



Area Planning Committee (South and West)

Date Thursday 15 September 2011
Time 2.00 pm
Venue Council Chamber - Civic Centre, Crook

Business

Part A

1. Declarations of Interest
2. Minutes of the Meeting held on 27 July 2011 (Pages 1 - 6)
3. Applications to be determined
 - a) 7/2011/0214/DM - Former Southerne Social Club, Hawkshead Place, Newton Aycliffe (Pages 7 - 16)
Demolition of Former Social Club and the Construction of 60 Bed Nursing Home.
 - b) 7/2011/0245 - Aycliffe Young People's Centre, York Road, Copeland, Newton Aycliffe (Pages 17 - 32)
Proposed Centre for Autism Comprising New Build School and New Build Residential Units Plus Conversion of Existing Building to Form Administration and Residential Short Break Accommodation.
 - c) 7/2011/0046/DM - Stiller Group, Ridgeway, Aycliffe Business Park (Pages 33 - 40)
Erection of New Industrial Building to Replace Fire Damaged Unit.
 - d) 6/2011/0189/DM - Land West of Marden House, Darlington Road, Barnard Castle (Pages 41 - 50)
Outline Permission for Erection of Detached Dwellinghouse.
 - e) 6/2011/0208/DM - 67 Winston Road, Staindrop (Pages 51 - 58)
Erection of Sun Room to Front.
 - f) The Batts, Wear Chare, Bishop Auckland (Pages 59 - 74)
Three Proposed Detached Dwellings and Detached Garages.

4. Such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration.

Colette Longbottom
Head of Legal and Democratic Services

County Hall
Durham
7 September 2011

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

Councillor M Dixon (Chair)
Councillor E Tomlinson (Vice-Chairman)

Councillors D Boyes, D Burn, M Campbell, K Davidson, P Gittins,
A Hopgood, E Paylor, G Richardson, J Shuttleworth, P Taylor,
R Todd, J Wilkinson, M Williams and R Yorke

Contact: Jill Errington
Tel: 0191 370 6250

DURHAM COUNTY COUNCIL

At a Meeting of **Area Planning Committee (South and West)** held in Council Chamber - Council Offices, Spennymoor on **Wednesday 27 July 2011 at 2.00 pm**

Present:

Councillor M Dixon (Chair)

Members of the Committee:

Councillors E Tomlinson (Vice-Chairman), K Davidson, A Hopgood, E Paylor, G Richardson, J Shuttleworth, P Taylor and R Todd

Apologies:

Apologies for absence were received from Councillors P Gittins, M Williams and R Yorke

Also Present:

J Byers – Planning Team Leader (South and West)
A Caines – Principal Planning Officer
N Carter – Solicitor, Planning and Development

1 Declarations of Interest

There were no declarations of interest received.

2 Minutes of the Meeting held 23 June 2011

The Minutes of the meeting held on 23 June 2011 were confirmed as a correct record and signed by the Chair.

3 Applications to be determined

**3a 7/2011/0071/DM - Whitworth Hall Country Park Hotel, Whitworth, Spennymoor
Erection of 10 No. Chalets for Holiday Accommodation**

Consideration was given to the report submitted in relation to the above application, a copy of which had been circulated.

J Byers, Planning Team Leader (South and West) gave a detailed presentation which included photographs of the site. It was noted that a site visit had taken place that day.

P Bennett, an objector to the application, advised that she represented the Girl Guides Association who had a camp house 200m away from the Hotel and stated that her concerns related to potential flooding and drainage. In 2009 flood water had flowed through the car park, along the road to their camp house, resulting in

the lake in the woods bursting its banks as the overflow drain in the folly had not been able to cope with the excess water. The Girl Guides had funded the cost of re-surfacing the road damaged by the flood. 3 photographs had been submitted which showed the overflow drain, the road next to the lake in flood and the repairs carried out to the road. These were displayed for Members' consideration.

The incident had not been reported to the Environment Agency at the time and although no objections had been received from either the Environment Agency or Northumbrian Water, she considered that flooding in the future remained a risk, particularly as surface water and waste water would increase as a result of the additional buildings on site. In addition, she understood that the treatment plant was to be re-located but felt that it also needed to be increased in size.

A further issue was the increase in demand for electricity. Electricity was currently supplied from the land owned by the Girl Guides and served the hotel and surrounding dwellings. Whilst it was not an issue at the moment there had been power cuts at the hotel in the past which indicated that supply had been insufficient on occasions. She was concerned that the increased demand from the additional buildings could cause further problems.

K Armstrong, an objector to the application stated that he considered that the proposals would result in an increase in the number of visitors to the hotel by 66 and this would have an impact on noise levels. The informal overspill car park where the chalets were to be erected was currently used as the hotel's main car park. In addition to the function room the hotel had a restaurant with seating for approximately 50 which meant that the car park was always in use. At weekends when there were functions, the car park was full to capacity. In the original application additional parking had been included but he noted that this had been removed and was concerned that the loss of space would result in cars parking along the lane.

A Walsh, an objector to the application addressed the Committee, referring in the first instance to point 14 in the Officer's report relating to the 'principle of the development'. He stated that the report made reference to the promotion of tourism yet the applicant had stated that the chalets were to provide accommodation for families attending functions.

He also felt that the proposals risked destroying the natural setting and environment of the Park. He was of the understanding that in accordance with Policy L20 new visitor accommodation should only be allowed in exceptional circumstances within countryside locations.

Mr Walsh noted that the re-location of the storage shed was not included in the planning application. He also stated that further research should be carried out as there was no evidence to suggest that this increased investment would improve the viability of the hotel.

To conclude he considered that the Park was in decline, was in poor overall condition and that there was a lack of care and maintenance of the deer herd. In his opinion the proposals did not comply with planning policies E2, E18 and L20.

Mr Lax, the applicant addressed the Committee and stated that employees at the hotel were all firmly committed to the Park. Since he had acquired the development he had invested considerably in the buildings, parkland and the fishing lake. He disagreed with the comments made about the condition of the deer and added that he took their welfare seriously. A recent visitor from Cumbria had commented that they were in excellent condition. The cost of upkeep of the deer and parkland was considerable, particularly in the winter months. As there was no entrance fee to the Park, the hotel had to support the upkeep of the site. He employed local people and the proposed chalets would increase income, and allow further investment in the site.

He continued that the proposals would promote tourism, but would not result in more functions being held, therefore the number of customers and cars to the hotel would not increase. The chalets could be used by families attending functions.

He concluded that Whitworth Hall Country Park Hotel was a seasonal venue and he therefore wished to maximise the amount of income generated to sustain the site through the winter.

J Byers responded to the comments made by the objectors. With regard to flooding he advised that the Environment Agency and Northumbrian Water had been consulted on the application and had offered no objections.

In relation to car parking he explained that the scheme would not have an adverse impact on the existing capacity of the car park, and the chalets would be allocated dedicated parking bays. The Highways Officer had offered no objections to the proposals.

He confirmed that the storage shed was to be re-located but that this would be the subject of a separate planning application.

With regard to the reference to Policy L20, concerning the provision of new visitor accommodation within a countryside location, he advised that the Planning Authority considered this development to be an extension of the existing hotel rather than a new facility.

N Carter, Solicitor, added that the issues raised concerning the electricity supply was not a planning consideration and therefore not a matter for the Committee to take into account.

Members discussed the application and in response to a question, the applicant confirmed that the maximum number of persons allowed in the function room etc was restricted by fire regulations. In view of this, the Member considered that this demonstrated that there would be no increase in the level of traffic as a result of the proposals.

In reply to a further question, J Byers responded that whilst the chalets would be available to book all year, a condition was proposed which would ensure that they

would be occupied for holiday purposes only, details of which were set out in the report.

A Member commented that a hotel was not always viable for young families, and welcomed the proposal which would provide accommodation for families attending functions. In addition, she noted that at a wedding she had attended at the venue the overflow car park had not been used.

RESOLVED:

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

**3b 7/2010/00367/DM - Land north of Rose Street, Trimdon Grange
Erection of 52 No. Dwellings**

It was reported that this application had been withdrawn by the applicant.

**3c 3/2011/0128 - Whitegates Caravan Park, Lands Bridge, Westgate
Replacement of Static Caravan with Chalet**

Consideration was given to the report submitted in relation to the above application, a copy of which had been circulated.

A Caines, Principal Planning Officer gave a detailed presentation on the application which included photographs of the site.

The Principal Planning Officer advised that a letter had been received from Mr K Wood on behalf of Mr and Mrs K Wood which raised a number of points in objection to the application. The letter had been circulated to all Members in advance of the meeting and the Committee had taken on board the comments made.

In discussing the application a Member asked why planning permission was necessary as the application was to replace an existing caravan already on the site.

A Caines responded that the replacement caravan was larger in scale with a more permanent base. However, he did acknowledge the comments of the Member and stated that Planning Officers had considered it prudent to submit the application to Committee, particularly as the applicant was a Member of DCC.

The Member expressed her concern that planning permission was deemed necessary solely on the grounds that the applicant was a Member of DCC.

Mr A Bell, the applicant stated that he believed that as the replacement chalet was a more permanent structure an application would be necessary, but notwithstanding this he was satisfied that it had been submitted to Committee for consideration, particularly as objections had been received.

A further Member stated that whilst he acknowledged the objections received from Mr and Mrs Wood, he had spoken to 2 families who would be directly affected by the proposals and they had offered no objections.

RESOLVED:

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

**3d 3/2011/0221 - Land at Jobson Terrace, Stanley Crook
Substitution of House Types to Plot 7 and 8 from Two Semi-Detached
Dwellings to One Detached Dwelling of Planning Approval 3/2007/0552**

Consideration was given to the report submitted in relation to the above application, a copy of which had been circulated.

A Caines, Principal Planning Officer gave a detailed presentation on the application which included photographs of the site.

