);
 7. Details of contractors' compounds, materials storage and other storage arrangements, including cranes and plant, equipment and related temporary infrastructure;
 8. Details of provision for all site operatives for the loading and unloading of plant, machinery and materials
 9. Details of provision for all site operatives, including visitors and construction vehicles for parking and turning within the site during the construction period;
 10. Routing agreements for construction traffic.
 11. Details of the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 12. Waste audit and scheme for waste minimisation and recycling/disposing of waste resulting from demolition and construction works.
 13. Detail of measures for liaison with the local community and procedures to deal with any complaints received.

The management strategy shall have regard to BS 5228 'Noise and Vibration Control on Construction and Open Sites' during the planning and implementation of site activities and operations.

The approved Construction Management Plan shall also be adhered to throughout the construction period and the approved measures shall be retained for the duration of the construction works.

Reason: In the interests of the privacy/amenities of neighbouring occupiers and to comply with saved policies H17 and D1 of the Sedgefield Borough Local Plan.

6. Notwithstanding the provisions of Class A, B, C, D, E, F and G of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order) details of any enlargement, improvement or other alteration to the dwellings hereby approved and any buildings, including sheds, garages and glass houses to be erected within the curtilage of the dwellinghouses shall be submitted to and approved in writing by the Local Planning Authority.
Reason: In the interests of the visual amenity of the area and to comply with saved policies H17, D1 and D5 of the Sedgefield Borough Local Plan.

7. Prior to the first occupation of the dwellings hereby approved, a detailed landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme of landscaping shall include details of hard and soft landscaping including details of 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.
Reason: In the interests of the visual amenity of the area and to comply with policies D1, H17 and E15 of the Sedgefield Borough Local Plan.

8. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first available planting season following the practical completion of the development (or occupation of buildings or commencement of use) 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
Reason: In the interests of the visual amenity of the area and to comply with policies D1, H17 and E15 of the Sedgefield Borough Local Plan.

9. No development shall commence nor shall any materials or machinery be brought on the site until details showing the exact position of protective fencing around trees and hedges, within and adjacent to the site to be retained have been submitted to and approved in writing by the Local Planning Authority. Approved details shall be implemented onto site prior to commencement of development and retained thereafter for the period of development. No operations whatsoever, no alterations of ground levels, and no storage of any materials are to take place within the protective fenced areas, and no work is to be done as to adversely affect any tree.
Reason: In order to ensure protection to existing trees on site in accordance with saved policy E15 of the Sedgefield Borough Local Plan.

10. No development shall take place unless in full accordance with the recommendations detailed within section 4 of the submitted ecological appraisal (Quants Environmental, November 2017) including but not restricted to:

A watching brief of the demolition of the buildings by a suitably experienced bat worker, carrying any licenses necessary, as detailed in the report;

The installation of at least 4no. double woodstone house martin nests to be installed under the eaves of the double storey dwellings and at least 4no. Schwegler 1SP sparrow terraces, installed on either the bungalows and/or the double storey dwellings.

Reason: To conserve protected species and their habitat in accordance with Part 11 of the NPPF.

11. The development hereby permitted shall not commence until a pre-commencement scheme to deal with contamination has been submitted to and agreed in writing with the Local Planning Authority. The full scheme, both pre-commencement and completion shall include the following, unless the Local Planning Authority confirms in writing that any part of sub-sections a, b or c are not required.

Throughout both the pre-commencement and completion phases of the development all documents submitted relating to Phases 3 to 4 as detailed below shall be carried out by competent person(s) and shall be submitted to and agreed in writing with the Local Planning Authority.

Pre-Commencement

- (a) A Phase 3 Remediation Strategy detailing the proposed remediation and verification works is required. If gas protection measures are required a verification plan is required detailing the gas protection measures to be installed, the inspection regime and where necessary integrity testing programme. The installation of the gas membrane should be carried out by an appropriately qualified workforce and the verification of the installation should be carried out by an appropriately competent, experience and suitably trained person(s) (preferably independent to the installer) to ensure mitigation of the risk to the buildings and the people who occupy them. No alterations to the remediation proposals shall be carried out without the prior written agreement of the Local Planning Authority.

