



Area Planning Committee (Central and East)

Date **Tuesday 12 November 2019**

Time **1.00 pm**

Venue **County Hall, Durham**

Business

Part A

1. Apologies for Absence
2. Substitute Members
3. Minutes of the meeting held on 15 October 2019 (Pages 3 - 16)
4. Declarations of Interest, if any
5. Applications to be determined by the Area Planning Committee (Central and East)
 - a) DM/19/01781/OUT - Garage and Yard to the rear of 1 to 2 Linden Terrace, Coxhoe, Durham, DH6 4DT (Pages 17 - 38)
Outline Planning Permission for the demolition of existing buildings and the erection of 5 No. dwellings with all matters reserved (amended description).
 - b) DM/19/02862/FPA - 35 Elvet Crescent, Durham, DH1 3AP (Pages 39 - 50)
Change of use from 6 bedroom HMO to 7 bedrooms (C4 to Sui Generis) and loft conversion.
6. Planning Development Management: (Pages 51 - 54)
Performance Summary Q1/Q2 - 2019/20.
7. Such other business as, in the opinion of the Chair of the meeting, is of sufficient urgency to warrant consideration

Helen Lynch

Head of Legal and Democratic Services

County Hall
Durham
4 November 2019

To: **The Members of the Area Planning Committee (Central and East)**

Councillor J Clark (Chair)
Councillor A Laing (Vice-Chair)

Councillors G Bleasdale, D Brown, I Cochrane, K Corrigan,
B Coult, M Davinson, D Freeman, A Gardner, K Hawley,
S Iveson, R Manchester, J Robinson, J Shuttleworth and
P Taylor

DURHAM COUNTY COUNCIL

AREA PLANNING COMMITTEE (CENTRAL AND EAST)

At a Meeting of **Area Planning Committee (Central and East)** held in **County Hall, Durham** on **Tuesday 15 October 2019** at **1.00 pm**

Present:

Councillor J Clark (Chair)

Members of the Committee:

Councillors G Bleasdale, D Brown, M Davinson, D Freeman, S Iveson, A Laing (Vice-Chair), R Manchester, L Pounder (substitute for K Corrigan), A Simpson (substitute for B Coult) and P Taylor

Also Present:

Councillors E Bell, J Maitland and J Turnbull

1 Apologies for Absence

Apologies for absence were received from Councillors I Cochrane, K Corrigan, B Coult, K Hawley, J Robinson and J Shuttleworth.

2 Substitute Members

Councillor L Pounder substituted for Councillor K Corrigan and Councillor A Simpson substituted for Councillor B Coult.

3 Minutes

The minutes of the meeting held on 10 September 2019 were confirmed as a correct record by the Committee and signed by the Chair.

4 Declarations of Interest

There were no Declarations of Interest submitted.

5 Applications to be determined by the Area Planning Committee (Central & East Durham)

a DM/19/01281/FPA - Land to the East of A19 and South of Dalton Heights, Seaham

The Principal Planning Officer, Henry Jones, gave a detailed presentation on the report relating to the abovementioned planning application, a copy of which had been circulated (for copy see file of minutes). Members noted that the written report was supplemented by a visual presentation which included photographs of the site. The Principal Planning Officer advised that Members of the Committee had visited the site and were familiar with the location and setting. The application was for formation of temporary construction access onto B1285 in associated with housing development (DM/15/03487/FPA) and was recommended for approval.

The Principal Planning Officer reiterated that the application was for temporary construction access to a housing development of 75 dwellings and associated works and reminded Members of the history of the site, most notably the development having been being refused by the Council in June 2016 and subsequently allowed by the Planning Inspectorate on appeal in September 2017.

The Committee were referred to site location plans and it was explained that the proposed site access point was from the B1285, approximately 60 metres south from the roundabout where the B1285 meets Graham Way and the entrance to the Dalton Heights residential estate. Members were asked to recall the current access arrangements to the development site, through Dalton Heights, as noted on the site visit earlier in the day.

The Principal Planning Officer noted the proposed access point had previously been used as agricultural access, however, the existing dropped kerb would not be sufficient for the site traffic and would need to be widened. It was added that there would need to be hard surfacing to allow vehicles to pull into the site and a lighting column would need to be relocated to the north of its current position. The Committee noted that the access was proposed to be managed with 'left-in and left-out', site traffic to approach from the south, turn left into the site, turn right out of the site travel north to the roundabout and then come back south along the B1285. It was highlighted there were no proposals for a physical impediment to a right turn from the site, and that warning signs would be installed relating to the temporary access. Members were referred to photographs of the proposed entrance and the Principal Planning Officer explained that some of the hedgerow had already been removed, with some low stumps remaining. The Committee were advised that an advertisement on the photographs which did not have permission had been removed from the area.

The Principal Planning Officer noted there had been no objections from the Highways Section and no objections from the Landscape, Arboriculture or Ecology Sections subject to reinstatement after the temporary construction access was no longer required.

In relation to public responses, the Principal Planning Officer noted there had been objections from Local Councillors E Bell, J Bell, J Maitland and A Napier, with two of them in attendance to speak to the Committee. He added that, in an update from the report, there had been 38 responses, 27 in objection and 11 letters of support. He noted there was a summary of the main reasons for objection and support set out within the report.

The Principal Planning Officer noted that as policies within the saved Easington District Local Plan (EDLP) were considered out-of-date, National Planning Policy Framework (NPPF) Paragraph 11 would be engaged, presuming in favour of a proposal unless any adverse impacts of the proposal significantly and demonstrably outweighed the benefits of the proposal. The Principal Planning Officer noted the key issue was highway safety and the Council's Highways Section had noted the proposals were safe and offered no objections. He added that the existing access arrangements had been approved when the development had been allowed at appeal and the proposals represented the Developer's response to objections raised by local residents. The Principal Planning Officer concluded by noting the recommendation to the Committee was for approval.

The Chair thanked the Principal Planning Officer and noted there was a number of speakers. She noted the order of speakers would be Parish Councillors, Local Councillors, Objectors and then Supporters. The time limits associated with each group of speakers was noted and the Chair asked Parish Councillor Marian Oliver of Dalton-le-Dale Parish Council to speak in relation to the application.

Parish Councillor M Oliver thanked the Chair and Committee for the opportunity to speak on the application and noted she would not list the many reasons why the Parish Council had not supported the original housing development application, those being recorded at the original application and subsequent appeal. She added those included: flood risk; damage to ancient hedgerows; loss of greenfield land; and highway safety. She noted the many views having been cast aside, with those fears at that time now being realised.

Parish Councillor M Oliver noted the Parish Council sympathised with the residents of Dalton Heights in terms of the disruption, noise, dirt and congestion and added it would not be an understatement to say the situation was a nightmare.

She added that it appeared as if from 'day one' the use of the current access had been as disruptive as possible to make the access unsuitable. Parish Councillor M Oliver noted that the Council's Highways Section and the Planning Inspector had noted the current arrangements were suitable, she added the Parish Council noted that access was far from suitable and had led to this ludicrous situation.

Parish Councillor M Oliver noted the proposal for temporary access from the B1285 would utilise an existing agricultural access, however, the types of vehicles would be much larger than a tractor and there would be a lot more vehicles using the access. She added it was felt it was a no-win situation.

Parish Councillor M Oliver noted that the B1285 was a very busy road, used as a diversion route for the A19 if there was an incident and by many people accessing the popular Dalton Park Shopping Outlet. She added that speed was an issue on the B1285 with locals being told a Speedwatch was not permitted on the road as it was "too dangerous". She added that the road was very muddy from the works and use of another field entrance without permission and this mud added to the danger. She noted the Parish Council felt it was completely unacceptable there were no proposals for water filled barriers.

Parish Councillor M Oliver noted with sadness the recent fatality less than a quarter of a mile away at Cold Helesden, demonstrating the dangers along the B1285. She concluded by noting that while the application was for temporary access, she urged the Committee to be wary in setting a precedent whereby developers would seek similar access arrangements directly.

The Chair thanked Parish Councillor M Oliver and asked Local Member, Councillor E Bell representing Deneside to speak in relation to the application.

Councillor E Bell thanked the Chair and Committee for the opportunity to speak in objection to the application. He explained that the B1285 was a very busy road even before the addition of many new houses and the popularity of the nearby Dalton Park. He added that he had 30 years' experience as a Police Officer, with many of those in Traffic Patrol, recalling many occasions attending accidents on the B1285.

Councillor E Bell noted he had spoken to residents that had previously objected to the housing development that now supported the access application. He added this felt to him as if there was an element of NIMBYism. He asked the Committee whether Developer would wish for the large dirty lorries to use the existing access past the sales office and show home or to use a new, out of the way access?

He noted the temporary access had no time-limit, and it was believed the site could take up to two and a half years to complete. He added that 'years' did not seem very temporary.

Councillor E Bell noted that the site was previously protected by hedgerows, with sections now having been taken out. He added that wagons turning into the proposed access would need to swing out to make the turn and with Graham Way treated as a racetrack by some drivers with some coming of the roundabout camber in the wrong lane presenting a very dangerous situation. He noted that the safe entry to the site was the existing arrangement through Dalton Heights, proven by the access already being taken via this route. He noted that he felt the road cleaning in terms of mud was not sufficient and there had been scant regard for local people. He asked if the current access worked previously, why did it not work now? Councillor E Bell concluded by noting in this case he felt Officers had got it wrong and he asked Members to refuse the application.

The Chair thanked Councillor E Bell and asked Local Member, Councillor J Maitland representing Murton to speak in relation to the application.

Councillor J Maitland thanked the Chair and Committee and noted she was speaking on behalf of herself and Councillor A Napier, Local Councillors for the Murton Electoral Division. She explained to Members the history of the housing development, having originally been refused by Easington District Council in 1997 and repeatedly over the years until being upheld on appeal in 2017.

Councillor J Maitland noted that the Planning Inspector had discussed the impacts of construction traffic and had concluded that access via Dalton Heights was acceptable and imposed a condition requiring a construction management strategy. She noted that if an access was permitted from the B1285 this would impact upon the 170 or so bus journeys travelling each way along the road, putting pressure on the timetable. She noted the road was very narrow and that vehicles turning would go into the other lane, made even more dangerous by the close proximity of the roundabout. Councillor J Maitland noted she would ask that the Committee refused the application.

The Chair thanked Councillor J Maitland and asked the Principal Planning Officer to respond to the points raised.

The Principal Planning Officer noted he would respond and also invite the Highway Development Manager, John McGargill to comment in addition. He noted that Condition One within the recommendations set out the temporary nature of the permission, to coincide with the duration of the build, and that any permanent use of the access for residents of the new development would require a new planning application.

The Principal Planning Officer noted that the Construction Management Plan set out defined routes to access the site, in part to avoid temporary traffic lights to the north at Seaham Lane. He added that this required site traffic to come via the A19, then travel from a southern direction along the B1285 to the site entrance. He added many of the points raised in terms of the housing development that already had planning permission were not directly relevant to the application for a temporary construction access.

The Highway Development Manager noted that the Highways Development Section gave a very objective view on applications, based on data from both the Police and other sources. He noted that on the B1285 had around 1,000 vehicle per hour at peak use, and therefore five heavy goods vehicles and five light vehicles accessing the site, in addition to 1,000 existing road users represented a small increase. He explained that in relation to speed, measurements had shown the 85th percentile speed had shown 41mph in one direction and 39mph in the other, therefore there was no evidence of a significant speeding problem. The Highway Development Manager noted no fatalities in the application area in the last ten years, and that in the last five years there had only been three accidents, two with vehicles turning at Overdene and one being a Police vehicle involved in a vehicle chase having reversed into a wall. He added none were at the proposed access point. Highway Development Manager noted that the data did not suggest a dangerous access, the proposals included widening and simulations had demonstrated there was no requirement for vehicles turning to cross the carriageway and therefore the proposals would be safe in operation. He added that vehicles would be approaching from the south as already stated by the Principal Planning Officer, in line with the Construction Management Plan. He explained that the Developer had indicated that the access would operate with a Banksman at all times and this would ensure safety, and that of pedestrians in addition. The Highway Development Manager noted that with the information as stated, there were no objections to the application from the Highways Section.

The Chair thanked the Officers for their comments and asked Mrs Angela Sandwith to speak in objection to the application.

Mrs A Sandwith explained she lived at West Farm, directly opposite the proposed access to the housing development. She noted that at her property there was also access to two fields and explained that some of the site photographs within the presentation were taken from her driveway. She explained she strongly objected to the application not only in terms of the steep gradient along the B1285, also the impact upon the environment. She added that National Planning Policy Framework Guidance from 2019, at Paragraph 180, set out that new development should be appropriate for its location taking into account the likely effects.

Mrs A Sandwith noted that common sense and the history of the development should demonstrate that there would be impact upon people of all ages and local services. She added that the impact upon West Farm should not be downplayed, and she added that they felt discriminated against in terms of their privacy, safety, security and wellbeing. Mrs A Sandwith noted that the proposed access was too close to the roundabout between the B1285 and Graham Way and that the current position meant access to West Farm was very difficult, the proposed development likely to make it much more difficult if not blocking access. She asked Members to recall the 2018 "Beast from the East", a period of extreme winter weather, and recalled the great difficulty had by vehicles on this road, it often being blocked by stuck vehicles.