In discussing the application it was noted that two other properties within the overall development had been substituted the previous year. The original planning application for the overall development of 12 plots provided a range of different house types including a mix of semi-detached houses, detached houses and bungalows. In order to ensure a good range of different house types remained on the development and that any future applications for substitution of house types reflected this, it was agreed that an informative should be added to the planning permission.

RESOLVED:

That the application be approved subject to the conditions outlined in the report and to the following informative:-

‘The original planning permission ref: 3/2007/0552 for the overall development of 12 plots provided a range of different house types including a mix of semi-detached houses, detached houses and bungalows. It is essential that a good range of different house types remains on this development and any future applications for substitution of house types should reflect this.’

4 Appeals Update

Consideration was given to a report regarding the following appeal:-

**APPEAL REF; APP/X1355/D/11/2154040
LPA REF: 7/2011/0043/DM**

Appeal against the refusal of planning permission for the creation of a new vehicular access, driveway and associated hard standing to the front of 65 Wood Lane, Ferryhill

The Inspector had dismissed the appeal.

RESOLVED:

That the report be noted.

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO: 7/2011/0214/DM
 FULL APPLICATION DESCRIPTION: DEMOLITION OF FORMER SOCIAL CLUB AND THE CONSTRUCTION OF 60 BED NURSING HOME
 NAME OF APPLICANT: GAINFORD CAREHOMES
 ADDRESS: FORMER SOUTHERNE SOCIAL CLUB, HAWKSHEAD PLACE, NEWTON AYCLIFFE
 ELECTORAL DIVISION: AYCLIFFE WEST

 DAVID GIBSON
 CASE OFFICER: David.gibson@durham.gov.uk
 03000 261057

DESCRIPTION OF THE SITE AND PROPOSALS

1. The site lies to the south of Burnhill Way and to the north of Hawkshead Place. A large building occupies the centre of the site. The building is largely surrounded by car parking with additional car parking to the west of the building. Access is gained from a road to the south of the site. The building is vacant and has been for some time. Its last use was as a Social Club. Numerous residents have commented verbally that this club used to cause late night disturbance at closing time with people leaving the premises and taxis beeping their horns and car doors slamming.
2. The application seeks planning permission for the erection of a 60 bed care home which will occupy the centre of the site. On site car parking and amenity space will be incorporated into the scheme within the site. The scheme is predominantly a two storey structure with additional rooms placed in sections of the roof space. The elevations consist of facing brickwork of differing colours which successfully breaks up the flat façade of the elevations and seeks to be in keeping with the surrounding area.
3. This application is reported to committee as it falls within the definition of a major development.

PLANNING HISTORY

4. 7/2009/0083/DM – Change of use to B1/B8 - APPROVED

PLANNING POLICY

5. NATIONAL POLICY:

Planning Policy Statement 1: Delivering Sustainable Development sets out the Governments overarching planning policies on the delivery of sustainable development through the planning system.

Planning Policy Statement 3: Housing sets out the governments policies on housing development. Presumption in favour of development is given for schemes that are on brownfield land within existing settlements.

Planning Policy Statement 9: Biodiversity and Geological Conservation: sets out planning policies on protection of biodiversity and geological conservation through the planning system

Planning Policy Guidance note 13: Transport sets out the governments policies on transport with particular emphasis on reducing the dependence on the use of the private car

Planning Policy Statement 22: Renewable Energy sets out the governments policies on the use of renewable energies

The above represents a summary of those policies considered most relevant. The full text can be accessed at: <http://www.communities.gov.uk/planningandbuilding/planning/planningpolicyguidance/planningpolicystatements>

6. REGIONAL POLICY:

The North East of England Plan - Regional Spatial Strategy to 2021 (RSS) July 2008, sets out the broad spatial development strategy for the North East region for the period of 2004 to 2021. The RSS sets out the region's housing provision and the priorities in economic development, retail growth, transport investment, the environment, minerals and waste treatment and disposal. Some policies have an end date of 2021 but the overall vision, strategy, and general policies will guide development over a longer timescale.

Policy 2 (Sustainable Development) sets out that proposals should seek to promote sustainable development through social, economic and environmental objectives.

Policy 3 (Climate Change) sets out the regional policy on contributing to the mitigation of climate change and assisting adaptation to the impacts of climate change.

Policy 4 (Sequential Approach to Development) provides that a sequential approach to the identification of land for development should be adopted to give priority to previously developed land and buildings in the most sustainable locations.

Policy 7 (Connectivity and Accessibility) seeks to minimize the need to travel by promoting public transport, travel plans, cycling and walking. Green Travel Plans are encouraged.

Policy 8 (Protecting and Enhancing the Environment) seeks to protect and enhance the environment. This in part should be achieved through promoting high quality design in all development and that it should be sympathetic to the surrounding area.

Policy 24 (Delivering Sustainable Communities) seeks to ensure that all development within the Region should be designed and located to deliver sustainable communities.

Policy 35 (Flood Risk) requires consideration to be given to the flood risk implications of development proposals.

Policy 38 (Sustainable Construction) sets out the regional policy to support sustainable construction in planning proposals.

Policy 39 (Renewable Energy Generation) requires at least 10% of the energy requirements of development proposals to be met by decentralized and renewable or low carbon sources.

The above represents a summary of those policies considered most relevant. The full text can be accessed at: <http://www.gos.gov.uk/nestore/docs/planning/rss/rss.pdf>

7. LOCAL PLAN POLICY:

As this application is located within the former Sedgefield Borough Council area the Local Plan Policies are contained within the Sedgefield Borough Local Plan (1996).

Policy D1 General Principles for the Layout and Design of New Developments sets out several key principles for the layout and design of new developments.

Policy D2 Design for People requires developments to take account of personal safety and security of property, access needs of users and provision of appropriate facilities such as toilets, baby changing facilities, public seating etc.

Policy D3 Designed with pedestrians, cyclists, public transport aims to ensure that new developments are accessible and safe for pedestrians, cyclists, public transport, cars and other vehicles.

Policy H18 Acceptable Uses in housing areas sets out which uses are acceptable in housing areas. The policy specifically mentions residential institutions.

Policy H22 Sheltered Accommodation, Residential Care home and nursing homes, states that care homes should normally be sited within existing towns providing they do not have an adverse impact on adjacent land users.

Policy T1 Footpaths and Cycleways in towns and villages ensures that safe, attractive and convenient footpaths and cycleways are provided.

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://www2.sedgefield.gov.uk/planning/SBCindex.htm>

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

8. Northumbrian Water Limited has not responded to the consultation.
9. The Highway Authority has not raised any objections to the proposal. Conditions have been requested relating to improving site lines, a disabled footway and improvements to the bus stop.

INTERNAL RESPONSES:

10. Environmental Health Section has no objections to the development.
11. The Low Carbon Section advise that an appropriate low carbon condition should be imposed on any planning permission.
12. The Ecology Section has no objections to the development, subject to a condition being required to ensure that the works are carried out in accordance with the method statement.

PUBLIC RESPONSES:

13. Two letters were received with regards to this development. The letters are available to view on the application file but are summarised below.

14. The occupiers of 14 Hoode Close would prefer to see a well managed pub to increase the choice in the area for places to eat and drink.
15. The occupiers of 97 Hawkeshead Place welcome the proposal and think it is a vast improvement for the site, but would like to see some form of traffic management in the area.

APPLICANTS STATEMENT

16. The applicant has not provided a statement in support of this application.

PLANNING CONSIDERATIONS AND ASSESSMENT

17. In assessing the proposals against the requirements of the aforementioned planning policies, and having regard to all material planning considerations the main planning considerations in this case concern the principle of the development, the impacts on neighbouring properties, the surrounding environment, protected species, the highway network, and energy efficiency.

Principle of the development

18. PPS3, Paragraph 20 states that the key characteristics of a mixed community are a variety of housing, particularly in terms of tenure and price and a mix of different households such as families with children, single person households and older people. Nursing homes should be encouraged within urban areas as they contribute towards the diversity and mix of housing types available.
19. PPS3, Paragraph 9 states that the Government believes that it is important to help create sustainable communities in all areas, which offer a wide choice of high quality homes, both affordable and market housing, to address the requirements of the community. Local Planning Authorities should encourage new housing developments that help to secure a better social mix by avoiding the creation of large areas of housing with similar characteristics. Therefore, the location of a residential car home within an existing settlement will help contribute towards this aim. This policy is echoed in the Regional Spatial Strategy Policy 2 which ensures that development is sustainable.
20. Policy H22 of the Local Plan allows for the development of nursing homes within Newton Aycliffe provided that the development provides satisfactory vehicular access, parking, servicing and amenity areas in accordance with Policies D3 and D5. In order to be considered acceptable, the development should not adversely affect the amenity of nearby residents and its location is such that noise and disturbance from existing surrounding uses would not be detrimental to residents.

Design and Layout

21. The surrounding buildings are a mixture of new build house and flats and older terraced houses built in the 1970's as part of the New Town Development. The dwellings have a mixture of roof styles and a mixture of materials.
22. The design of the Nursing Home proposes two main floors and room in the roof space for use by the residents which is made up of bedrooms, dayrooms, dining room and ancillary bathrooms etc. all on the same level to enable easy movement throughout the building for the elderly residents. The top floor is built partly into the roof space to keep the overall height to a minimum. It is considered that the treatment of the external

elevations especially those fronting onto Burnhill Way have been designed to fit in with the relative height and massing of the adjacent blocks of housing and shops. The roofline of the building is broken up with 3 gable features. The fenestration and detail is generally simple and in keeping whilst not imitating the surrounding architecture of the existing streetscene and the wider area. Proposed materials on the external walls are to include contrasting brick work and tiles break up the flat façade of the building, therefore adding to the design and character of the building.