Completion

- (b) During the implementation of the remedial works and/or development if any contamination is identified that has not been identified pre-commencement, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment shall be carried out in accordance with part b of the condition and where necessary a Phase 3 Remediation Strategy shall be prepared in accordance with part c of the condition. The development shall be completed in accordance with any amended specification of works.
- (c) Upon completion of the remedial works, a Phase 4 Verification Report (Validation Report) confirming the objectives, methods, results and effectiveness of all remediation works detailed in the Phase 3 Remediation Strategy shall be submitted to and agreed in writing with the Local Planning Authority within 2 months of completion of the development. If integrity testing of the membrane(s) was required a verification pro forma should be included.

Reason: The site may be contaminated as a result of past or current uses. The Local Planning Authority wishes 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 in accordance with NPPF Part 11.

12. Development shall be carried out in line with the drainage scheme contained within the submitted document entitled "Proposed Drainage Plan" dated "January 2018". The drainage scheme shall ensure that foul flows discharge to the combined sewer at manhole 5712 and ensure that surface water discharges to the *surface water* sewer downstream of manhole 5709. The surface water discharge rate shall not exceed the available capacity of 5.0 l/sec that has been identified in this sewer. The final surface water discharge rate shall be agreed by the Lead Local Flood Authority.

Reason: To prevent the increased risk of flooding from any sources in accordance with the NPPF.

13. The surface water management scheme for the proposed development must be carried out in full accordance with the submitted Flood Risk Assessment, Rev A (January 2018)

Reason: To ensure effective drainage measures and sustainable principles are adhered to, and to safeguard the proposed development from flood risk, whilst not increasing flood risk elsewhere in accordance with the NPPF.

STATEMENT OF PROACTIVE ENGAGEMENT

The Local Planning Authority in arriving at its decision have, without prejudice to a fair and objective assessment of the proposals, issues raised, and representation received, sought to work with the applicant in a positive and proactive manner. The Local Planning Authority have sought to ensure that this application has been determined within the statutory determination period.

BACKGROUND PAPERS

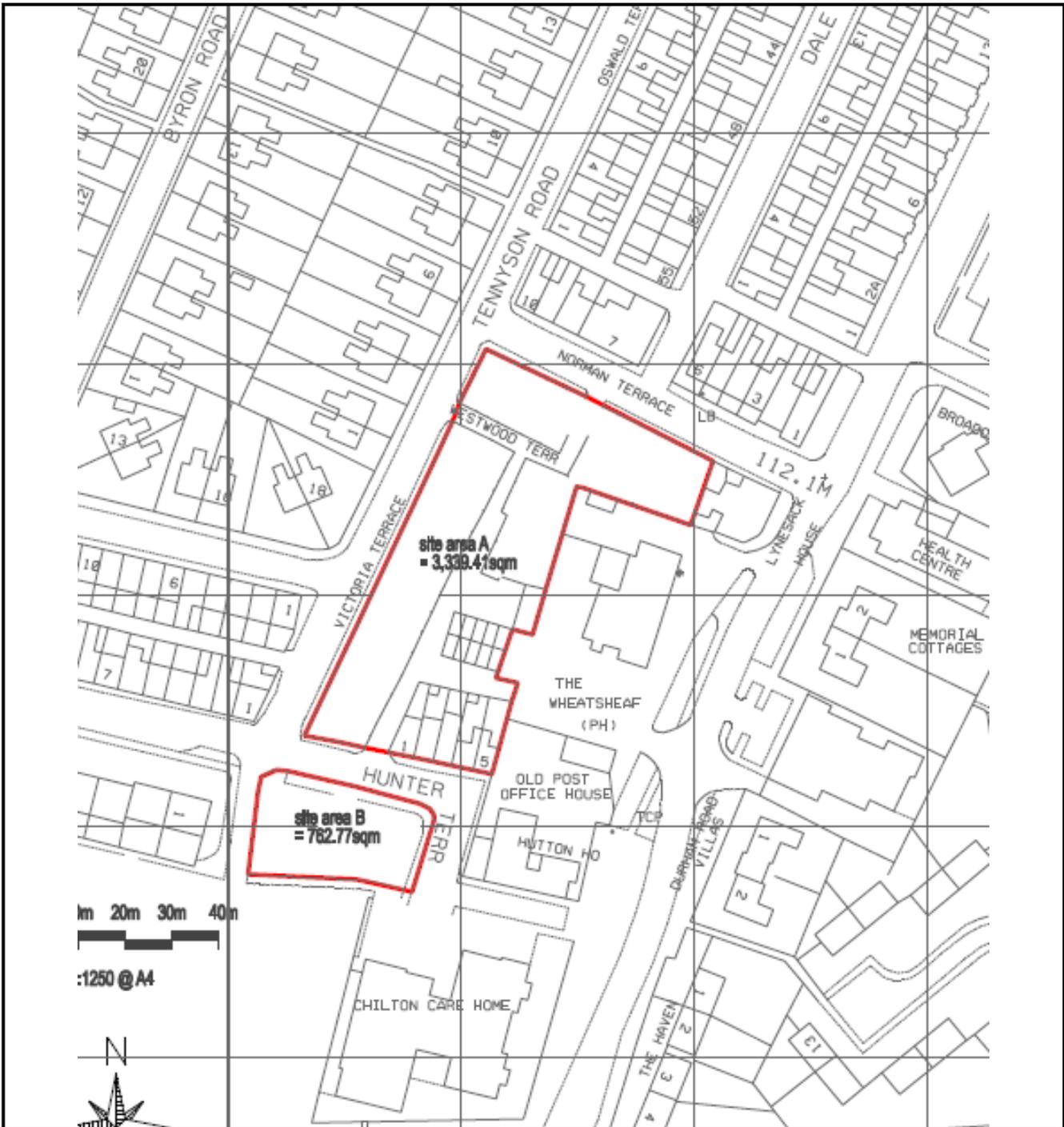
Submitted Application Forms, Plans and supporting documents