Mrs A Sandwith noted that she felt the 'left-in, left-out' approach would only compound issues and noted the use of the route by the Police, Fire and Ambulance Service, with the nearby Police Station not far along Graham Way, highlighting that on several occasions people have used her drive to allow emergency vehicles to pass. She pointed out that the double white lines on the road prohibited any crossing of the centre line and asked why should light vehicles be allowed to dismiss this, had highways laws been waived? She noted that there were already queues some days on the B1285 and questioned the number of vehicles per day adding this was on top of private vehicles.

Mrs A Sandwith added there was a lot of noise and disturbance from the housing development and associated traffic. She noted the issues already raised in terms of speed on the road and the hedgerow already pulled out, with only stumps remaining. She noted that she felt the Developer could not be trusted and highlighted the impact the proposed access would have on those using the footpath, with mobility scooter, and on cyclists and pedestrians in addition. Mrs A Sandwich noted as regards an issue of flooding with a blocked drain and the lack of sufficient road cleaning, such that the road was left muddy and dangerous. She highlighted a recent incident at the roundabout where a car skidded 180 degrees and went straight over the roundabout. She noted that comments in relation to a scheme at the B1404 as being safe were not relevant as she did not consider the two to be comparable. She concluded noting she felt very passionately about the matter and urged Members to refuse the application.

The Chair thanked Mrs A Sandwith and asked if Officers could respond to issues raised.

The Principal Planning Officer noted the Highways Development Manager had already spoken as regards the professional opinion that the application was safe, with a Construction Management Plan in place and conditions within the recommendation. He added that the proposal of a Banksman by the Developer also helped in terms of pedestrian movement. He noted that the noise and disturbance from the housing development itself was irrespective of which access was taken by construction traffic. The Chair reiterated that the application was as regards the temporary construction access, not the housing development that already enjoyed planning permission.

The Chair thanked the Principal Planning Officer and asked Mrs Elaine Brooks to speak in support of the application.

Mrs E Brooks thanked the Chair and Committee and noted she had originally objected to the housing development and reiterated that she had objected as much, if not more than anyone else. She explained that her bungalow was adjacent to the current access being used for construction vehicles. She referred Members to photographs of the site, demonstrating the position of her saloon car relative to construction traffic, including wagons, low-loaders with diggers and cranes. She added that the current situation was a nightmare.

Mrs E Brooks noted that the appeal in terms of the housing development was lost, in that development was approved and therefore residents, including herself, have had to make the best of a difficult situation. She noted that in fairness to the Developer, Bellway, their staff have tried their best to help us deal with the situation and they have taken on board what residents have to say.

Mrs E Brooks noted that it was felt that the temporary construction access for site vehicles was a necessary compromise for the safety of residents on Dalton Heights. She understood the comments from others, however, they were speculation and while neither of the options were ideal, the current situation as described within the comments from objectors was happening every day. She explained that the congestion residents have to deal within their small estate was unbelievable.

Mrs E Brooks noted an example where she was trying to leave her drive just as a crane was being delivered, the vehicle was so long it blocked her in. She noted that she waited, then just as she got off her drive, the road sweeper arrived and they had to back up to let her out. She noted a car behind the sweeper had to do the same. Ms E Brooks explained that in addition, the refuse vehicle was approaching from the top of the cul-de-sac and had to collect the bins on foot as the operatives could not get anywhere near to her property.

She added that this was just one incident of many. Mrs E Brooks explained that when her grandchildren visited in the past, they had been able to play outside, adding that this was now impossible as it was far too busy. She noted none of the children who lived in the estate were safe to play outside with huge vehicles trying to manoeuvre around tight bends.

Mrs E Brooks noted that the road sweeper was operated continually, all day, every day. She noted this was in attempt to maintain cleanliness, however, the noise was irritating beyond belief and it only added to the congestion as it tried to manoeuvre around cars that park on both sides the narrow road. She added that the congestion caused by these vehicles would be diluted if they were allowed to enter directly from the B1285, via the proposed entrance, rather than winding their way through a housing estate.

Mrs E Brooks kindly asked that, as well as considering what could or might happen on the B1285, that Members considered what was actually happening at Dalton Heights every single day and support the application.

The Chair thanked Mrs E Brooks and asked Mrs Margret Graham to speak in support of the application.

Mrs M Graham explained she supported the application and added that many of the people objecting did not live on the estate and had no idea of the daily disruption residents have had to face.

She explained that since the roundabout on the B1285 was altered to calm traffic flow the risk of accidents had been greatly reduced. She added that it was therefore reasonable to assume that site traffic using the proposed entrance, on a left-in and left-out basis would continue to reduce risks in this regard.

Mrs M Graham noted that the present access on Escallond Drive was on a bend, whereas the proposed access was on the Times Inn Bank, a straight road which would be more suitable for access. She noted that the number of pedestrians using the B1285 was no greater than the number of pedestrians needing to access their homes on the Dalton Heights Estate. She noted that the majority of people using the B1285 were aware of the farm access which had been in constant use for decades.

Mrs M Graham explained that it was felt that using the access on the B1285 would; not affect visitors to Seaham or Dalton Park; not increase the volume of traffic; not affect emergency vehicles; not contribute to poor air quality on this road; and not affect the residents living in the Dale or Overdene as site traffic did not pass in front of their homes.

She added that regardless of the Committee's decision today site traffic would continue to use the B1285 as was the designated route and had been for the past four months and would continue to be so for the next two to three years.

Mrs M Graham explained that the Committee, by approving the application had the power to vastly improve the air quality for the next two to three years on the Dalton Heights Estate for residents and children. She added that would also improve access for emergency vehicles, which could potentially save lives. She concluded by noting that as regards horses using B1285, if the 'so called buy road' was safe for them, then surely it must be safe for all road users, regardless of their mode of transport and urged the Committee to support the application.

The Chair thanked Mrs M Graham and asked the Committee for their comments and questions.

Councillor A Laing thanked the Officers and Speakers and noted she accepted the benefits the application would provide to nearby residents, giving weight to those benefits. She explained, however, that in her mind the essential point that the Committee must be fully satisfied with was highways safety in relation to the proposals. Councillor A Laing noted she was pleased that the Developer, Bellway had worked with the Highways Section, however, she referred to Paragraph 52 of the Officer's report which stated disruption to pedestrians including the disabled and parents with young children in pushchairs. She added she could only support the application if she had the upmost confidence that there was minimal risk. Councillor A Laing noted that the mitigation as set out in Paragraph 53 of the Officer's report, noting warning signs, did not go far enough and therefore on balance she felt the benefits of the application did not outweigh the significant adverse impact in terms of highway and pedestrian safety and felt that refusal of the application would be justified. She moved that the application be refused.

Councillor G Bleasdale expressed her disbelief in terms of the situation, noting she and the Local Members understood only too well how dangerous the B1285 and the footpath could be. She noted vehicles coming from Dalton-le-Dale struggled to get out and the number of vehicles should not be underestimated. Councillor G Bleasdale added that vehicles would struggle to get in and out of the farm and that vehicles would get stuck on the steep bank. She noted there were other issues in terms of mud and dirt and added she did not believe the application should be approved, seconding refusal.

Councillor P Taylor thanked all speakers for their passion and explained to the Chair he was very troubled by the application. He noted that the Planning Inspector had already determined that the current access was acceptable.

He noted he had a question for the Highways Development Manager, that if the residential development had been proposed which access would have been deemed most appropriate. He also asked if the Developer had proposed access previously from the B1285.

The Chair asked the Highways Development Manager if he wished to comment. The Highways Development Manager noted that an application for 134 properties, which was refused, had a protected right turn at the proposed location and that would have been acceptable based on the data at that time.

Councillor D Brown noted from the site visit earlier in the day that there had been hedgerow removed in order to increase the splay and a lighting column would be moved, and perhaps a telegraph pole in addition. He asked if the application was approved, would the developer be able to use the new access in addition to that already being used through Dalton Heights. The Principal Planning Officer noted if the application was approved, the developer would only be permitted to access the site via the new access from the B1285, with the Construction Management Plan setting this out.

Councillor M Davinson noted the proposed use of a Banksman and suggested that if they kept to construction hours over the next two and a half years during the housing development, what would prevent residents of the new estate from being able to use the construction access outside of construction hours over the course of those two and a half or so years. He also asked if there was any way of forcing traffic to turn left. The Principal Planning Officer noted one iteration of the proposal included water filled barriers to physically prevent a right turn on to the B1285, however, it was felt in overall safety terms a left-in, left-out arrangement, without any physical impediment was safer and the inclusion of a Banksman would also help. He added that in terms of access by residents of the new estate as it became more built out, or indeed at the end of the development, he suggested such residents would find the existing access as set out within the housing approval via Dalton Heights to be preferable.

Councillor M Davinson asked what would stop those residents if the Banksman was not in place. The Chair noted that Ms Frances Nicholson, Planning Manager at Bellway Homes was present and asked if she wished to clarify on that particular point. Ms F Nicholson explained that the construction access would be locked when not in use.

Councillor P Taylor asked that, if the Highways Section would have accepted the proposal, why did the developer not ask for this particular access originally. Ms F Nicholson noted there was long history with the application, as alluded to by other speakers.

She added she was not familiar with the entire history of the site, however, while the access that was deemed to be acceptable does work, the move to the proposed access point was preference by nearby residents and would help to remove an element of disruption as set out within the statement provided by Bellway Homes as set out within the Committee report. She reiterated the proposal was to seek a better solution for residents.

The Chair reminded Members that questions should be directed through via the Chair, rather than across the Council Chamber.

Councillor D Freeman noted he felt he should speak in favour of the application and, while recognising that the situation was not ideal and the applicant already enjoyed access to the housing site, he believed the proposals was to the benefit of residents of Dalton Heights and the new estate being constructed itself. He added the proposals seemed to be the better option and the Council's Highways Section had expressed their opinion that the proposals were safe, bearing the improvements being proposed to the access in question. He added that the addition of a Banksman to supervise the access meant he would support approval. He asked if it was ten vehicles per day, as residents had stated vehicle movements all day. The Chair asked if Ms F Nicholson wished to comment on that point specifically. Ms F Nicholson reiterated that it was five heavy goods vehicles per hour and five light vehicles per hour, between the hours of 8.00am to 6.00pm. She added that the current phase of construction, including construction of roads, was a very busy period and that once that phase was completed vehicle numbers would reduce.

Councillor D Freeman noted he proposed the application be approved as per the Officer's recommendation. He was seconded by Councillor A Simpson.

Councillor P Taylor noted he felt there was the danger of setting a precedent in that changing the access and egress of a site having been previously agreed, by the Planning Inspectorate in this case, could lead other developers to adopt this approach in the future.

The Chair noted the recommendation for approval had been moved by Councillor D Freeman and seconded by Councillor A Simpson and upon a vote being taken the motion was **LOST**.

The Chair noted the proposal in respect of refusal of the application and asked Councillor A Laing for reasons for refusal prior to a vote being taken.

Councillor A Laing reiterated in terms of pedestrian safety as explained in the Officer's report at Paragraph 53.

Councillors E Bell and J Maitland left at 2.09pm

The Solicitor – Planning and Development, Neil Carter noted he would have concern in terms of any refusal on highway or pedestrian safety given the Highways Development Manager’s professional opinion that the proposals were safe.

He added that his concern was that if a refusal on that basis was appealed, it would prove difficult to sustain and the position would likely expose the Council to costs. He noted that the decision however was for the Committee, on that basis.

Councillor G Bleasdale noted the proposals would affect residents at Dalton Heights, but also residents at Dalton-le-Dale and cause disruption on a dangerous road. The Solicitor – Planning and Development noted this could be added, however, he felt it would be important to consider the professional advice of the Highways Services Manager in this regard.

Councillor P Taylor noted it maybe helpful to note the application was contrary to EDLP Policies 1, 35 and 36, noting the advice given by Highways and considering the local knowledge given by Local Members and residents. He noted the proposals would have an adverse impact in terms of access and egress of construction vehicles directly onto the B1285 affecting the amenity and safety of residents, and those using the area, including tourists, those travelling to work, pedestrians, cyclists and those travelling on horseback.

On that basis, Councillor A Laing proposed the application was refusal, she was seconded by Councillor G Bleasdale.

RESOLVED

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

The Local Planning Authority considers that the proposed development would, as a result of vehicles accessing and egressing directly onto the B1285, generate traffic that would be prejudicial to the safe use of the public highway. This would be contrary to policies 1, 35 and 36 of the Easington District Local Plan.

b DM/18/00864/FPA - Biggin Farm, New Brancepeth, Durham

The Committee noted the item had been withdrawn.

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Planning Services

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION No:	DM/19/01781/OUT
FULL APPLICATION DESCRIPTION:	Outline Planning Permission for the demolition of existing buildings and the erection of 5 No. dwellings with all matters reserved (Amended Description).
NAME OF APPLICANT:	Mr David Head, 1 South Green, Hett, Durham DH6 5LY
ADDRESS:	Garage And Yard To The Rear Of 1 To 2, Linden Terrace, Coxhoe DH6 4DT
ELECTORAL DIVISION:	Coxhoe
CASE OFFICER:	Paul Hopper (Senior Planning Officer) Tel: 03000 263 946 Email: paul.hopper@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

The Site

1. The application site comprises a parcel of land to the rear of Nos.1 to 2 Linden Terrace, Coxhoe covering an area of approximately 0.19 hectares spread across 2 distinct areas. The northern part of the site is set at a notably lower level than that to the south and within a cul-de-sac of several bungalows and presently hosts a terrace of single garages and takes an access via Linden Grove. The southern part of the site is located to the rear of Cornforth Lane and Linden Terrace and is understood to have previously been used as the operational base for a bus company although this appears to have ceased some years ago. However, the remnants of this use remain in the form of 3 No. timber clad sheds which are now disused and appear to have been so for some time. This part of the site also retains a narrow access via Cornforth Lane which itself is characterised by linear terraces of properties which follow the route of the C67.
2. The site also hosts a large mature tree, an area of hardstanding and areas of mown grass.