23. The proposed building is set into the middle of the site with car parking to the rear and amenity space to the front and sides. On the North East side a resident's garden area provides a larger amenity space where residents can sit out. It is considered that the amenity space is of a sufficient size and quality for the elderly residents and will help provide a private space in which to relax while not being so expansive as to give the impression of being open and unsecured. A landscaping condition has been imposed requesting full details of all soft landscaping features in order to minimise the visual impact of the development and to add further character to the site. This is considered to accord with Policy D1 of the Adopted Local Plan.

Impacts on the neighbouring residents

24. The proposed development will replace an old derelict building that attracts anti-social behaviour and has a detrimental impact on the appearance of the area. This building will be removed and replaced with a high quality development that will improve the character and appearance of the area.
25. The proposed building will be located over 22 metres from the side elevation of the properties to the south on Hawkshead Place. These properties face west so will not look out directly onto the building. The properties directly to the east of the proposed development are located 17 metres away. These properties are orientated south east to north west so do not look directly onto the proposed building. The properties that look directly onto the proposed scheme are located over 35 metres away to the north east. The rear elevation looks onto the proposed development. It is considered that due to the separation distances involved and the orientation of the properties it is considered that this scheme will not have an adverse impact on the amenity of the neighbouring residents. The scheme will not lead to any additional overlooking or overshadowing and fully accords with the H22 and D1 within the Adopted Local Plan.

Impacts on Protected Species

26. As the Southerne Social Club will be demolished it was considered that the development may have an impact on Bats, which are a species protected by law. PPS9 states that Local Planning Authorities need to ensure that developments do not have an adverse impact on Protected Species.
27. A reasoned risk assessment was therefore requested to be submitted as part of the application so the impacts of the development on protected species could be fully assessed. Following the submission of the risk assessment, the Ecology Section is satisfied that the development will not have an adverse impact on any protected species; however, a condition has been requested to ensure that the development is carried out in accordance with the mitigation outlined in the risk assessment. This will ensure that the development is carried out in accordance with PPS9.

Impacts on the Highway Network

28. Nineteen car parking spaces will be provided as part of the scheme. Two cycle racks will also be provided adjacent to the main entrance. The number of car parking spaces is considered reasonable by the Highways Authority.

29. In order to ensure a satisfactory development the Highway Authority has requested a number of planning conditions be placed on any permission. These relate to a disabled footway which will link the development to the properties on Hawkshead Place, works to the bus stop to produce a raised curb to help with disabled access and the setting back of the entrance gate to ensure adequate sight visibility.
30. Subject to these conditions being fulfilled the development is considered to accord with Adopted Local Plan Policies D1 and T1 and the development is therefore considered acceptable from a highways perspective.

Energy Efficiency

31. The application makes no detailed reference to the inclusion of embedded renewable energy generation nor does it demonstrate how the development would assist in reducing energy consumption. This is not in the spirit of the policies within the Regional Spatial Strategy which requires the incorporation of 10% embedded renewable energy in major new developments of all types. This proposal would therefore benefit from the incorporation of energy efficiency measures and embedded renewable energy generation and this could be achieved by imposition of an appropriate condition as suggested by the Low Carbon Team. This is in accordance with Policy 39 (Renewable Energy Generation) of the Regional Spatial Strategy.

CONCLUSION

32. It is considered that the proposal will add diversity to the housing tenure in Newton Aycliffe and will contribute towards creating a socially inclusive community and will make efficient use of a previously developed site in an existing urban area. The development provides satisfactory vehicular access and parking, servicing and amenity areas so therefore accords with relevant policies of the adopted Local Plan. The proposal will not have a detrimental impact on the neighbouring properties in terms of overlooking or overbearing impact and will not have a detrimental impact on the character of the streetscene. It is considered that the proposal will improve the character of the area due to its high standard of design and will help to regenerate a brownfield site.

RECOMMENDATION

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

1. The development hereby approved shall be begun not later than the expiration of 3 years from the date of this permission.
 2. The development hereby permitted shall be carried out in accordance with the following approved plans:
30-113/BP
38-113_02A
38-113_03A
38-113_04A
38-113_05A
38-113_08
 3. Notwithstanding any description of the materials in the application, no development shall be commenced until details of the materials and detailing to be used for the external surfaces, including the roof and render colour, of the building have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details to the satisfaction of the Local Planning Authority.
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4. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping which shall include details of hard and soft landscaping, planting species, sizes, layout, densities, numbers, method of planting and maintenance regime, as well as indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development. The landscaping shall be carried out in accordance with the approved scheme unless otherwise agreed in writing by the Local Planning Authority.

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

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

7. Site works (including deliveries and temporary site generators shall not be carried out on the premises outside the hours of 08.00 hours to 18:00 hours Monday to Friday, and 09.00 hours to 14.00 hours on a Saturday nor at any time on Sundays, Bank Holidays or Public Holidays.

8. Prior to the installation of any external lights, precise details of the specification and location of the lights shall be submitted to and approved by the Local Planning Authority.

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

10. No part of the development shall be begun on site until a scheme for the installation of off-site disabled persons pedestrian crossing points on the existing public highway, between the site and the existing shop/post office on Silverdale Place, has been submitted to and approved in writing by the Local Planning Authority. The off-site disabled persons pedestrian crossing points on the existing public highway, between the site and the existing shop/post office on Silverdale Place, will need to be constructed prior to the occupation of the residential care home'.

11. No part of the development shall be begun on site until a scheme for improvements to the 2 no. nearest bus stops on Williamfield Way, including the 'raised kerb installation' where necessary, has been submitted to and approved in writing by the Local Planning Authority'.

12. Prior to the commencement of development, the proposed 1.5 metres high 450mm square brick entrance pier shown on the western side of the widened access onto Hawkshead Place and the 1.5 metres high 450mm square brick entrance pier on the eastern side of the access road on Hawkshead Place, on the Landscaping & External Works plan, drg. no. 38-113/07 must be set back 500mm to the rear of the existing 1.8 metres wide public footway. Details of the exact siting shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing on site.

13. No development shall take place unless in accordance with the mitigation detailed within the protected species method statement submitted with the application including, but not restricted to adherence to timing and spatial restrictions; provision of mitigation in advance and adherence to precautionary working methods.

REASONS FOR THE RECOMMENDATION

The proposed residential development comprising a 60 bed nursing home would represent the efficient and effective use of previously-developed land in a highly sustainable and accessible location, close to local amenities, public transport and educational facilities. The proposals are of an appropriate design, scale, layout and materials which would not result in significant adverse affects upon the residential character of the area, the privacy of adjoining residents, flora and fauna, or detriment to highway safety. As such the proposals are considered to comply with of Policies E15, H18, H22, T1, D1, D2 and D3 of the Sedgefield Borough Local Plan (which is a saved plan in accordance with the Secretary of States Direction under paragraph 1 (3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004), and Policies 2, 3, 4, 7, 8, 24, 35, 38, and 39 of the North East of England Plan - Regional Spatial Strategy to 2021.

BACKGROUND PAPERS

- Submitted Application Forms and Plans
 - Planning Policy Statement/Guidance notes: PPS1, PPS3, PPS9, PPG13 and PPS22
 - Regional Spatial Strategy Policies 2, 3, 4, 7, 8, 24, 35, 38, and 39
 - Sedgefield Borough Local Plan 1996
 - Responses from Highway Authority, Low carbon Section, Environmental Health section and Low carbon Section
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Application No:	7/2011/0214/DM
Location:	FORMER SOUTHERNE SOCIAL CLUB, HAWKSHEAD PLACE, NEWTON AYCLIFFE
Proposal:	DEMOLITION OF FORMER SOCIAL CLUB AND THE CONSTRUCTION OF 60 BED RESIDENTIAL CARE HOME

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Planning Services

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	7/2011/0245
FULL APPLICATION DESCRIPTION:	Proposed centre for autism comprising new build school and new build residential units plus conversion of existing building to form administration and residential short break accommodation.
NAME OF APPLICANT:	North East Autism Society
SITE ADDRESS:	Aycliffe Young Peoples Centre, York Road, Copeland, Newton Aycliffe DL5 6JB
ELECTORAL DIVISION:	Aycliffe East
CASE OFFICER:	David Walker, Senior Planning Officer (03000) 261054, David.Walker2@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

SITE DESCRIPTION

1. The application site is located at Newton Aycliffe to the east of the A167. This is part of a larger site measuring approximately 102 acres which also contains the newly built children's secure building and a range of other residential and office buildings associated with the children's secure unit. The application site is bounded to the east and south by agricultural land.
2. The application site which was formerly used as a secure children's secure building is approximately 7.5 acres in area and this is located within a mature landscape setting.
3. Access to the site will be via York Road off the existing entrance from the A167 and internal circulation of traffic will follow the existing routes. As part of the redevelopment of the existing secure site by North East Autism Society (NEAS) an additional access route and parking areas will be provided but the common car park will also still be shared between DCC and NEAS.

PROPOSALS

4. The scheme comprises two distinct elements the new build school and new build residential buildings and the refurbishment of and extension to the existing administration and educational buildings and the existing gym. The new centre would provide specialist facilities for upto 64 young people of nursery, primary, secondary and college age.
5. The new school building would in part be built over the 'foot print' of the existing premises which are located between the existing Copelaw building and the existing

gym. This single storey 'L' shaped building would provide a range of class rooms, break out facilities and associated educational facilities. The building has been designed with a single central 'spine' corridor which makes the building easy to use and helps the children with orientation.