National Planning Policy Framework

Sedgefield Borough Local Plan

Statutory response from the Highway Authority, Coal Authority and NWL

Internal responses from Environmental Health and Contaminated Land, Ecology, Spatial Policy, Drainage, Affordable Housing, Education, Landscape and Arboriculture and Affordable Housing



Planning Services

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16no. affordable dwellings

Comments

Date 19 July 2018

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Planning Services

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	DM/18/01469/AD
FULL APPLICATION DESCRIPTION:	Non illuminated pole mounted sales sign (retrospective)
NAME OF APPLICANT:	Taylor Wimpey
ADDRESS:	Land North East Of Stockton Road, Sedgefield, TS21 2BQ
ELECTORAL DIVISION:	Sedgefield
CASE OFFICER:	Hilary Sperring, Planning Officer, 03000 263947, Hilary.sperring@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

1. The application relates to land to the north east of Stockton Road, Sedgefield close to the junction with the A689, one of the main entrances to the settlement. The land is currently a field which is bounded by a post and rail timber fence with some intermittent trees and hedging along the boundaries. Highway verge separates the field from Stockton Road and A689 junction. A pavement runs along the opposite side of Stockton Road.
 2. The sign is already in place and the current proposal therefore seeks retrospective advertisement consent.
 3. The flat sales sign comprises dibond panels measuring 3 metres by 3 metres in size, the base of the sign erected 1.5 metres from ground level. The sign is pole mounted, non illuminated and in the main purple, white and red, the current corporate colours of Taylor Wimpey. It advertises the Eden Drive Taylor Wimpey residential development which is ongoing on a site to the west of Stockton Road following the recent receipt of planning permission
 4. The application is being reported to Planning Committee at the request of Councillor Robinson due to concerns over the proliferation of signs potentially distracting drivers and one building site does not need 3 advertising signs of the size Wimpey has in such close proximity.
-

PLANNING HISTORY

5. Outline planning permission was granted on appeal in October 2016 with all matters reserved except access for up to 220 dwellings together with full planning permission for a further 80 dwellings.

6. In 2017 the reserved matters (appearance, landscaping, layout and scale) pursuant to the outline element of the planning permission (DM/17/01322/RM). The reserved matters included the erection of 197 dwellings and associated works. The approved site is bordered to the east by Stockton Road, stables and associated agricultural land and to the south by the A689 dual carriageway and associated roundabout, Thurlow Road, Eden Drive and associated properties lie to the north whilst to the west the application site borders the rear of properties on The Meadows. This site is currently being developed by Taylor Wimpey and the sign relates to this development.
7. The wider site within which the sign has been erected was the subject of an outline application for the erection of up to 150 dwellings (all matters reserved). This was refused and following public inquiry held in June/ July 2017. The Planning Inspector dismissed the appeal (application reference DM/15/02626/OUT)
8. An additional sign the subject of another retrospective application had been erected in the field to the west of Stockton Road (DM/18/01107/AD). Following discussion Taylor Wimpey have confirmed that this sign will be removed and the application withdrawn.