The Proposal

3. Outline planning permission is sought with all matters reserved for the erection of 5 dwellings (reduced from 9 as originally submitted) on land to the rear of Nos. 1 to 2 Linden Terrace, Coxhoe.
4. Whilst this application relates solely to the principle of development with all matters reserved it is nevertheless supported by an indicative site layout, indicative floor plans along with elevational detail showing 2 No. bungalows and a short terrace of 3 No. three storey dwellings incorporating habitable space within the roof void.

5. The application is reported to the Planning Committee at the request of Councillor Jan Blakey who considers the application should be considered by planning committee due to concerns that it represents overdevelopment of the site and Cllrs Maura McKewon and Stuart Dunn who raise concerns regarding highway safety and the suitability of town houses in this location.

PLANNING HISTORY

6. There is no planning history relevant to the current application site.

PLANNING POLICY

NATIONAL POLICY

7. 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.
8. 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;
9. *NPPF Part 5 Delivering a Wide Choice of High Quality Homes.* The Government advises Local Planning Authority's to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities
10. *NPPF Part 6 Building a Strong, Competitive Economy:* The Government is committed to ensuring the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.
11. *NPPF Part 8 Promoting Healthy Communities.* The planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Developments should be safe and accessible; Local Planning Authorities should plan positively for the provision and use of shared space and community facilities. An integrated approach to considering the location of housing, economic uses and services should be adopted
12. *NPPF Part 9 Promoting Sustainable Transport:* Encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. Developments that generate significant movement should be located where the need to travel will be minimised and the use of sustainable transport modes maximised.
13. *NPPF Part 12 Achieving Well Designed Places:* 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 14 Meeting the challenge of climate change, flooding and coastal change:* The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change.
15. *NPPF Part 15 Conserving and Enhancing the Natural Environment:* Planning policies and decisions should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development and mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions.
16. *NPPF Part 16 Conserving and Enhancing the Historic Environment:* Working from Local Plans that set out a positive strategy for the conservation and enjoyment of the historic environment, LPA's should require applicants to describe the significance of the heritage asset affected to allow an understanding of the impact of a proposal on its significance.

LOCAL PLAN POLICY:

17. The following policies of the City of Durham Local Plan (CofDLP) are considered relevant to the determination of this application.
18. Policy E14 (Trees and Hedgerows) sets out the Council's requirements for considering proposals which would affect trees and hedgerows. Development proposals will be required to retain areas of woodland, important groups of trees, copses and individual trees and hedgerows wherever possible and to replace trees and hedgerows of value which are lost. Full tree surveys are required to accompany applications when development may affect trees inside or outside the application site.
19. Policy E15 (Provision of New Trees and Hedgerows) states that the Council will encourage tree and hedgerow planting.
20. Policy E16 (Protection and Promotion of Nature Conservation) is aimed at protecting and enhancing the nature conservation assets of the district. Development proposals outside specifically protected sites will be required to identify any significant nature conservation interests that may exist on or adjacent to the site by submitting surveys of wildlife habitats, protected species and features of ecological, geological and geomorphological interest. Unacceptable harm to nature conservation interests will be avoided, and mitigation measures to minimise adverse impacts upon nature conservation interests should be identified.
21. Policy H3 (New Housing Development within the Villages) allows for windfall development of previously developed sites within the settlement boundaries of a number of specified former coalfield villages across the District, provided that the scheme is appropriate in scale, design location and number of units.
22. Policy H10 (Backland and Tandem Development) sets out that such development will not be permitted unless a safe and satisfactory access is provided, the amenities of existing and prospective occupiers are not adversely affected and finally, that the development would be in keeping with surrounding development.
23. Policy H13 (Residential Areas - Impact upon Character and Amenity) states that planning permission will not be granted for new development or changes of use which have a significant adverse effect on the character or appearance of residential areas, or the amenities of residents within them.

24. Policy T1 (Transport: General) The council will not grant planning permission for development that would generate traffic which would be detrimental to highway safety and/or have a significant affect on the amenity of occupiers of neighbouring property.
25. Policy T10 (Parking) Vehicle parking off the public highway in new development or redevelopment should be limited in amount, so as to promote sustainable transport choices and reduce the land-take of development. On average, in residential developments, off-road provision should not exceed 1.5 spaces per dwelling.
26. Policy Q5 (Landscaping General Provision) sets out that any development which has an impact on the visual amenity of an area will be required to incorporate a high standard of landscaping.
27. Policy Q8 (Layout and Design – Residential Development) sets out the Council's standards for the layout of new residential development. Amongst other things, new dwellings must be appropriate in scale, form, density and materials to the character of their surroundings. The impact on the occupants of existing nearby properties should be minimised.
28. Policy Q15 (Art in Design) states that the Council will encourage the provision of artistic elements in the design and layout of proposed developments. Due regard will be made in determining applications to the contribution they make to the appearance of the proposal and the amenities of the area.
29. Policy U8a (Disposal of Foul and Surface Water) requires developments to provide satisfactory arrangements for disposing foul and surface water discharges. Where satisfactory arrangements are not available, then proposals may be approved subject to the submission of a satisfactory scheme and its implementation before the development is brought into use.
30. Policy U12 (Development near Contaminated Land) states that development will only be permitted adjacent to
31. Policy U13 (Development on Unstable Land) states that development on unstable land will only be permitted if it is proved that there is no risk to the development or its intended occupiers or users.

EMERGING COUNTY DURHAM PLAN:

The County Durham Plan

32. Paragraph 48 of the NPPF states 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. Following consultation at 'Issues & Options', 'Preferred Options' and 'Pre Submission Draft' stages, the CDP was approved for submission by the Council on 19 June 2019 and the EIP is currently proceeding. The CDP was submitted to the Planning Inspectorate on 28 June 2019. Although the CDP is now at a relatively advanced stage of preparation, it is considered that it is not sufficiently advanced to be afforded any weight in the decision-making process at the present time.

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:

33. The Highway Authority raises no objection to the application noting that access and parking as indicated in the submitted drawings would be acceptable in accordance with the Council's standards.
34. With regard to vehicle movements and highway safety they note that the site would generate in the region of 20 trips per day, equating to an average of two trips per hour which it is not considered would have any unacceptable impact upon highway safety.
35. The Coal Authority has no objection to the application subject to the inclusion of a planning condition requiring the submission and agreement of a scheme of intrusive investigations which is adequate to properly address the ground conditions and the potential risk posed to the development by past shallow coal mining activity, the submission of a report of findings arising from the intrusive investigations and a scheme of proposed remedial works for approval and the implementation of those remedial works.
36. Northumbrian Water Limited offer no objection to the application subject to a planning condition which requires the submission and agreement for a scheme of foul and surface water disposal noting also that a public sewer crosses the site and may be affected by the proposed development.
37. Drainage and Coastal Protection Section confirms that the application is not one which requires consultation with the Lead Local Flood Authority.
38. Coxhoe Parish Council objects to the application on the grounds that the town houses are too close to Linden Terrace to the extent that they would adversely affect the amenity of residents.

INTERNAL CONSULTEE RESPONSES:

39. Spatial Policy Section confirms that the planning balance test contained in paragraph 11 of the NPPF is engaged and whilst originally advised that an affordable housing contribution was required this is no longer applicable given the reduction to a total number of dwellings below the appropriate threshold.
40. Landscape Section raises no objection to the application after it was amended to reduce the number of units and retain an existing mature tree towards the centre of the site.
41. Environmental Health Section (Noise Action Team) has no objection to the application subject to the inclusion of a planning condition which restricts the hours of working during the construction phase.
42. Contaminated Land Section has no objection to the application subject to the inclusion of the standard planning condition relating to the need for a contaminated land risk assessment, intrusive site investigations and remediation and verification where need is identified.
43. Ecology Section notes that the further bat activity surveys advised by the applicant's ecologist are unwarranted given the initial site survey found the buildings to have low bat roost potential and that the habitats present offer low bat foraging potential and that the four bat roost units to be included in plots 1 and 9 of the development and sufficient mitigation for a development of this size.

NON STATUTORY RESPONSES:

44. Police Architectural Liaison Officer raises no objections to the application and offers general advice with regards to good design and crime prevention.

PUBLIC RESPONSES:

45. The application has been publicised by way of site notice, press notice and notification letters sent to neighbouring properties. 16 letters of objection were received in response to the application as originally submitted raising the following points of concern;

Concerns regarding highway safety, insufficient parking provision and loss of garages.

Adverse impact upon residential amenity from loss of privacy, overshadowing, overbearing and loss of outlook.

Noise and disturbance post development and during the construction phase.

The development represents the overdevelopment of the site and the density is not in keeping with the surrounding area and there is no need for additional housing.

Adverse impact upon protected species, namely bats.

Existing infrastructure including schools and health care facilities are unable to accommodate any further increase in population.

The site was previously reserved for bungalows.

The developer does not live within the locality.

46. The application was subsequently amended to reduce the number of dwellings shown on the indicative plan and replace some of the two storey dwellings with bungalows, to which 3 additional letters of objection were received citing the following areas of concern;

Adverse impact upon residential amenity of proposed and surrounding occupiers from overlooking and loss of privacy and cites the proximity of a 1.8 metre high boundary fence adjacent to the external door of an neighbouring property.

The development is out of character with the surrounding area citing the style and height as being the main points of concern.

Confirmation that the points of concern raised in previous objections remain relating to parking, congestion, access and ability of existing infrastructure to accommodate additional housing.

The proposal appears to propose the loss of access to the rear of an adjacent property which is presently unrestricted.

The bungalows are significantly larger than the existing and the use of rooflights would suggest an intention to extend into the roof space in future.

The development does not propose any street lighting.

47. In addition, a 99 signature petition has been submitted in objection to the application referencing the reasons for objections which mirror those listed above.

APPLICANTS STATEMENT:

48. I David Head on behalf of the Head family would like to apply for approval to develop the land at the rear of 1-2 Linden Terrace Cornforth Lane Coxhoe, which we inherited from our late father Colin Head. The land has been the site of a coach transport business since the 1920s and was used for vehicle storage and maintenance with access onto Cornforth Lane, family are still resident in the Lane.
49. Currently the garages are an eyesore in a derelict and potentially dangerous condition with a high risk of collapse during the next winter period. Development of the land would remove the eyesore and improve the outlook for the local residents.
50. We are seeking planning approval for residential dwellings on the site and the adjacent local housing group lock up garage site which is already scheduled for demolition. We are aware of the objections made by residents, Believe Housing and comments from the planning office which have been taken into consideration. In doing so the revised layout has a reduced number of dwellings and those on the North side adjacent to Linden Grove are now bungalows in keeping with the current building layout.
51. We were pleased to see the requirement from the Council Landscape section and arboricultural report to retain the mature tree on the site as this was planted by our late Father in the 1930s.

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

52. Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out that if regard is to be had to the development plan, decisions should be made in accordance with the development plan unless material considerations indicate otherwise. In accordance with Paragraph 212 of the National Planning Policy Framework (NPPF), the policies contained therein are material considerations that should be taken into account in decision-making. Other material considerations include representations received. In this context, it is considered that the main planning issues in this instance relate to the principle of the development, locational sustainability of the site, residential amenity, design and visual amenity including impact on existing trees, highway safety, ecology, drainage and land contamination.

Principle of Development

53. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material planning consideration. The City of Durham Local Plan (CofDLP) remains the statutory development plan and the starting point for determining applications as set out in the Planning Act and reinforced at Paragraph 12 of the NPPF. However, the NPPF advises at Paragraph 213 that the degree of weight to be afforded to existing Local Plan policies will depend upon the degree of consistency with the NPPF.
54. The City of Durham Local Plan (CofDLP) was adopted in 2004 and was intended to cover the period to 2006. The NPPF Paragraph 213 advises that Local Plan policies should not be considered out-of-date simply because they were adopted prior to the publication of the NPPF. Notwithstanding this, it is considered that a policy can be out-of-date if it is based upon evidence which is not up-to-date/is time expired.

55. On this basis, given the age of the CofDLP and housing supply figures that informed it, the housing supply policies therein do not reflect an up-to-date objective assessment of need, and must now be considered out-of-date, and the weight to be afforded to the policies reduced as a result. However, this does not make out of date policies irrelevant in the determination of a planning application. Nor do they prescribe how much weight should be given to such policies in the decision, this being a matter for the decision maker, having regard to advice at Paragraph 213 of the NPPF.
56. Saved policy H3 (New Housing Development in Villages) is permissive of development of sites on previously developed land within the Settlement Limit of Coxhoe subject to scale and design.
57. However, the out of date evidence base which underpins this policy and the application of settlement limits means that it must be regarded as out of date for the purposes of paragraph 11 of the NPPF and as a consequence, can be afforded only limited weight.
58. Notwithstanding the above, the proposal needs to be determined in accordance with the LP unless material considerations dictated otherwise including the National Planning Policy Framework 2018 (NPPF).
59. As the local plan policies most important for determination of this application are out of date, regard must therefore be had to Paragraph 11 of the NPPF which establishes a presumption in favour of sustainable development. For decision taking this means (unless material considerations indicate otherwise);
- approving development proposals that accord with the development plan without delay; or
 - where there are no relevant development plan policies, or the policies which are most important for the determining the application are out-of-date, granting planning permission unless;
 - i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii) any adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework when taken as a whole.
60. There are no specific policies in the NPPF that indicate development should be restricted and therefore the acceptability of the development largely rests on planning balance of whether any adverse impacts of approving the development would significantly and demonstrably outweigh the benefits in paragraph 11(d)(ii).