6. The building entrance forms a key focal point for the building and this building has been specifically designed to provide a light and airy environment, which is particularly beneficial for children with Autism Spectrum Disorder (ASD). This also makes use of 'passive' security to provide a safe but welcoming environment.
7. The NEAS also wishes to offer residential short breaks for children with autism from the wider geographical area and for their families. The hope is that the new Centre will be attractive for families who can visit for a weekend break. Children can use all of the support facilities which include therapy, gym, pool etc whilst parents can enjoy a break in the north east.
8. It is, therefore, proposed to construct two separate residential blocks which are designed as communal type facilities based on a Danish model that NEAS have researched as best practice. The accommodation provides 2 blocks of 6 apartments each having a central communal area. The buildings are of single storey non-institutional design. These buildings would be located at the south eastern corner of the application site.
9. The new school building and the residential accommodation would be constructed from a range of materials including a mix of brickwork, render and larch cladding with a grey aluminium clad roof.
10. The existing secure offices known as the Heron building will be altered internally and refurbished to provide improved administration facilities on the ground floor. The first floor will be remodelled to provide 4 ensuite bedrooms and 1 apartment for residential short breaks for children who require supported care. Staff sleep over rooms communal kitchen, lounge and dining accommodation will also be provided here.
11. The existing gym building and swimming pool within the Aycliffe complex were key attractions of the site and these will allow NEAS to provide enhanced facilities for both the young people attending the school but also the wider Autistic community. It is proposed to over clad the gym with Kingspan flat cladding panels to extend the life of the building and improve the appearance of the building which is sited at a key location adjacent to the school entrance.
12. This application is reported to committee as it falls within the definition of a major development.

PLANNING HISTORY

13. This site was utilised for munitions production during World War Two and this has been utilised to provide services and care for children and young people since 1947. The Aycliffe Secure Unit was developed in 1979 as part of that provision, since then it has undergone a series of refurbishments.
14. The application site ceased to function as a controlled community home in 2004 and Aycliffe Board of Trustees transferred the land to Durham County Council at this time. Durham County Council currently looks after this site although a new secure unit has recently been constructed immediately to the north of this application site.

PLANNING POLICY

15. NATIONAL POLICY:

Planning Policy Statement 1: Delivering Sustainable Development and Climate Change sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system. The key principles including ensuring high quality development through good and inclusive design, and efficient use of resources.

Planning Policy Statement 5: Planning for the Historic Environment sets out the Government's policy on archaeological remains on land, and how they should be preserved or recorded both in an urban setting and in the countryside.

Planning Policy Statement 9: Biodiversity and Geological Conservation: sets out planning policies on protection of biodiversity and geological conservation through the planning system.

Planning Policy Guidance note 13: Transport seeks to integrate planning and transport at the national, regional, strategic and local level and to promote more sustainable transport choices both for carrying people and for moving freight.

Planning Policy Statement 22: Renewable Energy sets out the Government's policies for renewable energy to which Planning Authorities should have regard when making planning decisions.

Planning Policy Statement 23: Planning and Pollution Control sets out the relationship between pollution control and the planning process under the overall heading of Sustainable Development.

Planning Policy Statement 25: Development and Flood Risk explains how flood risk should be considered at all stages of the planning and development process. It sets out the importance of the management and reduction of flood risk in planning, acting on a precautionary basis and taking account of climate change.

The above represents a summary of those policies considered most relevant. The full text can be accessed at: <http://www.communities.gov.uk/planningandbuilding/planning/planningpolicyguidance/planningpolicystatements>

16. REGIONAL POLICY:

The North East of England Plan - Regional Spatial Strategy to 2021 (RSS) July 2008, sets out the broad spatial development strategy for the North East region for the period of 2004 to 2021. The RSS sets out the region's housing provision and the priorities in economic development, retail growth, transport investment, the environment, minerals and waste treatment and disposal. Some policies have an end date of 2021 but the overall vision, strategy, and general policies will guide development over a longer timescale.

Policy 2 (Sustainable Development) sets out that proposals should seek to promote sustainable development through social, economic and environmental objectives.

Policy 3 (Climate Change) sets out the regional policy on contributing to the mitigation of climate change and assisting adaptation to the impacts of climate change.

Policy 4 (Sequential Approach to Development) provides that a sequential approach to the identification of land for development should be adopted to give priority to previously developed land and buildings in the most sustainable locations.

Policy 7 (Connectivity and Accessibility) seeks to minimize the need to travel by promoting public transport, travel plans, cycling and walking. Green Travel Plans are encouraged.

Policy 8 (Protecting and Enhancing the Environment) seeks to protect and enhance the environment. This in part should be achieved through promoting high quality design in all development and that it should be sympathetic to the surrounding area.

Policy 24 (Delivering Sustainable Communities) seeks to ensure that all development within the Region should be designed and located to deliver sustainable communities.

Policy 35 (Flood Risk) requires consideration to be given to the flood risk implications of development proposals.

Policy 38 (Sustainable Construction) sets out the regional policy to support sustainable construction in planning proposals.

Policy 39 (Renewable Energy Generation) requires at least 10% of the energy requirements of development proposals to be met by decentralized and renewable or low carbon sources.

The above represents a summary of those policies considered most relevant. The full text can be accessed at: <http://www.gos.gov.uk/nestore/docs/planning/rss/rss.pdf>

17. LOCAL PLAN POLICY:

As this application is located within the former Sedgefield Borough Council area the Local Plan Policies are contained within the Sedgefield Borough Local Plan (1996). The Local plan does not include a specific land use classification relating to the application site.

Policy D1 General Principles for the Layout and Design of New Developments sets out several key principles for the layout and design of new developments.

Policy D2 Design for People requires developments to take account of personal safety and security of property, access needs of users and provision of appropriate facilities such as toilets, baby changing facilities, public seating etc.

Policy D3 Designed with pedestrians, cyclists, public transport aims to ensure that new developments are accessible and safe for pedestrians, cyclists, public transport, cars and other vehicles.

Policy E15 Safeguarding of Woodlands, Trees and Hedgerows expects proposals to retain areas of woodland, important groups of trees, copses and hedgerows wherever possible and replace any trees which are lost.

Policy H22 Planning permission will normally be granted for sheltered accommodation, residential care homes and nursing homes within the towns of Newton Aycliffe, Spennymoor, Ferryhill and Shildon.

Policy L11 New Leisure and Community buildings states that new or improved leisure and community facilities will normally be approved in key towns including Newton Aycliffe provided that these do not detrimentally affect residential amenity, these are appropriate in scale and make suitable provision for car parking.

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://www2.sedgefield.gov.uk/planning/SBCindex.htm>

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

18. Great Aycliffe Town Council has stated that they fully support this proposal which is well screened by existing planting and would improve the visual appearance of the existing buildings. The opportunity to provide a specialist unit of this nature which is specifically designed to cater for the needs of autistic people and their families was also welcomed. The presence and proposed removal of Japanese Knotweed on the site was noted and the developer was asked to ensure that controls to prevent its spread are rigidly enforced.
19. The Highways Agency has reviewed both the predicted traffic generation arising from the proposed development within the Traffic Assessment and the existing / anticipated traffic flows on the Strategic Road Network. Because Junction 59 of the A1(M) is not at capacity and the level of traffic arising from this proposal travelling towards junction 59 is unlikely to exceed 30 entering the A1 (M) they have no objection regarding this proposal.
20. The Highway Authority has stated that the applicant appears to have created a sensible and practical access and car parking arrangement to serve the separate elements of the proposals. It was felt that sufficient car parking would be provided to accommodate the proposed uses and the cycle parking facilities proposed were welcomed.

Although it was considered that the initial Transport Assessment should have been based upon a 10 year design rather than the 5 year provided, it was felt that the addition of a further 5 years of growth in background traffic the junction would still operate satisfactorily.

However, reservations were expressed regarding the analysis of the traffic signal junction at Central Avenue / A167. The consultant's report identifies current queues and delays at these signals and it was considered important that the consultant is requested to demonstrate that the signals will operate within capacity at both peak periods for the 10 year projection. Further detailed modelling has subsequently been carried out, this confirmed that *traffic presently queues form and backs upto the development access / egress. This situation would be compounded with development peak traffic ... this queuing through the junction at peak times from the development could hinder south bound flow. It is therefore recommended that a yellow box junction is applied to the exit junction.* This arrangement can be secured via the imposition of a suitably worded planning condition.

A number of detailed comments have also been provided as to how the proposed Travel Plan could be improved and made more robust. The Travel Plan has been revised and this is deemed acceptable subject to the imposition of a planning condition.

21. Environment Agency has no objections to the proposal but have recommended that planning conditions be attached requiring the submission of details in relation to surface water disposal.

22. Northumbrian Water Limited has confirmed that the drainage is private and, as such, Northumbrian Water has no objection to offer.
23. Natural England has raised no objection to the proposal but has provided their standing advice relating to bats, this includes consideration of both the survey and mitigation requirements. In conclusion, based upon the information provided it was concluded that “permission could be granted (subject to constraints)” and that the authority should “consider requesting enhancements”.

INTERNAL CONSULTEE RESPONSES:

24. The Ecology Section has reviewed the extended phase 1 survey and protected species survey submitted with the planning application and the additional details showing how and where the bat mitigation measures are to be built into the scheme. As a result, the proposals are deemed to be satisfactory subject to planning conditions being attached requiring a detailed mitigation scheme being submitted to and agreed by the local Planning Authority prior to the commencement of works.
25. The Landscape Section has stated that the landscaping scheme would benefit from the re-instatement of a native hedgerow along the eastern boundary of the site. It was also suggested that the species mix for the tree planting be revised to include more native species and tree planting also be extended along part of the southern boundary. These improvements have now been incorporated within the revised landscape plan.
26. The Archaeology Section has reviewed the written scheme of investigation for archaeological monitoring and has raised no objection to this scheme subject to two planning conditions being attached with regard to the monitoring and the subsequent reporting and publication of any finds.

PUBLIC RESPONSES:

27. Although this planning application has been advertised via a press notice, the posting of site notices and via direct neighbour notification no written representations have been received in respect of this proposal.