PLANNING POLICY

NATIONAL POLICY:

9. The NPPF and the Town and Country Planning (Control of Advertisements)(England) Regulations 2007 (as amended) stipulate that advertisements should only be subject to control in the interests of amenity and public safety, taking into account the provisions of the development plan where material and any other relevant factors.
10. The Government has consolidated all planning policy statements, guidance notes and many circulars into a single policy statement, the National Planning Policy Framework (NPPF), although the majority of supporting Annexes to the planning policy statements are retained. The overriding message is that new development that is sustainable should go ahead without delay. It defines the role of planning in achieving sustainable development under three topic headings – economic, social and environmental, each mutually dependent.
11. The presumption in favour of sustainable development set out in the NPPF requires local planning authorities to approach development management decisions positively, utilising twelve ‘core planning principles’. The following elements of the NPPF are considered relevant to this proposal;
12. In accordance with paragraph 215 of the NPPF, the weight to be afforded to relevant saved local plan policy will depend upon the degree of consistency with the Framework. The greater the consistency, the greater the weight. The relevance of this issue is discussed, where appropriate, in the assessment section of this report.
13. NPPF Part 7 - Requiring Good Design. The Government attaches great importance to the design of the built environment, with good design a key aspect of sustainable development, indivisible from good planning.
14. NPPF Part 12 - Conserving and Enhancing the Historic Environment. Local planning authorities should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. In doing so, they should recognise that heritage assets

are an irreplaceable resource and conserve them in a manner appropriate to their significance.

<https://www.gov.uk/guidance/national-planning-policy-framework>

LOCAL PLAN POLICY:

15. The development plan is the Sedgefield Borough Local Plan saved policies:
16. Policy D1 - General principles for the layout and design of new developments - requires the layout and design of all new developments to take account of the site's relationship to the adjacent land uses and activities.
17. Policy E18 - Preservation and Enhancement of Conservation Areas. Requires that development proposals preserve or enhance the character and appearance of Conservation Areas.

RELEVANT EMERGING POLICY:

The County Durham Plan

18. Paragraph 216 of the NPPF says that decision-takers may give weight to relevant policies in emerging plans according to: the stage of the emerging plan; the extent to which there are unresolved objections to relevant policies; and, the degree of consistency of the policies in the emerging plan to the policies in the NPPF. An 'Issues & Options' consultation was completed in 2016 on the emerging the County Durham Plan (CDP) and the 'Preferred Options' was approved for consultation at Cabinet in June 2018. However, the CDP is not sufficiently advanced to be afforded any weight in the decision making process at the present time.

The above represents a summary of those policies considered most relevant in the Development Plan the full text, criteria, and justifications of each may be accessed at <http://www.cartoplus.co.uk/durham/text/00cont.htm>.

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

19. *Sedgefield Town Council* – Object to the application for a number of reasons. The size and scale of the signage being a distraction to drivers and therefore poses potential road safety implications. The field in which the signage is already being displayed does not relate to the development being promoted and gives a false impression that this site has already been given authorization for development when this is not the case. Town Councillors believe there is already sufficient advertising signage in this area of the Town. If permission for the siting of these signs was granted the Town Council feel it would be unacceptable to allow such to remain in place until 2024 and that a maximum 3 year time period should be set.
20. *Highways Authority* – The sign is located on private land outside the public highway and as such has no highway implications.

INTERNAL CONSULTEE RESPONSES:

21. *Design and Conservation* – No objection.

PUBLIC RESPONSES:

22. *Councillor Robinson* – Request that the application is considered by Committee due to concerns over the proliferation of signs potentially distracting drivers and one building site does not need 3 advertising signs of the size Wimpey has in such close proximity.
23. The application has been publicised by way of a site notice.
24. Sedgefield Civic Trust object to the application as they consider in its present position it gives the impression that there is going to be further housing development on that piece of land by the developer. It is a manipulation of planning law to erect the sign without permission. If a sign is required it should be moved on their side of the road and in a suitable position which does not affect the visual outlook of the Conservation Area for which Stockton Road is part.
25. 2 parties have also made representations objecting to the signage for the following reasons:

The sign is an eyesore - a motorway size sign in ugly colours, unsightly in nature, also unnecessary as the vendor has a standard yellow housing sign before the road turning, therefore the application should be rejected.