Five year Housing Land Supply

61. Paragraph 73 of the updated NPPF maintains the requirement for Local Planning Authorities (LPAs) to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old.

62. Within County Durham all of the extant development plans are more than five years old and their housing figures need revising so the starting point for calculating land supply will be local housing need using the Government's standard methodology. The 'Preferred Options' (June 2018) stage of the emerging County Durham Plan (CDP) is aligned with the standardised methodology and identifies a housing need figure of 1,368 dwellings per annum (dpa). The Council is able to demonstrate in excess of 6 years supply of deliverable housing land against this figure.
63. Although in a recent written representations appeal involving land to the south of Castlefields, Esh Winning, the Inspector took the view that supply had not been demonstrated by the Council in the terms of paragraph 74 of the Framework, the Council's view is that the Inspector applied paragraph 74 prematurely in this appeal because paragraph 74 does not allow for submission of an Annual position statement on 5 YHLS until April 2019 at the earliest. It was, therefore, impossible for the Council to have such an annual position statement in place at the time of the appeal. In addition, in three further, more recent, written representation appeals (3213596, 3215357 & 3215186), the Inspector outlined that there are also the requirements of Paragraph 73 under which councils are required to identify annually a supply of housing sites to provide a minimum of 5YHLS, set against local housing needs where strategic policies are more than 5 years old. The Council's approach to demonstrating a 5YHLS is, therefore, considered to be appropriate in the circumstances, and in line with the requirements of the NPPF.
64. To summarise, the Council's position remains that the NPPF has confirmed the use of the standard method for calculating local housing need and as the emerging CDP is aligned with the figure derived from the standardised methodology (1,368dpa), a supply in excess of 6 years supply of deliverable housing can be demonstrated when measured against this

Locational Sustainability of the Site

65. Paragraph 103 of the NPPF states that the planning system should actively manage patterns of growth in support of focussing significant development on locations which are or can be made sustainable through limiting the need to travel and offering a genuine choice of transport modes. In this respect, whilst recognising that the development is located on the edge of Coxhoe it is nevertheless noted that Coxhoe itself is a large town with access to a good range of shops, services, employment and education opportunities, and is well served by public transport. Consequently, the site is considered to represent a sustainable location capable of supporting additional residential development.
66. Residents have raised objection to the application citing concerns that the proposal would place additional pressure upon local facilities with Coxhoe. Notwithstanding these concerns it is noted that the scale of development is limited at 5 dwellings and any increase in demand on local services would be similarly limited. This can also be seen as a benefit to the local economy. As such it would not be sustainable as a reason for refusal of the application.

Impact upon Residential Amenity

67. Policy H13 of the CofDLP seeks to protect the amenity of adjacent users by resisting development which would have a significant adverse effect on the amenities of residents. This is considered to display a broad level of accord with the aims of the NPPF at paragraphs 127 and 180 which require new development to function well and add to the quality of the overall area and prevent both new and existing development from contributing to, or being put at unacceptable risk from, unacceptable levels of pollution respectively. Therefore, significant weight can be afforded to this policy.

68. Whilst it is noted that detailed matters in relation to layout and scale are reserved for future consideration the application is nevertheless supported by an indicative site layout which shows a total of 5 properties and represents a reduction from the 9 as originally proposed. The submitted detail shows an arrangement which effectively splits the site into two areas; a northern area which is shown to accommodate two large detached bungalows presenting a principle elevation onto Linden Grove and a southern area which accommodates a short terrace of three 3 storey dwellings presenting a principal elevation to the north.
69. It is noted that objections have been raised by surrounding residents with regards to overbearing, overshadowing, loss of privacy and outlook. Objection is also raised in relation to disruption during the construction phase should planning permission be granted. Coxhoe Parish Council raise objection to the application noting that the development would result in dwellings which are too close to existing properties at Linden Terrace.
70. Whilst concerns in relation to overbearing, overshadowing and loss of privacy are noted this application relates only to the principle of development with details of layout and scale reserved for future consideration. However, the applicant has nevertheless submitted an indicative layout which demonstrates that a satisfactory arrangement could be achieved which meets minimum separation distances between existing dwellings and proposed dwellings. Whilst within the development the indicative arrangement shows a distance of 20 metres which is less than the minimum 21 metres required this is considered acceptable in this instance given it mirrors an arrangement between existing properties at Linden Grove.
71. Residents have also raised objection to the erection of 1.8 metre high timber fence to delineate boundary treatment between the application site and an adjacent dwelling. It is noted that the application relates to outline planning permission and as such detail of means of enclosure are not submitted for consideration at this time. The precise detail of all means of enclosure could be secured through planning condition. In any event, a 2m high fence could be erected under PD rights so this would not be a sustainable reason for refusal.
72. Although currently vacant part of the application site is understood to have last been used as a bus depot and in this regard its residential redevelopment may present some benefit through the removal of a non-conforming use in a predominantly a residential area.
73. The Council's EHO raises no objection to the application in relation to noise and disturbance during the construction phase subject to the inclusion of a planning condition to control the hours of working. However, given the proximity of neighbouring properties and the residential nature of the surrounding locale it is considered appropriate to require the submission and agreement of a construction management plan to adequately control environmental impacts during the construction phase.
74. Subject to the inclusion of a planning condition in this regard the development would not have any adverse impact in relation to residential amenity in accordance with the aims of policies Q8 and H13 of the CofDLP and paragraph 180 of the NPPF.

Landscape and Visual Amenity

75. The site occupies a predominantly residential position to the rear of Cornforth Lane. The northern part of the site is read in the context of the streetscene at Linden Grove which is characterised by several bungalows set around a cul-de-sac layout and has an open aspect. The southern part of the site is set behind existing two storey dwellings at Linden Terrace and as such is not visible from Cornforth Lane which is one of the main vehicular routes into Coxhoe.

76. Policy H13 of the Local Plan is relevant which states that planning permission will not be granted for new development which has a significant adverse effect on the character or appearance of residential areas. In addition, policy Q8 requires the design and layout of new residential development to take into account the need to retain existing features of interest within the site including trees and hedgerows and to be appropriate in scale, form, density and materials to the character of its surroundings and policy E14 requires the retention of existing trees wherever possible.
77. Both policies display a broad level of accordance with the approach contained within Part 12 of the NPPF which seek to promote good design, while protecting and enhancing local environments. In particular paragraph 127 states that planning decisions should aim to ensure developments function well and add to the overall quality of the area, therefore significant weight can be afforded to them.
78. The indicative site plan identifies 2 house types comprising bungalows and three storey dwellings, the latter incorporating habitable rooms in the roof space and appearing externally as two storey dwellings. Although indicative the submitted information demonstrates that the application site is capable of accommodating the 5 dwellings proposed, subject to review of a reserved matter application relating to access, layout, scale, landscape and appearance.
79. Residents have raised concern that the proposal represents the overdevelopment of the site and achieves a density of housing which is not in keeping with the surrounding area. The indicative plans have been amended to reduce the number of units from 9 down to 5 and now includes two bungalows to Linden Grove which would achieve a density reflective of the locality. The amended arrangement is considered to sit more comfortably in the surrounding streetscene and mirrors the bungalow style of housing which frames the northern part of the site. Noting that the use of bungalows to Linden Grove is particularly important in achieving a development which assimilates sympathetically into its surroundings a condition should be included to ensure that those dwellings which present a front or rear elevation directly onto Linden are restricted to single storey height.
80. Submitted plans also show a short terrace of 3 dwellings across the southern part of the site and whilst these would be 3 storey use habitable space within the roof void they would have an external appearance reflective of a two-storey home. Given the southern part of the site is framed by similar properties along Cornforth Lane and Linden Terrace this approach is considered acceptable in principle. However, the access, layout, scale and appearance of the development are all reserved for future consideration and given the change in levels across the site it is also considered appropriate to include a condition requiring the submission and agreement of finished floor levels across the site.
81. The southern part of the site is currently occupied by several dilapidated timber structures which are no longer fit for any positive use having fallen into a state of disrepair and as such currently have a negative visual impact in the immediate locality. Whilst the site is not particularly visually dominant its redevelopment and the removal of these structures would present some benefit in terms of visual amenity.
82. The amended layout demonstrates that the large existing tree towards the centre of the site could be retained which is welcomed by the Council's Landscape Section who offer no objection to the application. Precise detail in relation to landscaping (including tree protection during the construction phase) could be appropriately secured through planning conditions.

83. Therefore, the residential redevelopment of the site would sit acceptably in the wider streetscene and would not appear as incongruent addition subject to consideration of future reserved matters applications in accordance with CofDLP Policies Q8 and H13 and Part 12 of the NPPF.

Parking, Access and Highway Safety

84. Whilst the application shows a means of access from Linden Grove it is noted that matters relating to access and layout are reserved for future consideration. However, the applicant must sufficiently demonstrate that a safe and suitable means of access to the development is achievable and that sufficient space exists within the development site to provide adequate car parking.
85. Several residents have raised objection to the application noting that the additional vehicle movements generated by the 5 dwellings would have a negative impact upon highway safety and generate a demand for parking within the surrounding residential streets given the loss of the existing terrace of garages which currently occupy part of the site which would negatively impact upon highway safety for existing residents, most of whom are elderly.
86. In this regard policies T1 and T10 of the CofDLP are relevant. Policy T1 states that the Council will not grant planning permission for development that would generate traffic which would be detrimental to highway safety and/or have a significant impact on the amenity of adjacent occupiers of neighbouring property. Policy T10 seeks to ensure that vehicle parking in new development is sufficient whilst promoting sustainable transport choices and reducing the land-take of development. This approach is considered to display a broad level of accordance with the aims of paragraph 108 of the NPPF and accordingly significant weight can be afforded to this policy.
87. Despite the concerns raised by residents it is nevertheless considered that sufficient information has been submitted in support of the application to demonstrate that a safe and sufficient access could be provided from Linden Grove to the north. With regard to parking provision, whilst the development would result in the loss of 15 garages these are understood to be redundant and scheduled for demolition on 2 December 2019 regardless of the current application. Consequently, it is considered that adequate parking provision could be included in accordance with the Council's Parking Standards. The Highway Authority has been consulted and offers no objection to the application noting that full details of access and layout are reserved for future consideration.
88. In response to highway safety concerns raised by residents the Highway Authority confirms that a total of 20 additional vehicle movements per day would be anticipated and that such an increase could be safely accommodated on the surrounding road network. Consequently, the development is considered to accord with the requirements of policies T1 and T10 of the CofDLP and paragraph 108 of the NPPF.

Ecology, Biodiversity and Protected Species

89. Part 15 of the NPPF seeks to ensure that developments protect and mitigate harm to biodiversity interests. As the application involves the demolition of existing buildings a Bat Risk Assessment supports the application.
90. The impact of the development upon protected species, namely bats and biodiversity has been raised in objection by local residents who considered the proposal would have a negative impact in this regard from the loss of existing habitat.

91. The presence of a European Protected Species (EPS) is a material planning consideration. The Conservation of Habitats and Species Regulations 2010 have established a regime for dealing with derogations which involved the setting up of a licensing regime administered by Natural England. Under the requirements of the Regulations it is an offence to kill, injure or disturb the nesting or breeding places of protected species unless it is carried out with the benefit of a licence from Natural England.
92. Notwithstanding the licensing regime, the Local Planning Authority must discharge its duty under the regulations and where the proposed development is likely to result in an interference with an EPS must consider these tests when deciding whether to grant permission. A Local Planning Authority failing to do so would be in breach of the regulations which requires all public bodies to have regard to the requirements of the Habitats Directive in the exercise of their functions.
93. The supporting Preliminary Ecological Appraisal concludes that the site offers low bat roosting potential but does however offer limited bat foraging and commuting potential therefore two additional bat activity surveys are recommended to fully inform the proposal. The results of these surveys have not been supplied with the application and the bat activity season is now over for 2019 therefore the surveys can only be done in summer 2020 now.
94. However, the Council's Ecologist has been consulted and advised that in his opinion the proposed bat activity surveys are unwarranted for a development on this site as the survey found the buildings to have low bat roost potential and the habitats present offer low bat foraging potential and that even if surveys were undertaken very low numbers of bats are likely to be recorded at best and, that being the case, suitable mitigation could be provided in the form of bat roost units being included into the new buildings.
95. The application therefore proposes the inclusion of bat roosts across the development and the Ecologist considers that the provision of a total four roost units and two bird boxes would be sufficient mitigation for a development of this size. The submission and agreement of precise detail in this regard could be satisfactorily secured through planning condition.
96. Consequently, it is not considered that the proposed development would have an adverse impact on protected species or their habitats and therefore there is no need to consider whether an EPS licence would be granted. The development would be in accordance with part 15 of the NPPF.
97. Notwithstanding the above, there would be some net loss to biodiversity which could not be offset by on site mitigation. As such the applicant has agreed to provide a commuted sum of £1332.80 for offsite mitigation at a scheme identified in Durham County Council's Local Biodiversity Compensation Strategy Document. The development would therefore accord with the requirements of paragraph 175 of the NPPF which requires that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or as a last resort, compensated for, then planning permission should be refused.