APPLICANTS STATEMENT:

28. The North East Autism Society (NEAS) have been providing high quality specialist autism services within their existing properties at various locations within Sunderland and the Trustees have for a considerable time held the desire to combine all of their services within a single site in order to provide a more focused and higher level of service to the wider community, to raise the bar in terms of their education provision and unlock community support potential.
29. The coming to market of the existing seven acre children’s secure centre at Newton Aycliffe due to the construction of Durham County Council’s new secure facility has provided an excellent opportunity for North East Autism Society to fulfil their vision and consolidate their operations.
30. The new Aycliffe Centre for Autism comprises construction of a new purpose-built school which links into the existing education building constructed in 2004 and the design looks to existing best-practice models within the UK and further afield with the aim to provide first class specialist education tailored specifically towards children on the autistic spectrum.

31. In addition, the facility will provide much needed community services which will make use of the existing swimming pool and gym facilities as well as the extensive green spaces within the site to provide outdoor activities for the children. Also forming part of this community aspect will be the provision of high quality residential short break accommodation to provide much needed support for parents and the existing building will be completely refurbished to provide this important aspect as well as the normal administrative functions. Other areas of the existing young persons centre will be demolished to facilitate proper development of the site.
32. The new Aycliffe Centre for Autism will place excellence at its core and become known as a benchmark for autism education and support services within both the North East and the UK as a whole.
33. The following list is a summary list, but not exhaustive, of some of the key points considered in the provision of this new Centre for Autism:
- Meets the requirements of legislation for children on the autism spectrum.
 - Capable of providing safe, modern, stimulating environment for staff and young people
 - Provide an aesthetically pleasing external image, optimising the site's existing natural features.
 - Be secure by nature of design rather than imposition.
 - Be innovative in the use of space and light within the new school building.
 - Be energy efficient and cost effective to maintain and operate.
 - Achieve Breeam targets for the new build education building.
 - Be environmentally friendly and sustainable both in construction and in operation.
 - Set vocational and educational facilities at the heart of the building
 - Use colour, materials, texture and form to create a stimulating and safe place.
 - Be welcoming, bright and modern to meet the needs of young people and staff.
 - Optimise the site's natural features by retaining and enhancing much of the existing landscaping.
 - Avoid the use of security fences by utilising the external walls of buildings and courtyards enhanced by CCTV.
 - Create the correct mix of accommodation both within the new school building and the existing buildings.
 - Extend the life span of the existing buildings through refurbishment.
34. Overall the design aims to provide a first class facility to meet the educational and leisure needs of autistic children within the wider community and to provide much needed support for their parents. The centre is designed specifically for the needs of the North East Autism Society to suit its operational requirements.

PLANNING CONSIDERATIONS AND ASSESSMENT

35. In assessing this proposal against the requirements of the aforementioned planning policies, and having regard to all material planning consideration, including representations received, the main planning issues in this case are as follows:
- Principle of Development;
 - Layout and Design;
 - Residential Amenity;
 - Traffic, Access and Parking;
 - Ecology, Landscape and Archaeology;
 - Sustainability; and,

- Economic and Social Benefits

Principle of Development

36. Although situated outside the settlement boundary of Newton Aycliffe and not allocated for any specific purpose in the Local Plan, this brown field site is long established as a centre for the provision of education and care for children and young people. It is therefore considered that the proposed site is suitable in principle for use as a school for young people with Autism in accordance with Policy L11 of the Sedgefield Borough Local Plan.
37. The proposed residential element of the scheme to provide a total of 12 new build apartments within the site is directly related, and ancillary to, the educational facilities provided on site by the applicant. Bearing in mind the existing brown field nature of the site and the direct linkage between the educational and residential use it is considered that this proposal complies with Policy H22 of the Sedgefield Borough Local Plan and, as such, this proposal is considered to be satisfactory.

Layout and Design

38. National, Regional and Local Plan Policy all seek to ensure high quality design is adopted in new development and that the layout and design of new development is sympathetic to the surrounding area.
39. The layout of the proposed new buildings has been influenced by a range of factors including the specific needs of the young people attending the school, the desire to make best use of the existing buildings on site and need to pay due regard to the retained buildings and the existing mature tree cover within the site.
40. The new facility has also been designed so that this provides a safe and positive environment for the young people. The layout of the new buildings have been designed to reflect best practice for autistic users and their carers. Whilst there is a need to provide a safe environment for users this has been achieved using passive design within the overall framework of the layout, thereby, significantly improving upon the design of parts of the existing building which are currently secured by 5m high security fencing.
41. The agent has also used the design of the buildings and external material palette to identify key focal points at the entrance to the new school building to provide added interest and provide practical visual markers for visitors. The continuity of design is also aided by the sensitive use of common materials between the newly built school and residential accommodation and the refurbished buildings which are to be retained.
42. In the wider context the new school buildings are seen in the context of the existing two storey development whilst the residential units have been sensitively located within the site so that these do not detrimentally affect the existing mature woodland within the site and so that the scale of development on the south eastern corner of the application site does not appear overly dominant when viewed from the agricultural land to the south and west.
43. In terms of design and layout therefore, the proposed facility would represent a significant visual and operational improvement on the structures that are to be replaced and would provide a development form that can be successfully integrated on the site and within the wider locality. The proposal would therefore accord with Policy D1, D2 and E15 of the Local Plan regarding design principles and Policies 8 and 24 of the Regional Spatial Strategy.

Residential Amenity

44. The nearest off site residential properties to the proposed facility High Copelaw Farm would be located approximately 290m to the south of the application site. No.1 Low Copelaw Farm Cottage and Low Copelaw Farm are located to the north and north east of the site and are approximately 420m and 570 m away respectively. The nearest properties to the west at Welbury Grove are located approximately 400m, across the A167 which separates the site and the settlement of Newton Aycliffe. With the exception of High Copelaw Farm and Low Copelaw Farm the proposed development would be well screened by the existing mature woodland within the site.
45. There are also several existing houses within the site to the west; the nearest properties at Brough Close are approximately 90 metres away. Bearing in mind that the application site has previously been used as a secure unit for young people it is felt that the proposed redevelopment and refurbishment for educational purposes would not detrimentally affect residential amenity. This situation has been assisted by the low rise nature of the development proposals, the generous distances between the site and the adjacent residential properties and the mature woodland within the site.

Traffic, Access and Parking

46. Vehicular access to the site would as now be from a priority controlled junction with a protected right turn lane on the A167. The junction is located approximately 100m south of a signal controlled junction with the B6443 Central Avenue. The Transport Assessment has demonstrated that the existing signal controlled junction is capable of accommodating the traffic flows anticipated by this development subject to these being further improved via the implementation of a yellow box junction on the A167. These improvements are to be secured via the imposition of a planning condition prior to first occupation of the educational / residential buildings hereby approved.
47. In addition the site is well served by public transport with nearby bus stops located on the A167. The site is just over a 30 minute walk from the Rail Station and just over a 15 minute walk from Newton Aycliffe town centre. On site facilities will also be designed to facilitate easy movement for pedestrians including those with mobility impairments and will be well connected to the external footway and cycle networks.
48. From this, it can be seen that walking, together with public transport and cycle use, will provide a safe, convenient alternative transport mode for trips to and from the development
49. An initial travel plan has, nevertheless been submitted as part of the application providing a preliminary framework to encourage travel to the facility via public transport, car sharing, walking and cycling rather than being reliant solely on the private car.
50. This proposal also involves the creation of a new drop off area for both the new school and the refurbished community services building. A 12 bay car park is to be constructed to serve the 12 residential units whilst a 34 space car park is also proposed to supplement the large existing shared car parking facility on site.
51. The internal access and parking arrangements are also deemed to be satisfactory.

Ecology, Landscape and Archaeology

52. An extended Phase 1 and Protected Species Survey were carried out on the site. The Phase 1 survey found the habitat to be of local to parish value. No evidence of protected species including great crested newt, otter, badger was found during the extended walkover survey. No bat roosts were found on site and no bats were seen on site during the daytime inspection and the two dusk surveys undertaken. Notwithstanding this it has been proposed that a range of measures can be taken to safeguard breeding birds, bats and badgers during construction works and enhance the ecological value of the site following construction. This proposal is, therefore, considered to be acceptable subject to the imposition of planning conditions restricting the times of vegetation clearance and detailing precise mitigation measures.
53. The proposal has been designed so that it will have a minimal effect upon the landscape. As such, the new buildings have been located in such a way, as to ensure that the mature trees within the site have where possible been retained and safeguarded, thereby, providing a high degree of screening when viewed from the west and north. The new residential buildings at the south eastern corner would be visible from the east and some vistas from the south, however, replacement planting in this location will assist in filtering views of these buildings. In addition, the single storey nature of these buildings helps to minimise their prominence within the landscape while the use of larch cladding on parts of the external walls also helps to break up the appearance of the buildings and integrate the built development with the perimeter planting. The removal of the existing 5m high security fencing from this exposed part of the site is also considered to make a positive contribution to the visual amenity of the site.
54. Additional lighting will occur from the new residential buildings in the south east corner and the external lighting within the site. However, light spill from the site can be minimised via the imposition of a planning condition.
55. The County Archaeologist has raised no objection to this proposal subject to planning conditions being attached to ensure suitable archaeological monitoring is carried during ground works and that any finds are recorded.

Sustainability

56. This proposal involves the demolition of an existing office building within the site and the construction of a new school and residential accommodation together with the re-use and refurbishment of a series of older buildings which are now showing a need for investment to extend their lifespan and bring these upto modern construction standards. Further investigation as to how to best incorporate a range of zero / low carbon technologies is currently being undertaken and as such it is recommended that a planning condition be applied requiring, a minimum of 10% embedded renewal energy to be incorporated, in compliance with Policy 39 of the Regional Spatial Strategy.

Economic and Social Benefits

57. The proposed school would provide a bespoke educational resource and community facilities for young people with Autism and their families. The proposed school would provide education for upto 64 children and young people from primary to college age serving the north east region.