This is a blatant manipulation of the planning law, with the sign being erected before the planning permission was applied for and should be dealt with by way of immediate removal of the sign.

The sign creates a precedent for advertising signs on a previously unspoiled entrance to the village and may lead to other signage being requested at the entrance to the settlement.

The sign could be taken as a precedent for building houses on a site for which planning permission has already been rejected and therefore must be removed.

Queries also relate to claims on the land.

APPLICANTS STATEMENT:

26. Taylor Wimpey firstly wish to apologise for retrospectively applying for the advertisement consents for our residential development off Stockton Road. There appears to have been a lack of communication and understanding when arranging the signage and we are keen to rectify this and not repeat this mistake at both our Sedgefield development and our developments across the region.
27. We understand that this has caused upset to both the residents and Town Council for which we must stress this was not our intention and are sorry for any inconvenience this may have caused.
28. Following concerns raised regarding the signage we have agreed to remove the sales sign that is currently erected on the adjacent field to our development (Ref DM/18/01107). (A plan attached identifies the location of the sign to be removed and the remaining signs which require consent. The sales sign (marker 03) is currently located within the highway verge but is to be relocated as soon as possible to within our development boundary.
29. Signage is essential for new developments but Taylor Wimpey are fully aware that this must be designed and located in a sensitive and safe way especially on one of the main

approaches to Sedgefield. Again, we apologise for any inconveniences we may have caused and are hopeful the Council will give consent for application DM/18/01469/AD.

PLANNING CONSIDERATIONS AND ASSESSMENT

30. The NPPF and the Town and Country Planning (Control of Advertisements)(England) Regulations 2007 (as amended) stipulate that advertisements should only be subject to control in the interests of amenity and public safety, taking into account the provisions of the development plan where material and any other relevant factors.
31. National Planning Policy Framework Part 7 paragraph 67 states that; poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority's detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

Amenity

32. "Amenity" is not defined exhaustively in the Regulations. It includes aural and visual amenity and factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest. In assessing amenity, the local planning authority should consider the local characteristics of the neighbourhood and whether signage is in scale and in keeping with the area.
33. In addition policies within the Development Plan may also be taken into account where relevant. In this respect it is considered that policy D1 is applicable and material to the consideration of the proposals. Policy D1 requires that the layout and design of all new developments take account of the site's natural and built features and its relationship to the adjacent land uses and activities.
34. As outlined above a number of objections have been received from the Town Council, the Civic Trust and a number of third parties. Objections relate to the size and colour of the sign, visual impact upon the Conservation Area in addition to the fact that there is already sufficient advertising signage in this area of the town.
35. The wider site within which the sign has been erected in a field that is visually prominent on approaches to it particularly from the south and east. The site contains no landscape or ecological designations with no public rights of way within or adjacent to it. Sedgefield Conservation Area is located approximately 300 metres to the north west. (The boundary of the Conservation Area running alongside dwellings within Thurlow Road, upto 1 Stockton Road and St Edmunds Terrace).
36. The Council's Design and Conservation has commented on the application advising that the advertisement is located some distance outside the boundary of the Sedgefield Conservation Area. It is of a scale and design which will not be harmful to the setting of designated assets and further is of a transient nature and on this basis raises no objection.
37. It is acknowledged that the design and colour of the sign is of a standard corporate approach and that there are a number of signs including flags, which are displayed within the development site itself. It is also noted that Storey Homes, who are developing the site to the west also have elements of signage.

38. It is not however unreasonable to expect developers to want to provide signage to direct the public toward their developments. The sign has been positioned close to the edge of the field and in close proximity to the throughfare leading into Sedgefield and the carriageway. There are also a number of trees, hedging, traffic signs and lighting columns in the immediate vicinity. The sign is seen against this context. The design, appearance and siting of the sign is not so visually obtrusive as to be detrimental to the visual amenity and general characteristics of the locality.
39. (The advertisements raise no issues with regards to aural amenity considerations). It is not considered that there would be any adverse impact on the setting of the conservation area or the designated heritage assets within.
40. Despite objection the sign is not considered to harm the visual amenity, complying with NPPF and policy D1 of the Local Plan.