Land Contamination

98. Policies U11 and U13 of the CofDLP seek to protect development from contamination and previous mine workings respectively which is an approach which displays a broad level of accordance with the NPPF at paragraph 178 which requires that planning decisions should ensure that the site is suitable for its new use taking account of ground conditions and land instability, including from natural hazards or former activities such as mining, pollution arising from previous uses and any proposal for mitigation including land remediation or impacts on the natural environment arising from that remediation.

99. The application is supported by a Coal Mining Risk Assessment and a Contaminated Land Screening Assessment which have been reviewed by the Coal Authority and the Council's Contaminated Land Section. With regard to the Coal Mining Risk Assessment this concludes that risk from previous mine working is low. However, as the report is not able to totally dismiss the risk from previous shallow workings the Coal Authority advise the inclusion of a planning condition which requires further intrusive site investigations which could be secured through planning condition.
100. With regard to the Contaminated Land Screening Assessment the Council's Contaminated Land Risk Section offer no objection to the application subject to the inclusion of a planning condition which requires the submission and agreement of a Contaminated Land Risk Assessment with intrusive site investigations, remediation and verification where need is identified.
101. Therefore, subject to the inclusion of planning conditions requiring the submission agreement and implementation of intrusive site investigations in relation to previous mine workings and further detail in relation to Contaminated Land the development is considered to accord with the aims of paragraph 178 of the NPPF.

Drainage

102. Policy U8A of the CofDLP states that development proposals will only be approved if they include satisfactory arrangement for disposing of foul and surface water discharges. Where satisfactory arrangements are not available, then proposals may be approved subject to the submission of a satisfactory scheme and its implementation before the development is brought into use.
103. The development proposes the disposal of surface water to soakaway but provides no detail in relation to the means of foul water disposal. The Council's Drainage Section notes that the development is not of a scale which requires consultation and NWL raises no objection to the application subject to a condition requiring the submission and agreement of precise detail with regard to foul and surface water disposal. They do however also note that NWL plant and apparatus crosses the application site but that they will contact the applicant direct to confirm its precise location.
104. Subject to the inclusion of a planning condition requiring the submission and agreement of precise detail in relation to foul and surface water disposal the application is considered to accord with the requirements of policy U8A of the CofDLP in this regard.

Other Matters

105. Whilst some residents have raised objection to the application citing concerns that the site was previously reserved for bungalows it should be noted that this is not reflected in any current planning policy and as such cannot be afforded any weight in determination of the application. The site is not allocated for any specific use within the current local plan. However, it is noted that the applicant has amended the indicative plans to identify an intention to provide bungalows over the north part of the development and a planning condition which restricts the height of those dwellings across the northern part of the application is proposed should planning permission be granted.

106. Residents have also raised concern that the applicant does not live within the locality. Again, this is not a matter which is material to the consideration of the application and cannot be afforded weight in its determination.
107. Some residents have raised concern that the proposal does not include any street lighting. In response, it is noted that the Highway Authority and the Council's EHO do not raise any objection to the application in this regard and that the requirement for street lighting would be the subject of agreement through Section 38 of the Highways Act where positioned within the Highway.
108. Concern has been raised in relation to the inclusion of roof lights to the bungalows as shown on the indicative plans which residents consider represents an intention to extend the properties if permission is granted. As this application relates only to the principle of development with all matters reserved for future consideration this is not a matter to which any weight can be afforded in determination of the application. However, should planning permission be granted the total number of dwellings would be restricted to 5 no. through planning condition with precise scale, massing and appearance of the dwellings subject to a separate reserved matter application.

Planning Balance

109. As the relevant policies of the CofDLP are considered to be out of date, the presumption in favour of sustainable development as contained in paragraph 11 of the NPPF is engaged and in this regard a summary of the benefits and adverse impacts of the proposal are considered below;

Benefits

110. The development would provide some limited benefit in terms of a boost to housing supply, although it is noted that this could be considered limited at 5 dwellings in the context of the Council's ability to demonstrate a 5 year supply of housing land. Less weight should therefore be afforded to the benefits of delivering new housing in this regard as such than would otherwise be the case if any shortfall in supply existed.
111. The application of the site would present some benefit to the visual amenity of the surrounding area through the removal of existing dilapidated structures and its residential redevelopment.
112. Whilst the site is currently vacant the proposal may present some benefit to residential amenity through the removal of a non-conforming use in a predominantly a residential area.
113. To a limited degree the development would provide direct and indirect economic benefits within the locality and from further afield in the form of expenditure in the local economy. This would include the creation of construction jobs, as well as further indirect jobs over the lifetime of the development. A temporary economic uplift would be expected to result from the development and expenditure benefits to the area supporting existing facilities in Coxhoe. As such this can be afforded some limited weight.

Adverse Impacts

114. In all other respects the applicant has demonstrated that there would not be any adverse impacts subject to mitigation through inclusion of planning conditions.

CONCLUSION

115. When applying the planning balance contained in paragraph 11 of the NPPF it is considered that any adverse impacts of the development would not significantly and demonstrably outweigh the benefits and as such planning permission should be granted.
116. The site occupies a sustainable location within Coxhoe which is served by a good range of shops, services, employment and education opportunities and benefits from good local transport links. The introduction of additional residential development in this location would help support these facilities and as such is acceptable in principle being considered sustainable development in accordance with guidance contained within the NPPF.
117. The proposal presents some limited benefits in terms of a boost to housing supply and the local economy both in the short term, through the creation of construction jobs, and more long term through increased spending in the local economy from future residents. There would also be some benefit in terms of visual amenity through the redevelopment of a vacant site and the removal of dilapidated structures.
118. Sufficient information has been presented to demonstrate that a suitable arrangement could be achieved which maintains adequate separation distances between existing and proposed dwellings, ensuring that there would be no adverse impact in terms of residential amenity in accordance with policies H13 and Q8 of CofDLP and paragraph 180 of the NPPF.
119. Similarly, with regard to access it has been satisfactorily demonstrated that safe and sufficient access could be provided to the site and that an internal layout and parking provision could meet the standards required to serve a residential development of this type. Consequently, the proposal is considered to accord with the aims of policies T1 and T10 of the CofDLP and paragraph 108 of the NPPF.
120. Objections have been raised by local residents who cite concerns in relation to the impact of the development upon residential amenity, the character of the area, protected species or existing health and education services in Coxhoe through increased demand. However, it is not considered that the issues raised are sufficient to sustain refusal of the application in the context of paragraph 11 of the NPPF given there would not be any unacceptable increase in demand upon local services, residential amenity or the character of the locale in particular.
121. The scheme would therefore comply with all relevant saved local plan policy, general aims of the NPPF and in the context of paragraph 11, there are no adverse impacts that would significantly and demonstrably outweigh the benefits and is therefore recommended for approval.

RECOMMENDATION

That the application be **APPROVED** subject to the following conditions and to the completion of a Section 106 Legal Agreement to secure the provision of:

- i) The sum of £1332.80 to be used by the Council towards biodiversity enhancements in line with the framework identified in Durham County Council's Local Biodiversity Compensation Strategy document.

1. Approval of the details of the appearance, landscaping, layout, scale and access of the development (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced other than remediation works and site access works.

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. Application for approval of reserved matters of the development shall be made to the Local Planning Authority before the expiration of three years beginning with the date of this permission and the development must be begun not later than the expiration of two years from the approval of the reserved matters, or in the case of approval on different dates, the date of approval of the last reserved matter to be approved.

Reason: Required to be imposed pursuant to section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

3. The development hereby approved shall be carried out in strict accordance with the following approved plans:

Drawing No.	Description	Date Received
	Location Plan	30 July 2019

Reason: To define the consent and ensure that a satisfactory form of development is obtained.

4. The development hereby approved shall comprise a maximum of 5 dwellings.

Reason: Required to define the consent and precise number of dwellings approved.

5. Those dwellings which present an elevation directly onto Linden Grove shall be bungalows with a ridge height no greater than 4.8 metres.

Reason: To protect the character and appearance of the existing streetscene in accordance with the aims of policy H13 of the City of Durham Local Plan and paragraph 127 of the NPPF.

6. Prior to the first occupation of any of the dwellings hereby approved full details of all means of enclosure shall be submitted to and agreed in writing with the Local Planning Authority. Thereafter the development shall be carried out in accordance with the agreed details.

Reason: To protect the character and appearance of the surrounding area in accordance with the aims of policy H13 and Q8 of the CofDLP and paragraph 127 of the NPPF.

7. All planting, seeding or turfing and habitat creation in the approved details of the landscaping scheme shall be carried out in the first available planting season following the practical completion of the development.

No tree shall be felled or hedge removed until the removal/felling is shown to comply with legislation protecting nesting birds and roosting bats.

Any approved replacement tree or hedge planting shall be carried out within 12 months of felling and removals of existing trees and hedges.

Any trees or plants which die, fail to flourish or are removed within a period of 5 years from the substantial completion of the development shall be replaced in the next planting season with others of similar size and species.

Replacements will be subject to the same conditions.

Reason: To protect existing trees and the character and appearance of the surrounding area in accordance with the aims of policies E14 and H13 of the City of Durham Local Plan.

8. No construction work shall take place, nor any site cabins, materials or machinery be brought onto the site until all trees and hedges, as indicated on an approved tree protection plan to be submitted to and agreed in writing by the Local Planning Authority, are protected by the erection of fencing, placed as indicated on the plan and comprising a vertical and horizontal framework of scaffolding, well braced to resist impacts, and supporting temporary welded mesh fencing panels or similar approved in accordance with BS.5837:2012. The plan shall be accompanied by a method statement which clearly demonstrates how the development will be constructed without damage to existing trees.

No operations whatsoever, no alterations of ground levels, and no storage of any materials are to take place inside the fences, and no work is to be done such as to affect any tree.

No removal of limbs of trees or other tree work shall be carried out.

No underground services trenches or service runs shall be laid out in root protection areas, as defined on the Tree Constraints Plan.

Reason: To protect existing trees in accordance with the requirements of policy E14 of the City of Durham Local Plan and paragraph 175 of the NPPF.

9. No development shall commence until such time as a detailed scheme for the disposal of foul and surface water from the development hereby approved (including full details of all Suds) has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall take place in accordance with the approved details.

Reason: In the interest of the adequate disposal of foul and surface water in accordance Part 14 of the NPPF

10. No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the local planning authority.

The agreed plan shall include as a minimum (but not necessarily be restricted to) the following:

- An assessment of the potential for dust emissions from the site and the mitigation measures that will be used to minimise any emission taking into account relevant guidance such as the Institute of Air Quality Management "Guidance on the assessment of dust from demolition and construction" February 2014.

- An assessment of the likely noise (including vibration) emissions from the site and the mitigation measures that will be taken to minimise noise disturbance taking into account relevant guidance such as BS5228 'Code of practice for noise and vibration control on construction sites' 2014.
- Where construction involves penetrative piling, details of methods for piling of foundations including measures to suppress any associated noise and vibration.
- Details of the operating hours during which construction/demolition works are to be undertaken. Durham County Council's accepted hours for construction/demolition activities that generate noise are 8am – 6pm Monday – Friday, 8am – 1pm Saturday and no noisy working on a Sunday or Bank Holiday.
- Detail of any planned measures for liaison with the local community and any procedures to deal with any complaints received.
- Details of whether there will be any crushing/screening of materials on site using a mobile crusher/screen and the measures that will be taken to minimise any environmental impact.

The management plan 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(s) shall also be adhered to throughout the construction period and the approved measures shall be retained for the duration of the construction works.

Reason: To protect the residential amenity of existing and future residents from the development to comply with Part 15 of the National Planning Policy Framework. This is required as a pre commencement condition in order to mitigate potential impact on residential amenity which needs to be considered before site works commence.

11. No development shall commence until such time as a scheme of intrusive site investigation, (adequate to properly assess the ground conditions and the potential risks posed to the development by past shallow mine coal mining activity) has been submitted to and agreed in writing by the Local Planning Authority. The submitted scheme shall include a report of findings arising from the intrusive site investigation and a scheme of appropriate remediation. Thereafter the development shall be carried out in accordance with the agreed details.

Reason: To ensure the site is capable of accommodating the proposed use in terms of ground stability in accordance with the aims of policy U12 and paragraphs 178 and 179 of the NPPF.

12. No development shall commence until a land contamination scheme has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall be compliant with the YALPAG guidance and include a Phase 1 preliminary risk assessment (desk top study).

If the phase 1 assessment identifies that further investigation is required a Phase 2 site investigation shall be carried out, which shall include a sampling and analysis plan. If the Phase 2 identifies any unacceptable risks, a Phase 3 remediation strategy shall be produced and where necessary include gas protection measures and method of verification.

Reason: To ensure that the presence of contamination is identified, risk assessed and proposed remediation works are agreed in order to ensure the site is suitable for use, in accordance with Part 15 of the National Planning Policy Framework. Required to be pre-commencement to ensure that the development can be carried out safely.

13. No development shall commence until detailed drawings, including sections, showing the existing and proposed site levels, and the finished floor levels of the proposed development and those of existing neighbouring buildings (if any), has been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details thereafter.

Reason: In the interests of the amenity of the surrounding areas and neighbouring properties, in accordance with Policy Q8 of the City of Durham Local Plan and Parts 12 and 15 of the National Planning Policy Framework. Required as a pre-commencement condition to ensure that the implications of changes in level are properly considered and accounted for in the development.

14. Remediation works shall be carried out in accordance with the approved remediation strategy. The development shall not be brought into use until such time a Phase 4 verification report related to that part of the development has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the remediation works are fully implemented as agreed and the site is suitable for use, in accordance with Part 15 of the National Planning Policy Framework.