58. As a result, it is anticipated that 115 staff would be employed on site teaching children and providing ancillary support with regard to administrative duties, the on site sports facilities, catering and cleansing. Whilst many of these staff are likely to be transferred from the charity's existing base at Sunderland, a number of new employment opportunities are likely to arise, with likely employment benefits to the local area.
59. It is, therefore, considered that this proposal would provide an important opportunity to improve educational facilities for people with Autism within County Durham and this would also provide potential employment and training opportunities for local residents.

CONCLUSION

60. In conclusion, it is felt that this proposal would provide a high quality educational resource for autistic young people and their families in the north east of England. This scheme would introduce a new long term use into this redundant brown field site.
61. The layout and design of the buildings are considered to be well thought out being specifically designed for the needs of the pupils but also being sympathetic to the mature landscape setting in which the buildings would be located, but without detrimentally affecting residential amenity or protected species. This proposal would lead to the demolition of the older buildings which are in relatively poor condition and lead to the redevelopment and refurbishment of several existing buildings to extend their life span and bring these upto modern construction standards. This proposal would, if implemented, provide important social and economic benefits to the local area and County Durham as a whole.
62. It is therefore concluded that the proposal would accord with Policies L11, H22, D1, D2, D3 and E15 of the Sedgefield Borough Local Plan and Policy 39 of the Regional Spatial Strategy and should be supported.

RECOMMENDATION

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

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby approved relates to details of development as shown on the approved plans

SD-001 Overall Existing Site Plan
SD-002 Overall Existing Ground Floor Plan (Excluding Copelaw building)
SD-003 Overall Existing Ground Floor Plan
SD-004 Existing Ground Floor Plan
SD-005A Existing Site Demise Drawing
SD-006 Existing Topographical Survey
SD-007 Existing Elevations Sheet 1
SD-008 Existing Elevations Sheet 2
SD-009 Existing Elevations Sheet 3
DD001F Proposed Ground Floor Plan
DD002C Proposed First Floor Plan
DD003R Proposed Site Plan
DD004F Proposed Ground Floor Admin and Community
DD005F Proposed First Floor Admin and Community
DD006J2 Proposed Ground Floor Plan – Education new build Block A
DD007H Proposed sections – Education new build Block A

DD008F Proposed elevations – Education new build Block A
 DD009B Proposed education Works to existing building
 DD010B Proposed elevation works to existing buildings
 DD011C Proposed elevation works to existing buildings
 DD012 Proposed Drawings RES B1
 DD013 Proposed Drawings RES B2
 DD014A Existing Buildings sections
 DD015 Proposed 3D views
 DD016 A Proposed site features
 DD017 Proposed roof plans
 DD018 Proposed Pool Block (Phase 1)
 DD019A Proposed Gym Elevations (Phase 1)
 DD020 Demolitions to existing buildings B, C & D Ground Floor
 DD021A Demolitions to existing buildings B, C & D First Floor
 4689 –L104 Rev. C Landscape Proposals

Except insofar as such details may be inconsistent with any conditions attached hereto when such condition shall prevail.

3. Notwithstanding any details of materials submitted with the application no development shall commence until samples of the external walling and roofing materials have been submitted to and approved in writing by the Local planning authority. The development shall be constructed in accordance with the approved details.
4. The drop off points and car parks shown on the plan hereby approved shall be constructed and marked out and made available for use prior to the development hereby approved being brought into operation, in accordance with details to be agreed with the Local planning authority. Thereafter the car parking spaces shall be used and maintained in such a manner as to ensure their availability at all times for the parking of private vehicles.
5. Prior to being discharged into any watercourse, surface water or soak away system, all surface water drainage from parking areas and hard standings shall pass through an oil interceptor designed and constructed in accordance with a scheme to be submitted to and approved in writing by the Local planning authority.
6. Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The principle of the scheme shall be to ensure there is no increase in surface water runoff to watercourses from the site. The submission shall also include details of how the scheme shall be maintained and managed after completion for the design life of the site. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
7. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first available planting season following the practical completion of the development (or occupation of buildings or commencement of use) and any trees or plants which within a period of 5 years from the substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
8. No construction work shall take place, nor any site cabins, materials or machinery be brought on site until all trees and hedges, indicated on the approved tree protection plan as to be retained, 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.5837:2005 unless otherwise agreed by written consent of the local planning authority

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, without the prior written agreement of the local planning authority.

No removal of limbs of trees or other tree work shall be carried out unless approval has been sought and granted by the local planning authority.

No underground services trenches or service runs shall be laid out in root protection areas, as defined on the Tree Constraints Plan, without the prior written approval of the local planning authority. Any agreed works must be undertaken in accordance with the National Joint Utilities Group ('Guidelines for planning, installation and maintenance of utility services in proximity to trees'), and BS 5837:2005 'Trees in Relation to Construction'

The tree works hereby approved shall be carried out in accordance with BS 3998: Recommendations (2010).

9. Notwithstanding the North East Autism Society, Aycliffe Framework Travel Plan Rev. 1, a Travel Plan to include staff survey data and targets and a car park management strategy development shall be submitted to and approved in writing by the Local Planning Authority, 3 months prior to occupation. The development shall thereafter be implemented in accordance with the approved details
10. A scheme for the implementation of a yellow box junction on the A167, at its junction with the main access road to the Centre for Autism, must be submitted in writing to and for approval by the Local Planning Authority, within a minimum of 6 months prior to the occupation of the Centre for Autism. The yellow box junction must be created on the A167 prior to the occupation of the Centre for Autism'.
11. The residential accommodation hereby approved shall be used for purposes ancillary to the main educational use of the site only and shall not be occupied separately.
12. Details of the height, type, position and angle of external lighting shall be submitted to and approved in writing by the Local planning authority prior to the development hereby permitted being brought into use. The lighting shall be erected and maintained in accordance with the approved details.
13. Prior to the commencement of the development a scheme to minimise energy consumption shall be submitted to and approved in writing by the Local planning authority. The scheme shall consist of energy from renewable or low carbon sources provided on-site, to a minimum level of at least 10% of the total energy demand from the development, or an equivalent scheme that minimises carbon emissions to an equal level through energy efficiency measures. Thereafter the development shall be carried out in complete accordance with the approved scheme prior to first occupation and retained so in perpetuity.
14. No development shall take place unless in accordance with the mitigation detailed within Section D the protected species report An extended Phase 1 and protected species survey of North East Autism site, Newton Aycliffe undertaken by E3 (Rev. RO3) including, but not restricted to the use of the appended Method Statement (Section F); pre-commencement checking surveys for breeding birds; installation of 10 bat bricks,

and fascia board access points in 10 places (as per Proposed site plan 09152 DD003 Rev. R); the hand strip of features of residual risk of bat use; maintenance of a short grass sward throughout the site; mitigation to reduce impact on foraging badgers; appropriate treatment and monitoring of Japanese knotweed; and use of sensitive lighting (adherence to guidance by the Bat Conservation Trust) to the north west of the site to minimise impact on bat foraging areas.

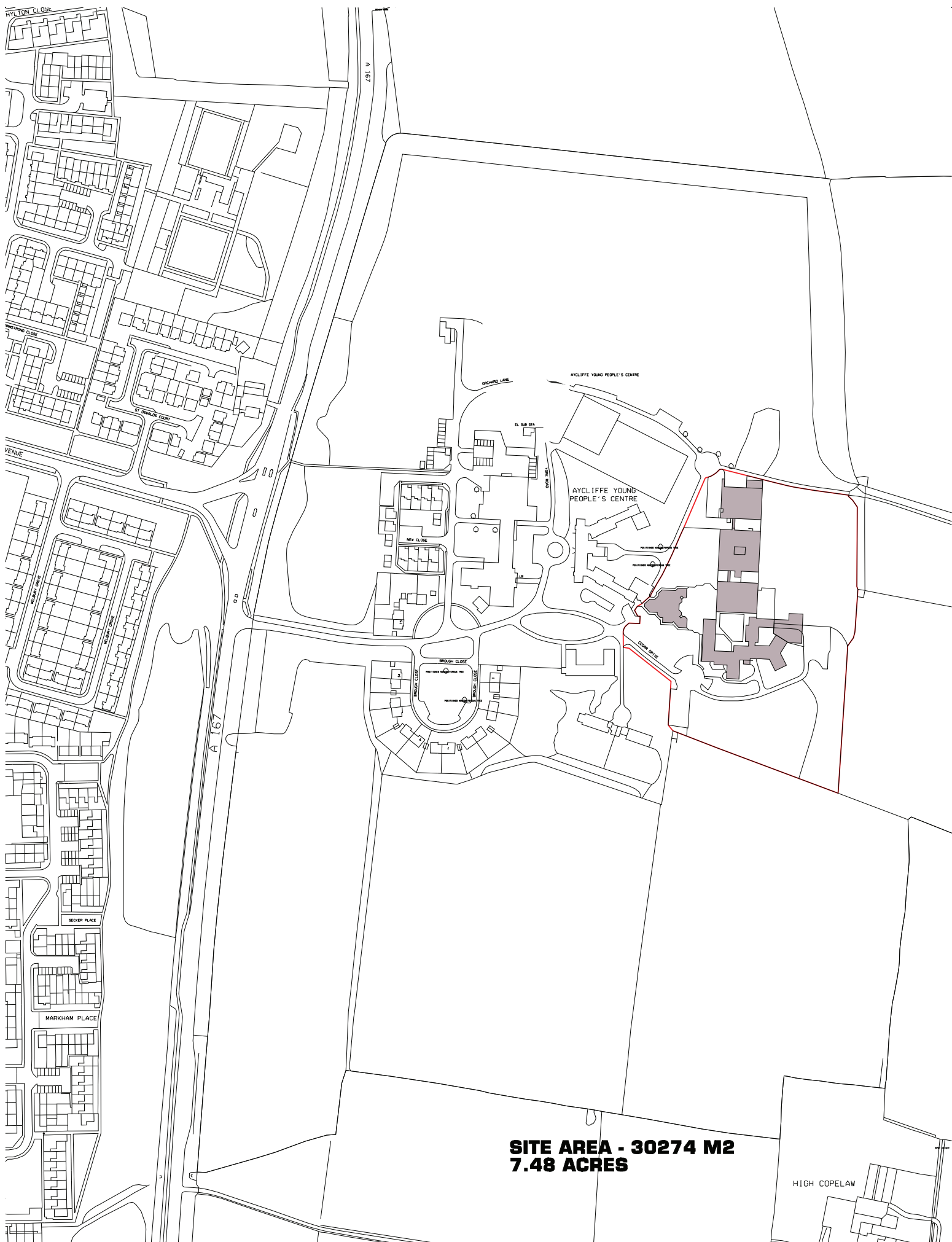
15. No scrub clearing or tree felling shall be undertaken during the bird breeding season (1 March -31 August inclusive) at any time during the construction phase unless a checking system has been undertaken by qualified ecologist prior to the commencement of works and no active nests are found.
16. No development shall take place until the applicant, or their agents or successors in title, have secured the implementation of a programme of archaeological work, as defined in the approved document "Archaeological watching brief; written scheme of investigation DS10.237rev (ASDU June 2011)" submitted by the applicant in 2011.
17. Prior to the development being beneficially occupied, a copy of any analysis, reporting, publication or archiving required as part of the WSI shall be deposited at the County Durham Historic Environment Record.