Public Safety

41. All advertisements are intended to attract attention but proposed advertisements at points where drivers need to take more care are more likely to affect public safety. In assessing an advertisements impact upon public safety, the vital consideration, in assessing an advertisements impact is whether the advertisement itself, or the exact location proposed for its display, is likely to be distracting or confusing, that it creates a hazard to, or endangers people's safety.
42. Objections relate to road safety issues with the sign being distracting to people.
43. The Highways Authority has been consulted on the application and comment that the sign is located on private land set back and outside the public highway and as such has no highway implications.
44. Despite objection, the sign is considered to be located in a suitable location and at a suitable height. Whilst visible from the road would not, it is considered, appear overly distracting to users of the highway or footpath networks. The sign is therefore considered to be acceptable in terms of impact upon public safety also, complying with the NPPF and Local Plan policy D1.

Other Issues:

45. The Town Council has also commented that should consent be granted for the siting of the sign a maximum 3 year time period should be set. Advertisement consent usually lasts for 5 years but a Local Planning Authority has discretion and can grant consent for a longer or shorter period. This issue has been raised with the agent and as they envisage a presence on site for a minimum of 5 years (based on the sale of plots per annum) they would wish to see the sign in place for a period longer than 3 years. If the site was complete prior to the 5 years the sign would be removed earlier. They have also confirmed that the sign would be inspected regularly and maintained to a high standard.
46. A refusal of the application could not be sustained on the grounds that the sign could be taken as a precedent for building houses on the site or that it gives the impression that there is going to be further housing development on that piece of land. This would require separate planning permission and raises issues beyond those associated with advertisement control.

47. It is appreciated that comments have been received which consider the erection of the sign without permission is a manipulation of planning law and should be dealt with by way of immediate removal. Nevertheless it is possible to apply for retrospective consent after works have been completed and the Local Planning Authority is required to assess an application the same way as any other. The possibility of enforcement action could only be considered if the application is deemed unacceptable and following any take up of the applicants right to appeal against the decision). The applicant has confirmed that the sign currently displayed in the opposite field is to be removed.
48. The agent has also confirmed that they have a license agreement in place with the land owner.

CONCLUSION

49. The application relate to a housebuilders sign off a main approach into Sedgefield that is intended to direct the public to an ongoing development. Whilst it is within an open setting and does not directly relate to the land on which it is situated, its position appearance and size are such that it not considered unacceptable in amenity and public safety terms. Notwithstanding the objections that have been received the application is therefore considered to satisfy the requirements of the NPPF and relevant Local Plan Policies and therefore approval is recommended.

RECOMMENDATION

That the application be **APPROVED** subject to the following conditions:

1. The development hereby approved shall be carried out in strict accordance with the following approved plans:
EDEN/SIGNS Signage Location Plan (amended) received 5 July 2018
PA/19/3/18 Flat Sign details received 15 May 2018
Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with Policy D1 of the Sedgefield Borough Local Plan and the NPPF
2. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

Reason: To comply with the requirements of the NPPF and Circular 03/07 Town and Country Planning (Control of Advertisements).
3. No advertisement shall be sited or displayed so as to –
endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
Reason: To comply with the requirements of the NPPF and Circular 03/07 Town and Country Planning (Control of Advertisements).
4. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

Reason: To comply with the requirements of the NPPF and Circular 03/07 Town and Country Planning (Control of Advertisements).

5. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

Reason: To comply with the requirements of the NPPF and Circular 03/07 Town and Country Planning (Control of Advertisements).

6. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason: To comply with the requirements of the NPPF and Circular 03/07 Town and Country Planning (Control of Advertisements).

7. This consent shall be valid only for a period of five years from the date hereof. At the expiration of that period the advertisements referred to in Part 1 shall be removed within 14 days and the site shall be reinstated to the satisfaction of the local planning authority.