15. No development shall commence until full details of the 4 No. bat roost units (comprising 2 No. built in wall roosts and 2 No. ridge units) and 2 No. bird boxes have been submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the agreed detail.

Reason: To protect biodiversity in accordance with the requirements of policy E16 of the CofDLP and paragraph 175 of the NPPF.

STATEMENT OF PROACTIVE ENGAGEMENT

In accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority 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

BACKGROUND PAPERS

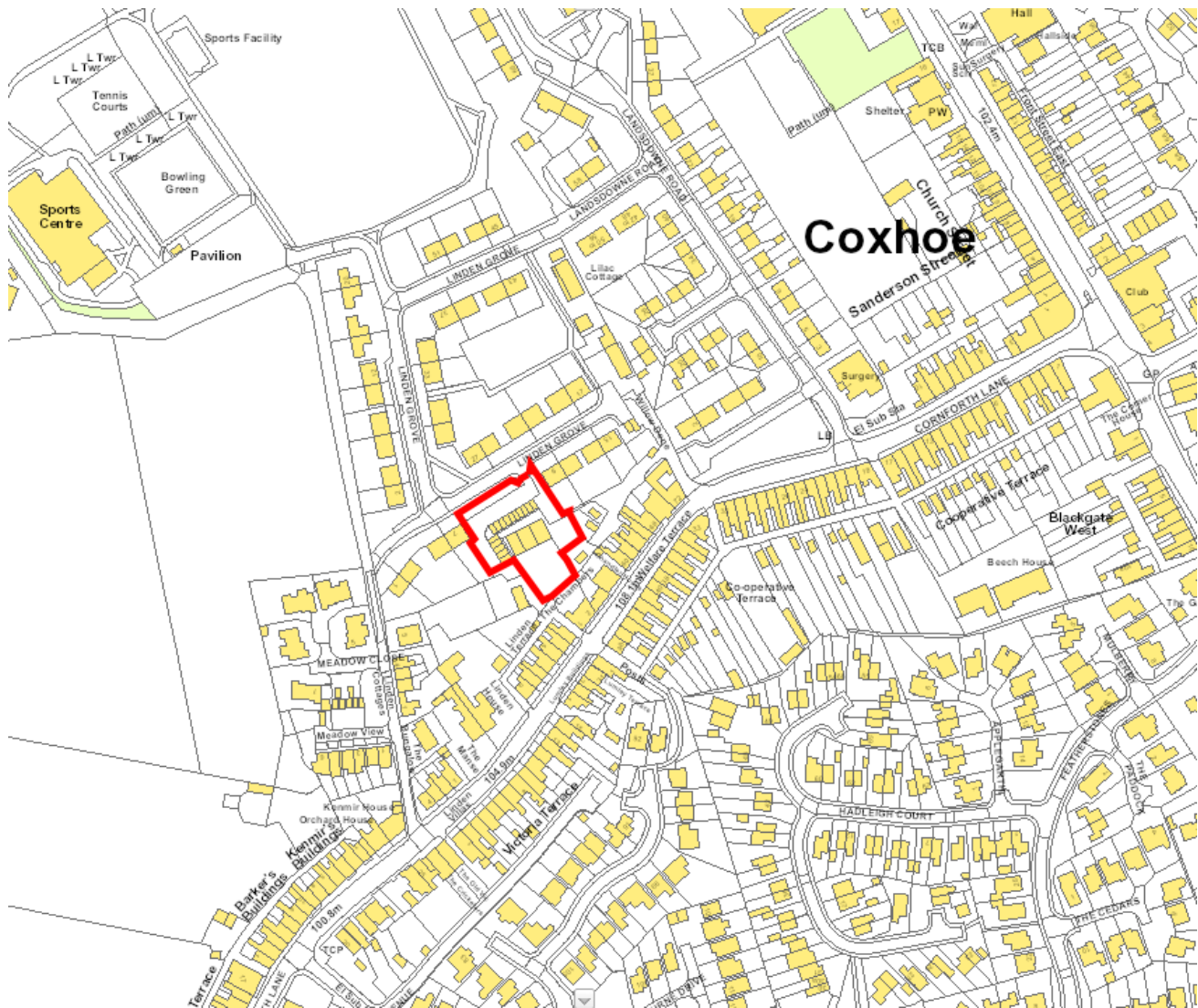
Submitted application form, plans supporting documents and subsequent information provided by the applicant.

The National Planning Policy Framework (2018)

National Planning Practice Guidance Notes

City of Durham District Local Plan 2007

Statutory, internal and public consultation responses



Planning Services

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Outline Planning Permission for the demolition of existing buildings and the erection of 5 No. dwellings with all matters reserved (amended description)

Comments

Date

12 November 2019

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Planning Services

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION No:	DM/19/02862/FPA
FULL APPLICATION DESCRIPTION:	Change of use from 6 bedroom House in Multiple Occupation to 7 bedrooms (C4 to Sui Generis) and Loft conversion
NAME OF APPLICANT:	Dr Richard Scothern
ADDRESS:	35 Elvet Crescent Durham DH1 3AP
ELECTORAL DIVISION:	Elvet and Gilesgate
CASE OFFICER:	Jennifer Jennings Planning Officer Telephone: 03000 261057 jennifer.jennings@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

The Site

1. The application site is located to the east of Durham City Centre within a relatively modern residential estate built in the 1930/40s. It is located within Durham (City Centre) Conservation Area and is approximately 277 metres to the east of Durham Cathedral and Castle World Heritage Site (WHS).
2. The site relates to a property at no. 35 Elvet Crescent, a six-bed dwelling house in use as a house in multiple occupation (HMO), which is presently a mid-terrace of four properties that extend to the east and west of the site. The north elevation of the property overlooks a front garden and the main street, Elvet Crescent. The rear elevation benefits from a single storey extension with a small garden space beyond for bin storage. This elevation faces south towards a car parking site associated with the university. It is noted that there is a drop in levels of some 3 metres from the car parking area to Elvet Crescent, resulting in first floor windows of the properties being level with the car park.

Proposal

3. The proposal seeks full planning permission for a change of use of the property from C4 house in multiple occupation (HMO) accommodating 6 bedrooms to a sui generis 7 bedroom HMO. This would be achieved by converting the loft to create the seventh bedroom. Roof lights would be added to the roof slope, with two to the front and one to the rear.

4. In support of the application, details of tenancy agreements have been provided confirming the use as a HMO since 2016. The property is therefore an existing C4 use that predates the Article 4 direction.
5. The application is referred to Committee at the request of the local member Councillor David Freeman on behalf of the local residents in the area who requested it on the grounds that the proposals would become mini student halls of residence and would do nothing to contribute to the well being of the area. They would not help to promote balanced and mixed communities or social cohesion.

PLANNING HISTORY

6. There is no planning history for the site.

PLANNING POLICY

NATIONAL POLICY

7. The following elements of the National Planning Policy Framework (NPPF) are considered relevant to this proposal:
8. NPPF Part 11 Making Effective Use of Land - Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.
9. NPPF Part 12 Achieving Well-Designed Places - 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.
10. NPPF Part 15 Conserving and Enhancing the Natural Environment - Conserving and enhancing the natural environment. The Planning System should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests, recognising the wider benefits of ecosystems, minimising the impacts on biodiversity, preventing both new and existing development from contributing to or being put at unacceptable risk from pollution and land stability and remediating contaminated or other degraded land where appropriate.
11. NPPF Part 16 Conserving and Enhancing the Historic Environment - Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

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

NATIONAL PLANNING PRACTICE GUIDANCE:

12. The Government has consolidated a number of planning practice guidance notes, circulars and other guidance documents into a single Planning Practice Guidance Suite. This document provides planning guidance on a wide range of matters. Of particular relevance to this application is the practice guidance with regards to; conserving and enhancing the historic environment; design; and use of planning conditions.

<https://www.gov.uk/government/collections/planning-practice-guidance>

LOCAL PLAN POLICY:

The City of Durham Local Plan (2004) (CDLP)

13. *Policy E3 World Heritage Site – Protection* – Durham Cathedral and Castle WHS and its setting will be protected by restricting development to safeguard local and long distance views to and from the cathedral and castle and peninsula and seeking the conservation and management of buildings which make up the WHS and its setting.
14. *Policy E6 Durham City Centre Conservation Area* – states that the special character, appearance and setting of the Durham (City Centre) Conservation Area will be preserved or enhanced as required by section 72 of the Planning (Listed Building and Conservation Areas) Act 1990. The policy specifically requires proposals to use high quality design and materials which are sympathetic to the traditional character of the conservation area.
15. *Policy E21 – Conservation and Enhancement of the Historic Environment* – states that the historic environment will be preserved and enhanced by minimising adverse impacts by development proposals.
16. *Policy E22 – Conservation Areas* – seeks to preserve or enhance the character or appearance of conservation areas, by not permitting development which would detract from its setting, while ensuring that proposals are sensitive in terms of scale, design and materials reflective of existing architectural details.
17. *Policy H9 – Multiple occupation / student households* - seeks to ensure that where houses are sub divided or converted to flats, bedsits or multiple occupancy, they do not adversely affect the character of the area, the amenity of nearby residents and the concentration of sub-divided dwellings to the detriment of the range and variety of the local housing stock.
18. *Policy H13 – Residential Areas – Impact upon Character and Amenity* – protects residential areas from development that would have a significant adverse effect on their character or appearance, or the amenities of residents within them.
19. *Policy T1 – Traffic Generation – General* – states that development proposals which would result in a level of traffic generation detrimental to highway safety should not be granted planning permission.
20. *Policy T5 – Public Transport* – The council will encourage improvements to assist public transport services including the provision of suitable facilities and ensuring new development can be conveniently and efficiently served by public transport.

21. *Policy T10 – Parking* – States that vehicle parking should be limited in amount, so as to promote sustainable transport choices and reduce the land-take of development.
22. *Policy T21 – Walking* – states that existing footpaths and public rights of way should be protected.
23. *Policies Q1 and Q2 - General Principles Designing for People and Accessibility* – states that the layout and design of all new development should take into account the requirements of all users.
24. *Policy Q5 – Landscaping – General* – requires all new development which has an impact on the visual amenity of the area in which it is located to incorporate a high level of landscaping in its overall design and layout.
25. *Policy Q9 – Alterations and Extensions to Residential Property* - The design, scale and materials are sympathetic to the main dwelling and the character and appearance of the area. Wherever possible the alteration or extension incorporates a pitched roof, the alteration or extension respects the privacy of adjoining occupiers of the property and the alteration or extension will not create a level of multiple occupation.

RELEVANT EMERGING POLICY:

26. Paragraph 48 of the NPPF states 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. Following consultation at 'Issues & Options', 'Preferred Options' and 'Pre-Submission Draft' stages, the CDP was approved for submission by the Council on 19 June 2019. The CDP was submitted to the Planning Inspectorate on 28 June 2019 and the EIP is current proceeding. Although the CDP is now at a relatively advanced stage of preparation, it is considered that it 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:

27. Highways Authority comment that the proposed residential development is in a highly sustainable city centre location. It sits within the city's controlled parking zone. No additional parking permits would be issued to residents and it is therefore unlikely residents will seek on street parking provision as they would be subject to full Pay and Display Tariffs Monday to Saturday 8:00am to 6:00pm. This would prove cost prohibitive and inconvenient to residents. No objection to this proposal is offered on highways grounds.
28. City of Durham Parish Council – objects on the basis that the proposals conflict with the Interim Policy on Student Accommodation and would lead to a further intensification of student numbers in the area.

29. Police Liaison Officer – offers no comments.

INTERNAL CONSULTEE RESPONSES:

30. Design and Conservation – comment that there is no objection in principle given that the physical alterations needed to facilitate the increase in occupancy would be minor in nature. Concerns were raised however with regards the quality of the roof lights and amendments were sought.
31. Environment, Health and Consumer Protection (Nuisance Action Team) – have no comments or concerns with regards the application. They do not consider that the proposals would create a statutory nuisance.
32. Ecology section do not require the submission of a bat survey on this occasion, however they do request an informative be attached to any permission granted.
33. Spatial Policy – Applying the Interim Policy the percentage of HMOs within 100m of the application site is 67.1% of properties which are student properties as defined by Council Tax records, this house included.
34. HMO Section –comment that the property would need to be licensed under the Housing Act 2004 Part 2 and provide further details on the criteria associated with this legislation.

PUBLIC RESPONSES:

35. The application has been advertised by means of site notice on site, press notice and by notifying neighbouring residents by letter. One objection has been received from the City of Durham Trust raising the following points:
 - Concerns about the steady increase in the number of planning applications seeking to convert family dwellings to houses in multiple occupation or to increase the size of existing HMOs. This is increasing the imbalance between the student population and the long-term resident population of Durham City, which does not promote and preserve inclusive, mixed and balanced communities (NPPF, 8b).
 - Objects on the basis that the proposal would be contrary to the Interim Policy based on the percentage of properties already in HMO use in the area.

APPLICANT'S STATEMENT:

regarding the addition of one more room in the house at 35 Elvet Crescent.

1. The house will not be extended with extra buildings and is a simple loft extension and will thus not impinge on the gardens or any neighbours' view. With the correct fenestration, we would make sure that it is sympathetic to the area, and thus the impact will be almost unnoticeable;
2. The working model for the percentages of students in the area cannot be absolutely clarified under the present system as is demonstrated in various other planning applications in the last few months;
3. The application is for 1 more room in an existing student property, and not changing a family home to become a new 7 bedroom HMO, which is at the heart of the Article 4 direction. Thus, the impact is 1 room, not 7 new rooms;
4. The owners of the property have stringent rules and an active hands-on involvement with making sure the property and gardens are well maintained, and that the tenants create a positive impact on the city. The owners are local people and take the matters of any anti-social issues very seriously indeed. They recognise the impact, which is why the physical change is almost unnoticeable. They also recognise their part in directing tenants to live as good Durham citizens.