REASONS FOR THE RECOMMENDATION

1. The development was considered acceptable having regard to the following development plan policies: -
 - L11 New Leisure and Community buildings
 - H22 Sheltered accommodation and residential
 - D1 General Principles for the Layout and Design of New Developments
 - D2 Design for People
 - E15 Safeguarding of Woodlands, Trees and Hedgerows
 - 8 Protect and enhance the environment
 - 24 Delivering Sustainable Communities
 - 39 Renewable Energy Generation
2. In particular the development was considered acceptable having regard to social and economic benefits of the proposal and taking into consideration of layout and design, highway safety, ecology, landscape and sustainability.
3. There have been no third party representations received.

BACKGROUND PAPERS

- Submitted Application Forms and Plans.
- Design and Access Statement, Planning Statement, tree report, extended phase 1 and protected species survey, geotechnical and ground contamination desk top review. Flood risk assessment, Travel Plan and Transport Assessment.
- North East of England Plan Regional Spatial Strategy to 2021 (RSS) July 2008
- Sedgfield Borough Council Local Plan 1996
- Planning Policy Statements / Guidance, PPS1, PPS5, PPS9, PPG13, PPG16, PPS22 and PPS23.
- Responses from Statutory / external consultees, internal consultees.



**SITE AREA - 30274 M2
7.48 ACRES**

HIGH COPELAW

	<p>Checked Drawn Date</p>	<p>Project Title Aycliffe Centre for Autism</p> <p>Drawing Title Overall Site Demise Drawing</p> <p>Date 10-08-2011</p> <p>Scale 1:2500</p> <p>Project / Drawing No. DG162_LM002</p>	<p>Drawn By RC</p> <p>Checked By PIC</p> <p>Page Size A3</p>	<p>Unit 4 Sangre Industrial Estate Dunstable UK Tel: 0528 3229717 Fax: 0528 3229708</p> <p>Unit 4 Sangre Business Park DUNSTABLE UK Tel: 0528 322 7788 Fax: 0528 322 7788</p> <p>E: info@hpa-architecture.com W: www.hpa-architecture.com</p>
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Planning Services

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO: 7/2011/0046/DM
 FULL APPLICATION DESCRIPTION: ERECTION OF NEW INDUSTRIAL BUILDING TO REPLACE FIRE DAMAGED UNIT
 NAME OF APPLICANT: MR ISRAEL FRANK
 ADDRESS: STILLER GROUP, RIDGEWAY, AYCLIFFE BUSINESS PARK
 ELECTORAL DIVISION: AYCLIFFE EAST
 DAVID GIBSON
 CASE OFFICER: David.gibson@durham.gov.uk
 03000 261057

DESCRIPTION OF THE SITE AND PROPOSALS

1. The application site is located on Ridgeway within the Aycliffe Industrial Estate. The application site consists of a large area of hardstanding that once was the site of a large industrial unit that was destroyed by fire in 2010. The subsequent materials have been removed from the site with the site now being totally cleared, leaving only the concrete base. This will not be removed during construction, with the new building simply placed on top of the existing base.
 2. The applicant seeks planning permission for the rebuild of the fire damaged unit. The building is to be reinstated on a like for like basis and there will be no change in the style, design or size of the building. The proposed building will have a floor space of approximately 7,900 sq. metres. It will measure 9.5m to the eaves and an overall height of 11.5 metres.
 3. This application is reported to committee as it falls within the definition of a major development.
-

PLANNING HISTORY

4. Planning permission was granted in 1999 (1999/0536/DM) for the erection of a warehouse. This building recently burnt down.
-

PLANNING POLICY

5. National Policy:

Planning Policy Statement 1: Delivering Sustainable Development sets out the Governments overarching planning policies on the delivery of sustainable development through the planning system.

Planning Policy Statement 4: Sustainable Economic Development sets out the Government's comprehensive policy framework for planning for sustainable economic development in urban and rural areas.

Planning Policy Guidance note 13: Transport sets out the government's policies on transport with particular emphasis on reducing the dependence on the use of the private car.

Planning Policy Statement 22: Renewable Energy sets out the governments policies on the use of renewable energies.

6. Regional Policy:

The North East of England Plan - Regional Spatial Strategy to 2021 (RSS) July 2008, sets out the broad spatial development strategy for the North East region for the period of 2004 to 2021. The RSS sets out the region's housing provision and the priorities in economic development, retail growth, transport investment, the environment, minerals and waste treatment and disposal. Some policies have an end date of 2021 but the overall vision, strategy, and general policies will guide development over a longer timescale.

Policy 2 (Sustainable Development) sets out that proposals should seek to promote sustainable development through social, economic and environmental objectives.

Policy 3 (Climate Change) sets out the regional policy on contributing to the mitigation of climate change and assisting adaptation to the impacts of climate change.

Policy 4 (Sequential Approach to Development) provides that a sequential approach to the identification of land for development should be adopted to give priority to previously developed land and buildings in the most sustainable locations.

Policy 7 (Connectivity and Accessibility) seeks to minimize the need to travel by promoting public transport, travel plans, cycling and walking. Green Travel Plans are encouraged.

Policy 24 (Delivering Sustainable Communities) seeks to ensure that all development within the Region should be designed and located to deliver sustainable communities.

Policy 38 (Sustainable Construction) sets out the regional policy to support sustainable construction in planning proposals.

Policy 39 (Renewable Energy Generation) requires at least 10% of the energy requirements of development proposals to be met by decentralized and renewable or low carbon sources.

7. Local Plan Policy

Policy D1 General Principles for the Layout and Design of New Developments sets out several key principles for the layout and design of new developments.

Policy D2 Design for People requires developments to take account of personal safety and security of property, access needs of users and provision of appropriate facilities such as toilets, baby changing facilities, public seating etc.

Policy D3 Designed with pedestrians, cyclists, public transport aims to ensure that new developments are accessible and safe for pedestrians, cyclists, public transport, cars and other vehicles.

Policy IB2 Designation of Types of Industrial Areas. This site falls within the General Industrial Estate.

business areas will be supported in certain locations.

CONSULTATION AND PUBLICITY RESPONSES

8. EXTERNAL/STATUTORY RESPONSE

The Highway Authority has no objections to the development as it will replace an existing building on the site.

Great Aycliffe Town Council has no objections to the development.

Northumbrian Water Limited has no objections to the development.

9. INTERNAL CONSULTEES

There have been no internal responses.

10. PUBLIC RESPONSES

The application was advertised in the press, site notices were placed around the site and the local residents were consulted via direct neighbour notification. No objections were received with regards to the scheme.

APPLICANTS STATEMENT

11. The applicant has not provided a statement in support of this application.

PLANNING CONSIDERATIONS AND ASSESSMENT

12. In assessing the proposals against the requirements of the aforementioned planning policies, and having regard to all material planning considerations the main planning considerations in this case concern the principle of the development, the impacts on the neighbouring properties and the impact of the development on the surrounding environment and the impacts on the highway network.

Principle of the development

13. The applicant seeks planning permission for the erection of a unit that will be a like for like replacement of a unit that was damaged by a recent fire. The site lies within the area defined by Policy IB2 of the Adopted Local Plan which is a General Industrial Estate.

14. PPS4 states that Local Planning Authorities should plan for and facilitate a supply of land which will be able to cater for the differing needs to businesses and the employment needs of the whole community.

15. As stated above, the development is replacing an existing building which was damaged by fire. Local Plan Policy IB6 lists the acceptable uses in General Industrial Estates. This development will be for storage and distribution, as was the original development on the site. It is therefore considered that the scheme is consistent with the contents of Local Plan Policy IB6 and PPS4. This scheme would develop allocated employment land to provide employment opportunities in an area where they are needed and where they can contribute to a sustainable pattern of development. This location is accessible by public transport so therefore accords with PPG13.

16. In planning policy terms it is considered that this development is acceptable in principle as it accords with Policy IB6 of the Local Plan and national policy contained in PPS4 and PPG13.

Design

17. Policy D4 states that the layout and design of new industrial development will normally be expected to have a standard of building comparable to the type of estate in which it is located. Although this development is located within the General Industrial Estate (rather than a Prestige Industrial Estate) a good design and an attractive environment is still important as the proposed development will be located in a relatively prominent location.
18. It is considered that the layout of the units is sympathetic to that of existing buildings in the area. The size and form of the buildings will also be in keeping with the surrounding buildings and it is considered they will assimilate well into the industrial estate. The development is therefore considered to accord with Policy D4 of the Local Plan.