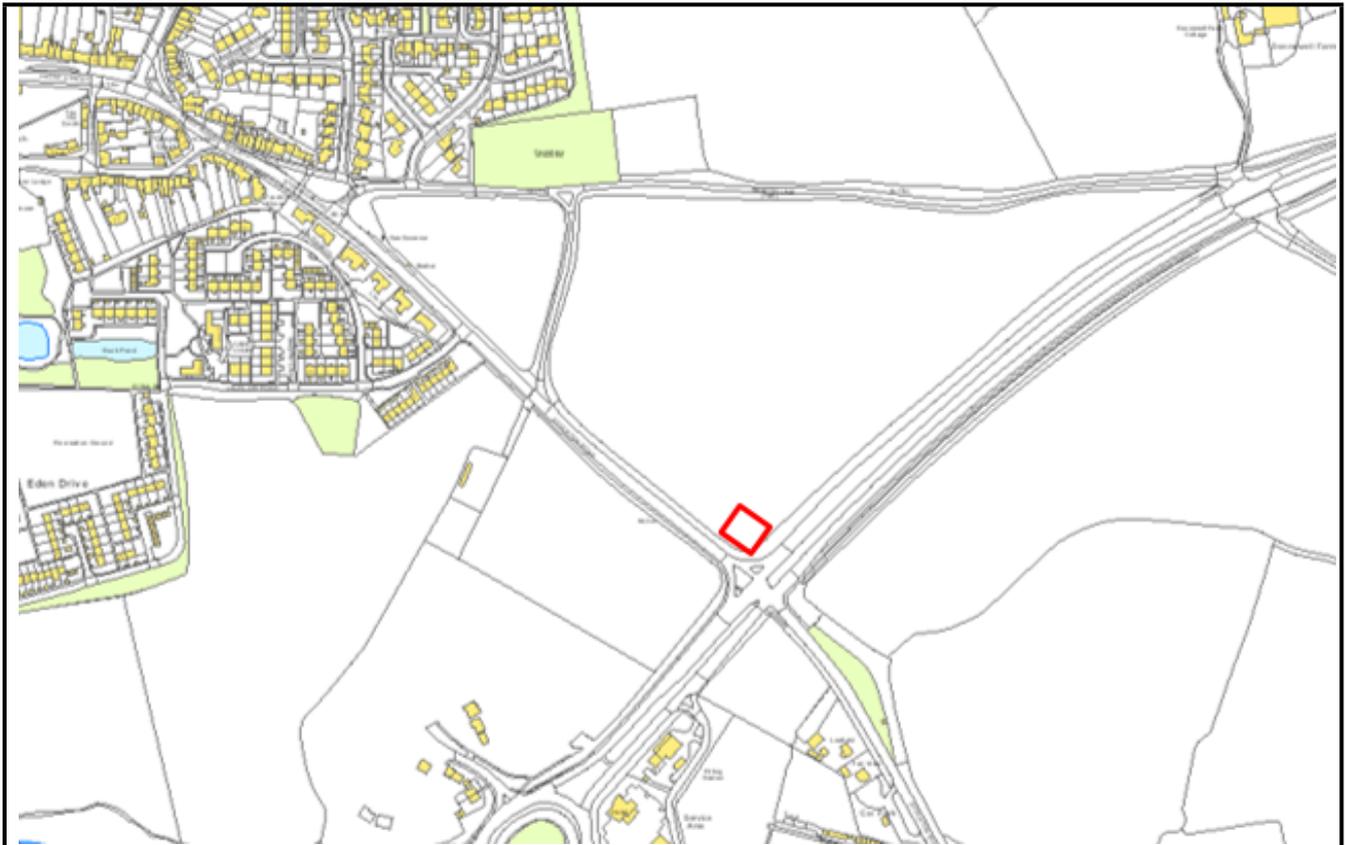
Reason: In accordance with the provisions of Regulation 14(7) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

STATEMENT OF PROACTIVE ENGAGEMENT

The Local Planning Authority in arriving at its decision to approve the application has, without prejudice to a fair and objective assessment of the proposals, issues raised and representations received, sought to work with the applicant in a positive and proactive manner, with the objective of delivering high quality sustainable development to improve the economic, social and environmental conditions of the area in accordance with the NPPF. (Statement in accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

BACKGROUND PAPERS

Submitted Application Forms, Plans and supporting documentation
Sedgefield Borough Council Local Plan
National Planning Policy Framework
Response from the Highway Authority
Internal response from Design and Conservation
Public consultation responses



Planning Services

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Non illuminated pole mounted sales sign (retrospective)

Comments

Date 19 July 2018

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