PLANNING CONSIDERATIONS AND ASSESSMENT

36. 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 in this instance relate to the principle of the development, impact on the character of the surrounding conservation area and heritage assets, residential amenity and highway safety.

Principle of Development

The Development Plan

37. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material planning consideration. The City of Durham Local Plan (CDLP) remains the statutory development plan and the starting point for determining applications as set out at Paragraph 12 of the NPPF. However, the CDLP was adopted in 2004 and was intended to cover the period to 2006 and, whilst the NPPF advises at Paragraph 213 that Local Plan policies should not be considered out-of-date simply because they were adopted prior to the publication of the NPPF, it is considered nonetheless that a policy can be out-of-date if it is based upon evidence which is not up-to-date/is time expired depending on the circumstances. In such circumstances the weight to be afforded to existing Local Plan policies should depend upon their degree of consistency with policies of the NPPF.
38. In consideration of the above, saved policy H9 relating to multiple occupation and student accommodation is directly relevant to the proposal as it deals with alterations and extensions to existing properties already in HMO use. This policy is considered consistent with the NPPF, as it is up to date and not time limited and can therefore be afforded full weight in the decision-making process. Paragraph 11 of the NPPF is not engaged.
39. Policy H9 of the City of Durham Local Plan states that proposals to extend or alter properties which are already an established HMO use class will be permitted provided that there is adequate parking, there is sufficient privacy and amenity areas for occupiers, the proposal would not adversely affect the amenities of nearby residents and the extension would be in scale and character with the host dwelling and surrounding area in compliance with Policy Q9. The various points within Policy H9 are covered in the relevant sections of the report below. The Interim Policy on Student Accommodation includes similar criteria. However the Interim policy goes further than policy H9 as it states that extensions that result in additional bed spaces will not be permitted if more than 10 per cent of the total number of properties within 100 metres of the application site are already in use as HMOs.

40. In consideration of the above, the proposals are considered to accord with policy H9 which is permissive in principle of extensions to properties already in C4 use. However when assessed against the Interim Policy, which seeks to curtail extensions and creation of bed spaces, the proposals are contrary, particularly as the percentage of properties within the 100 metres radius of the application site equates to 67.1 per cent. It must be noted however that the proposed extension would not impact on the percentage of properties in HMO status as the application site already falls within this category. On this basis, the proposal would equate to one additional bedroom creating a 7-bed HMO over a 6-bed HMO and in consideration of this, although contrary to the strict wording of the Interim Policy, the proposals do not conflict with the aims and objectives of the interim policy which seeks to maintain an appropriate housing mix by assessing the change in the percentage of housing in student accommodation within a 100 metres radius. The addition of one additional bed space to an existing HMO property does not undermine this principle. It must also be noted that the interim policy is not part of the adopted development plan and therefore less weight must be afforded to it as a result and in the event of conflict with save local plan policies, those policies must prevail.
41. Furthermore, a recent appeal decision (reference APP/X1355/W/16/3160444) for a two storey rear extension of a class C4 HMO to provide 3 additional bedrooms at 40 Hawthorn Terrace, Durham, considered the issues associated with the creation of additional bedrooms within established HMOs and whether such development is considered to conflict with the Interim Policy. The Inspector found that within the Interim Policy there is no explicit reference made on how to address extensions to existing HMOs against the 10 per cent tipping point. This would suggest that the Council has essentially sought a moratorium on extensions to HMO properties within the Durham City area where the majority of residential areas are in excess of 10 per cent HMOs. The Inspector considered that such a stance would be at odds with the more permissive approach of saved Policy H9 of the local plan. The Inspector further commented that the provision of additional bed spaces to an existing HMO in an area where more than 10 per cent of properties within 100 metres of the appeal site are in use as HMOs would not result in an adverse impact on the overall range and variety of local housing stock in the area. On this basis, the Inspector allowed the appeal.
42. In relation to the percentage figure of HMOs within 100 metres of the site, it is accepted that 67.1 per cent is a high proportion far in excess of the ten per cent threshold within the Interim Policy. However, the Interim Policy notes that there may be some cases where localised communities are already so imbalanced that the policy objective of protecting a balance is unlikely to be achieved. This issue has been considered by Inspectors as part of recent appeal decisions (in particular appeal references APP/X1355/W/19/3222572 and APP/X1355/W/16/3165827), where a level of 61.8% or above was considered to be the point at which an area is already imbalanced and Inspectors have concluded Criterion e) of the Interim Policy is relevant.
43. Accordingly, it is considered that the proposal complies with policy H9 and whilst there is conflict with the wording of the Interim Policy and breach in the threshold, this is not sufficient to justify refusal of the application especially in light of the guidance on that policy which has been provided by the recent appeal decisions.

Impact on heritage assets and the character of the surrounding Conservation Area

44. Local authorities have a duty to preserve or enhance the Conservation Area as required by section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. This requires Local Planning Authorities in the exercise of their planning function with respect to any buildings or other land in Conservation Areas to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.
45. Policies E6 and E22 of the Local Plan reflect these legislative requirements and are also deemed to be consistent with the NPPF. Within the policies there is a requirement that development be refused where it would detract from the character of the area and that all development should be sensitive in terms of siting, scale, design and materials, reflecting where appropriate existing architectural details. In addition the policy requires that trees, hedgerows, views and undeveloped areas which contribute to the character or appearance of the area should be protected.
46. The proposals would require minimal intervention to the external appearance of the dwelling to accommodate the additional bedroom in the loft space. This would include two roof lights to the front of the building providing light to the proposed bedroom and a single roof light to the rear elevation to provide light to the stair well. Design and Conservation assessed the details and initially commented that the proposed roof lights were not appropriate given that they protruded excessively above the roof line. The applicant was requested to amend the drawing to indicate conservation style roof lights. These drawings have now been submitted along with a specification of the roof lights proposed. These are deemed acceptable but a condition will be applied requiring conservation style roof lights in any case to ensure they are suitably designed for the conservation area.
47. In terms of policy Q9, this states that alterations to residential property are to appear subordinate to the host dwelling. The amended drawings identify that the roof lights will be suitably flush with the existing roof plan. The proposals will therefore not appear obtrusive or out of character with the host dwelling, surrounding properties or the immediate streetscene and is considered to accord with the policy in this regard.
48. In respect of the above and in the context of the statutory duties and relevant policies E22 and E23, as well as policies H9 and Q9 which require the design, scale and materials of alterations to be sympathetic to the main dwelling and character and appearance of the area, the proposals are considered to be compliant with these requirements.

Impact on residential amenity

49. Local plan policy H9 states that extensions should not adversely affect the amenities of nearby residents. The dwelling is already an established C4 use and the proposal to increase the number of bedrooms from six to seven would alter the use class from C4 to sui generis in this case. However, the dwelling would continue as a HMO use and it is not considered that the addition of a single bedroom to enlarge the HMO use would be sufficiently detrimental to the amenities of neighbouring residents. The objection received from the local ward member on behalf of local residents raising issues regarding noise, anti-social behaviour, rubbish, deliveries and parking in the area is noted. It is accepted that occupants of HMOs differ in their activities and general movements from that expected of family homes, and depending on individuals involved, these activities can cause levels of disturbance that create negative impacts on non-HMO residents. However it would be difficult to demonstrate any proliferation of these disturbances to the addition of a single bedroom in an established HMO or indeed sustain a refusal in this case, on that basis.

50. Environmental Health were consulted for their views in terms of noise impacts and raised no objections based on the scheme proposed.

51. In light of the above considerations and in consideration of policies H9 and Q9, it is not considered that the proposed loft conversion and resultant additional bedroom would create a situation that would significantly compromise the amenities of residents within the area. Whilst the additional bedroom may result in increased activity, this is not considered to be at a level that would materially affect the residential character of the area or amenities of the nearby neighbours, particularly as the property already operates as a HMO.

Highway Safety and Access

52. Saved local plan policy T1 requires that the council should not grant planning permission for development that would generate traffic which would be detrimental to highway safety and have a significant effect on occupiers of neighbouring properties.

53. The Council's Highways team considered the details of the application and acknowledged that the city centre location of the application site would mean that no parking provision would be required from a highways standpoint. The applicant has been advised that no parking permits to park within the Durham City controlled Parking Zone would be given in any case.

54. The lack of parking provision, whilst not ideal, is not considered a sufficient ground for refusal of planning permission, and in many respects, such a circumstance would be more likely to deter car owners from inhabiting the property as well as encourage sustainable transport choices in accordance with policy T10. The proposals are considered acceptable in this regard.

CONCLUSION

55. In conclusion, the proposed development would not result in an increase in HMOs in the area as the property currently operates as a C4 HMO. In this regard the proposal does not run contrary to the principles associated with the Interim Policy as the housing mix would remain unaltered. The small increase in occupancy levels is not considered detrimental to the wider amenities of the area, and the proposed alterations to accommodate the additional bedroom by reason of the minimal interventions required is considered acceptable, not causing undue harm to the surrounding heritage assets or neighbouring amenity. The proposals are considered to comply with relevant saved policies of the local plan and whilst there is some conflict with the interim policy on student accommodation, it is not felt that a refusal reason could be sustained on that basis.

56. The proposal has generated public interest, with letters of objection submitted from the City of Durham Parish Council and the City of Durham Trust. The objections and concerns raised have been taken into account and addressed within the report. On balance the concerns raised were not felt to be of sufficient weight to justify refusal of this application.

RECOMMENDATION

That the application be **APPROVED**, subject to the conditions detailed below:

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 and documents:

Site location plan received 6/9/2019

Site location no. 03 received 6/9/19

Proposed floor plans no. 02a received 25/10/19

Proposed elevations no. 02b received 25/10/19

Reason: To define the consent and ensure a satisfactory form of development is obtained.

3. The roof lights hereby approved on the front and rear elevations shall be conversation style roof lights as detailed within specification 'Velux Conservation Roof Windows' received 25 October 2019.

Reason: To ensure that a satisfactory form of development is obtained in the interests of visual amenity of the Durham City Conservation Area accordance with the provisions of policies E6, E21, E22 and Q8 of the Durham City Local Plan.

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 form, plans, supporting documents and subsequent information provided by the applicant

The National Planning Policy Framework (2018)

National Planning Practice Guidance Notes

City of Durham Local Plan

Statutory, internal and public consultation responses



Planning Services

Change of use from 6 bedroom HMO to 7 bedrooms (C4 to Sui Generis) and Loft conversion at 35 Elvet Crescent Durham.

Application Number DM/19/02862/FPA

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Comments

Date 12 November 2019

Scale NTS

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PLANNING DEVELOPMENT MANAGEMENT PERFORMANCE SUMMARY Q1/Q2 - 2019/20

Statistical information is collated on a quarterly basis on the performance of core elements of the Planning Development Service, as part of the Council's corporate performance management framework.

In particular, information on the numbers and types of planning applications received and the timescales taken for determination are collated, monitored and, compared with other local planning authorities, predominantly on a regional basis. More detailed information is also collected and analysed about key elements of the processes involved, to help inform and improve service delivery.

In your role as decision-makers, it is important that key information about planning performance is shared with our planning committees. As a bi-annual update, the information provided below details the headline performance information for Q1 and Q2 in the 2019/20 period, covering April 2019 through to September 2019 (with the exception of comparator authority data which is for July 2018 to June 2019).

Headline facts (Q1/Q2 for 2018/19 figures in brackets for comparison)

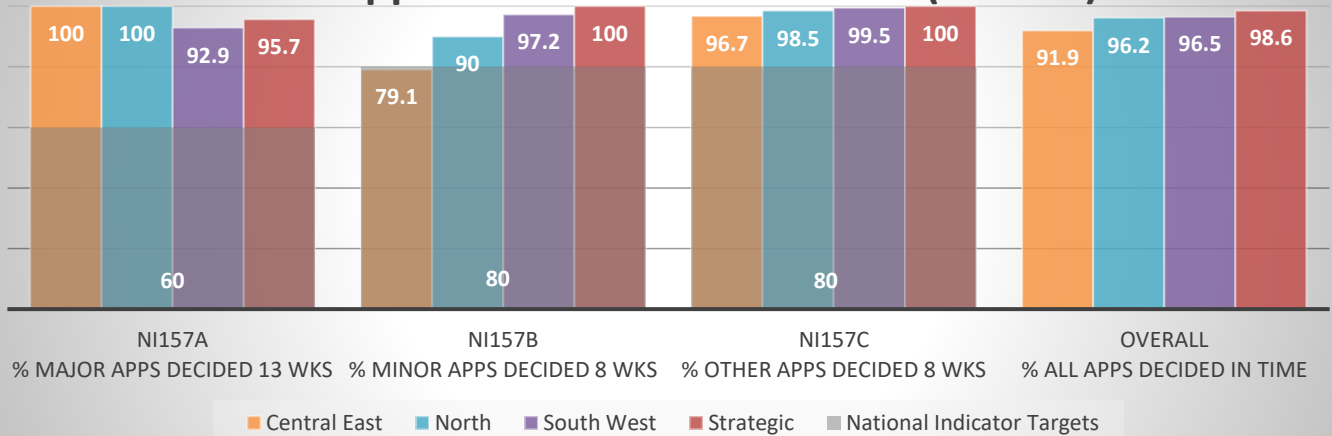
- 1433 (1326) planning applications were received of which 61 (55) were for major development.
- The number of 'major' planning applications determined within the statutory 13 week timescale was 96.1% (96.3%).
- The number of 'minor' planning applications determined within the statutory 8 week period timescale was 90.3% (93.0%).
- The number of 'other' planning applications determined within the statutory 8 week period timescale was 98.2% (97.7%).
- The number of all categories of planning application determined within the statutory timescale was 95.9% (96.4%).
- The number of Mineral and Waste applications determined within the statutory timescale was 100% (100%).
- There were 21 appeal decisions received, of which, 5 were allowed.

In broad terms, the headline facts above show consistent performance across key indicators for the last two quarters when compared to the corresponding period last year.

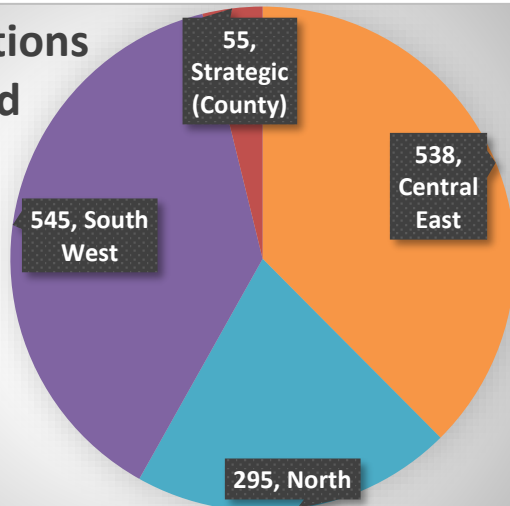
The tables below show the key results in more detail and with a breakdown reflecting the area planning teams which in turn serve the relevant planning committees. More detailed information relating to all the performance indicators measured by the service can be obtained upon request from Stephen Reed, Planning Development Manager.

PLANNING APPLICATIONS

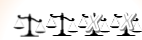
% of Applications Decided in Time (Table A)



Applications Received

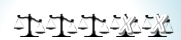


Central East



4 Planning appeals
2 allowed

North



5 Planning appeals
2 allowed

South West



7 Planning appeals
1 allowed

Strategic



0 Planning appeals

Comparator Authorities: Performance year ending June 2019

(Table B)

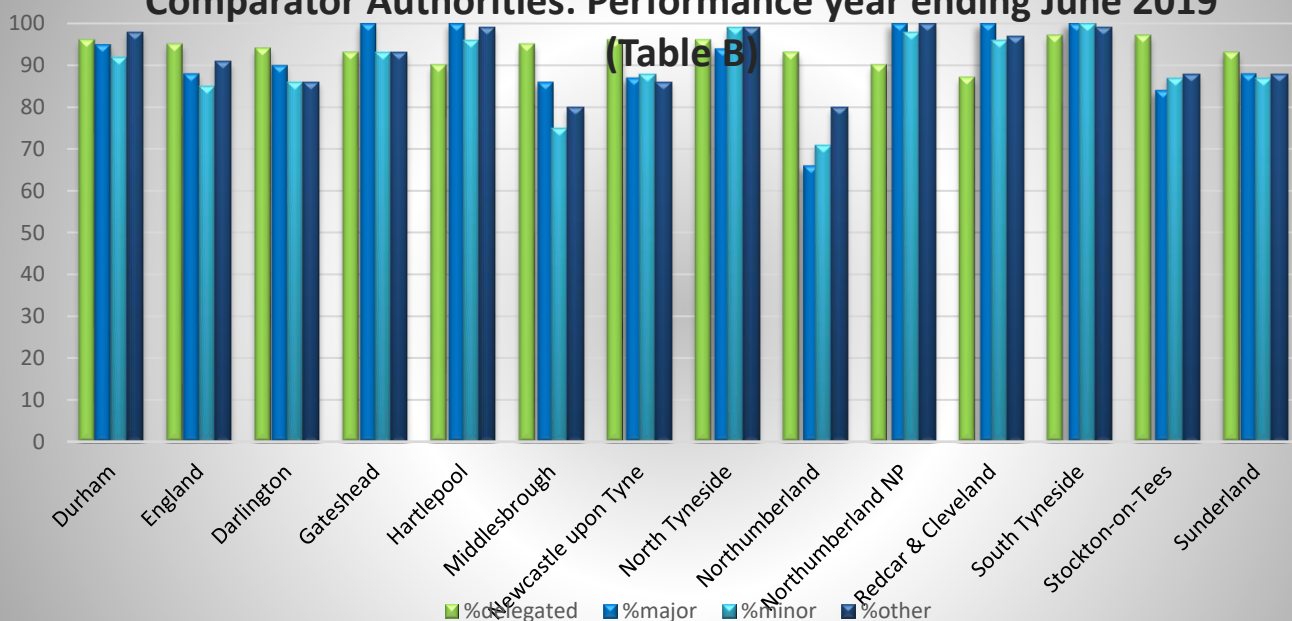


Figure 1(Source –CLG Live planning statistics table 132/134 year ending June 2019)

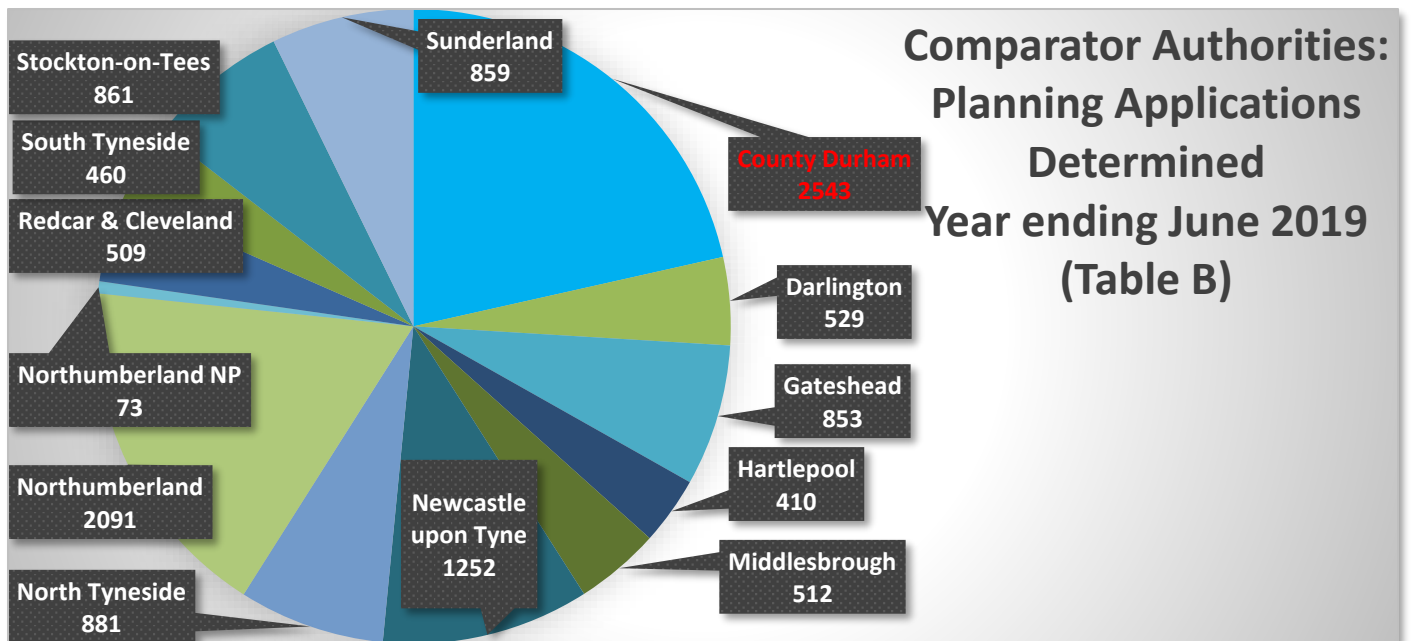
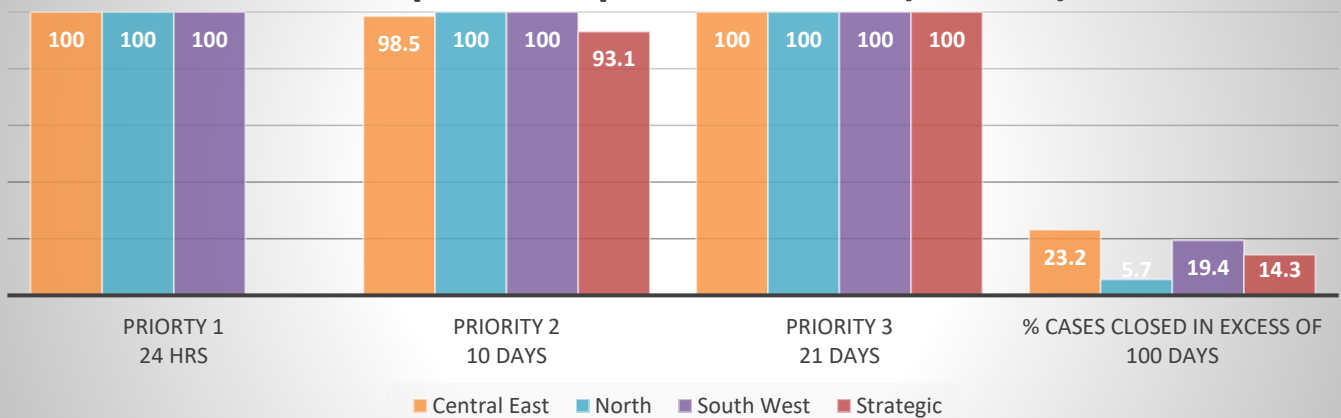


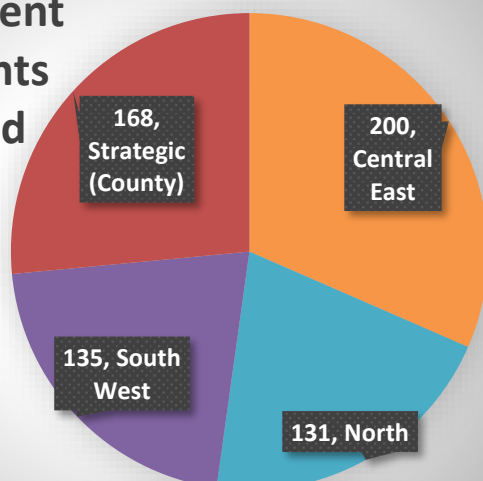
Figure 2(Source –CLG Live planning statistics table 134 year ending December 2018)

ENFORCEMENT

% Complaint responses in time (Table C)



Enforcement Complaints Received



Central East



1 Enforcement appeal
0 allowed

North



1 Enforcement appeal
0 allowed

South West



1 Enforcement appeal
0 allowed

Strategic



0 Enforcement appeals

Table A (% of Applications Decided in Time April 2019 – September 2019)

Area Office/Benchmark	NI157a – Majors - %	Total Apps	Apps Achd	NI 157 b - Minors - %	Total Apps	Apps Achd	NI 157 c - Others - %	Total Apps	Apps Achd
Central East	100	8	8	79.1	129	102	96.7	398	385
North	100	6	6	90	90	81	98.5	195	192
South West	92.9	14	13	97.2	180	175	99.5	390	388
Strategic	95.7	23	22	100	14	14	100	12	12
<i>Average 2017/18</i>	<i>97.6</i>			<i>89.8</i>			<i>96.3</i>		
<i>Target 2018/19</i>	<i>90.0</i>			<i>90.0</i>			<i>95.0</i>		
Overall Result:	96.1	51	49	90.1	413	372	98.2	995	977

Table B (Source - CLG Live planning statistics tables 132/134 year ending June 2019)

Planning authority	Total decisions	% of decisions delegated to officers	Major developments % within 13 weeks or agreed time	Minor developments % within 8 weeks or agreed time	Other developments % within 8 weeks or agreed time
England	403,217	95	88	85	91
Durham	2543	96	95	92	98
Darlington	529	94	90	86	86
Gateshead	853	93	100	93	93
Hartlepool	410	90	100	96	99
Middlesbrough	512	95	86	75	80
Newcastle upon Tyne	1252	96	87	88	86
North Tyneside	881	96	94	99	99
Northumberland UA	2091	93	66	71	80
Northumberland NP	73	90	100	98	100
Redcar Cleveland	509	87	100	96	97
South Tyneside	460	97	100	100	99
Stockton-on-Tees	861	97	84	87	93
Sunderland	859	93	88	87	88

Table C (% Complaint responses in time April 2019 – September 2019)

Area Office/Benchmark	Priority 1 -24 hours %	Total Apps	Apps Achd	Priority 2 -10 day %	Total Apps	Apps Achd	Priority 3 - 21 days %	Total Apps	Apps Achd	Cases close 100+ days %	Total Cases	100+
Central East	100	1	1	98.5	130	128	100	66	66	23.2	198	49
North	100	4	4	100	74	74	100	54	54	5.7	141	8
South West	100	5	5	100	75	75	100	59	59	19.4	124	24
Strategic		0	0	93.1	58	54	100	116	116	14.3	119	17
<i>Average 2017/18</i>	<i>100</i>			<i>98.3</i>			<i>99.7</i>			<i>18.8</i>		
<i>Target 2018/19</i>	<i>100</i>			<i>100</i>			<i>100</i>			<i><20</i>		
Overall Result:	100	10	10	98.2	180	331	100	295	295	15.0	582	95