Highways

19. Policy D1 seeks to ensure that new development will not have an adverse impact on highway and pedestrian safety and to ensure that the development would not generate traffic that would create significant impact on the conditions of the neighbouring properties. Traffic generated by a development is an important consideration in determining a planning application. A proposal that would be harmful to highway safety or that would generate traffic movements that would affect the environment of the locality will not normally be permitted.
20. The Highway Authority has raised no objection to the proposals, noting that the scheme will not differ from the previously approved scheme in terms of highway impacts, as it will only be replacing the fire damaged building.
21. Overall, it is considered that the development is acceptable from a highway safety perspective and therefore accords with Policy D1 of the Local Plan.

Impacts on neighbouring land users

22. Policy D4 states that landscaping on industrial areas will soften the edge of new developments and will help screen unsightly areas. The policy goes on to say that the landscaping will help to lessen air pollution, reduce the effect of noise on neighbouring uses and provide shelter.
23. This development benefits from existing screening of the site which screened the original building. It is not considered necessary to increase the level of landscaping on site. The existing screening combined with the limited height of the building successfully limited the impacts on the development on the neighbouring land users.
24. It is therefore considered that the development will not have an adverse impact on the surrounding land users as the development accords with Policy D4 of the Local Plan.

Energy Efficiency

25. The application makes no detailed reference to the inclusion of embedded renewable energy generation nor does it demonstrate how the development would assist in reducing energy consumption. This is not in accordance with the policies contained

within the Regional Spatial Strategy which requires the incorporation of 10% embedded renewable energy in major new developments of all types. This proposal would therefore benefit from the incorporation of energy efficiency measures and embedded renewable energy generation and this could be achieved by imposition of an appropriate condition as suggested by the Low Carbon Section. This is in accordance with Policy 39 (Renewable Energy Generation) of the Regional Spatial Strategy.

CONCLUSION

26. In conclusion, it is considered that the development is acceptable as it will not have an adverse impact on the highway network and will not have an adverse impact on the surrounding units. The rebuilding of the fire damaged unit will help to safeguard the existing jobs and help the Stiller Group regain full working capacity. This will help to ensure the future of the business in this tough economic climate. Therefore the development is considered to accord with Policies IB2, IB6, D1, D2, D3 of the Adopted Local Plan and Policies 2, 3, 4, 7, 8, 24, 38, and 39 of the North East of England Plan - Regional Spatial Strategy to 2021.

RECOMMENDATION

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

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

6059 – 002

6059 – 003

6059 – 004

6059 – 005

6059 – 006

6059 – 007

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

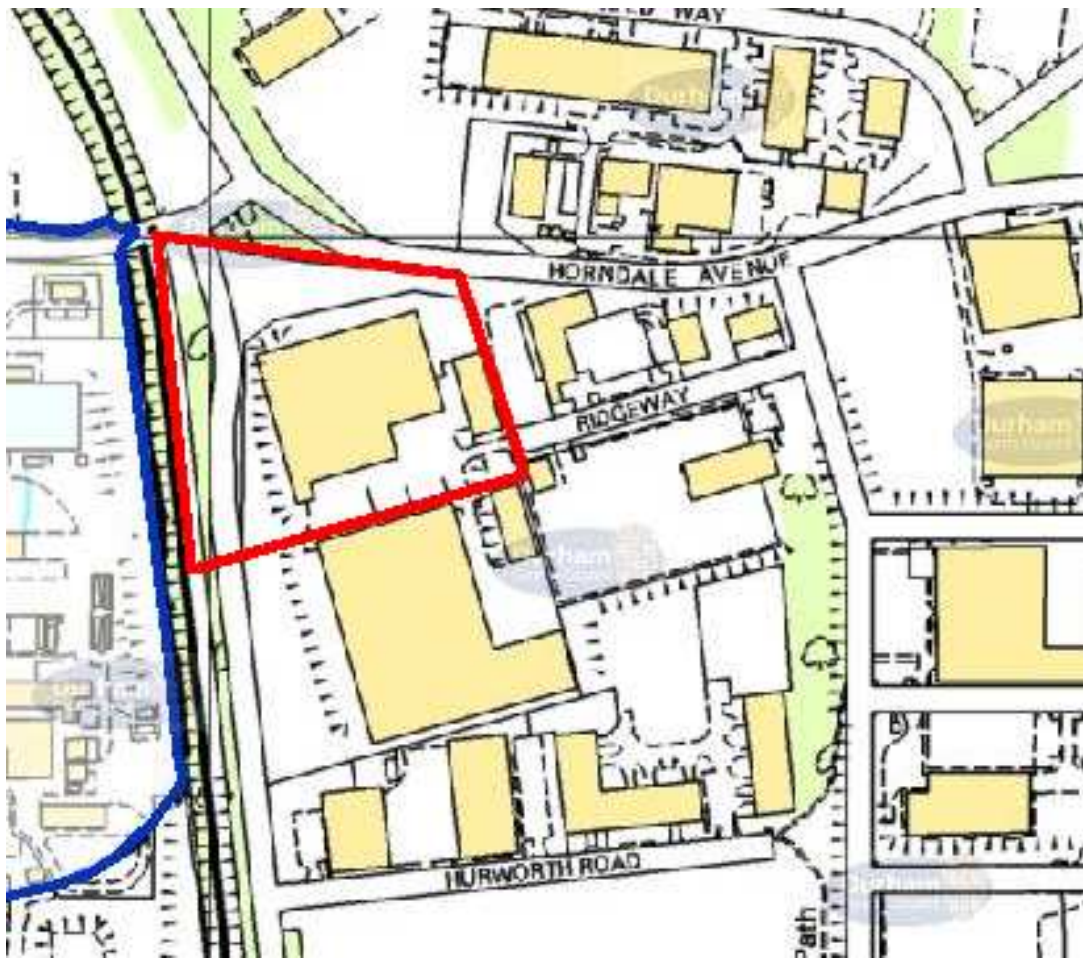
4. Prior to commencement of development a scheme to minimise energy consumption shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for 10% embedded renewable energy. Thereafter the development shall operate in accordance with the approved scheme unless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

REASONS FOR THE RECOMMENDATION

The proposed development comprising an industrial unit would represent the efficient and effective use of previously-developed land in a sustainable and accessible location within a designated industrial estate. The proposals are of an appropriate design, scale, layout and materials which would not result in significant adverse affects upon the character of the area, the amenity of adjoining land users, or detriment to highway safety. As such the proposals are considered to comply with of Policies, IB2, IB6, D1, D2 and D3 of the Sedgefield Borough Local Plan (which is a saved plan in accordance with the Secretary of States Direction under paragraph 1 (3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004), and Policies 2, 3, 4, 7, 8, 24, 35, 38, and 39 of the North East of England Plan - Regional Spatial Strategy to 2021.

BACKGROUND PAPERS

- Submitted Application Forms and Plans
 - Sedgefield Borough Local Plan 1996
 - Planning Policy Statements/Guidance notes: PPS1, PPS4, PPG13 and PPS22
 - Regional Spatial Strategy
 - Responses from Highway Authority, Great Aycliffe Town Council and Northumbrian Water
-



Application No:	7/2011/0046/DM
Location:	STILLER GROUP, RIDGEWAY, AYCLIFFE BUSINESS PARK
Proposal:	ERECTION OF NEW INDUSTRIAL BUILDING DUE TO FIRE DAMAGE

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Planning Services

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	6/2011/0189/DM
FULL APPLICATION DESCRIPTION:	Outline permission for erection of detached dwellinghouse
NAME OF APPLICANT:	Mr M Peat
ADDRESS:	Land West of Marden House, Darlington Road, Barnard Castle
ELECTORAL DIVISION:	Barnard Castle East
CASE OFFICER:	Steve Teasdale, Planning Officer 03000 260826/ 261055 steve.teasdale@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

1. The application site comprises approximately 700m² (0.07 hectares) of agricultural land, situated between the dwellings of Marden House to the east and Roseberry to the west. The land is presently pasture, and is bounded by a low stone wall to the north, a post and rail fence, hedgerow and trees to the west, and the access track to Marden Farm to the east. There is currently no physical delineation along the southern boundary of the application site to separate it from the larger parcel of agricultural land. Access to the site is from the A67 Darlington Road.

2. Outline planning permission is sought to establish the principle of erecting a single detached dwellinghouse on the land. If approved, details of layout, scale, appearance, landscaping and access would be reserved for future detailed consideration. Although only indicative details of the scale of the property are provided, the design and access statement indicates that the property would be a 3 to 4 bedroom detached dwelling.

3. The application is reported to Committee at the request of Councillor Richardson, the local Ward Member, on the basis that the site is Greenfield and lies outwith the development limits of Barnard Castle.

PLANNING HISTORY

4. There is no formal planning history of relevance to this proposal.

PLANNING POLICY

5. NATIONAL POLICY:

Planning Policy Statement 1: Delivering Sustainable Development sets out the Government's overarching planning policies on the delivery of sustainable development through the planning System.

Planning Policy Statement 3: Housing underpins the Government's commitment to improving the affordability and supply of housing in all communities through a more responsive approach to land supply at a local level.

Planning Policy Statement 4: Planning for Sustainable Economic Growth sets out Government guidance for economic development in both urban and rural areas.

Planning Policy Statement 7: Sustainable Development in the Countryside sets out sustainable development as the key principal underpinning rural land use planning, setting out criteria for development and conversion of buildings in the countryside and appropriate land uses. Elements of this advice have been revoked and replaced by alternate guidance in PPS4.

The above represents a summary of those policies considered most relevant. The full text can be accessed at: <http://www.communities.gov.uk/planningandbuilding/planning/planningpolicyguidance/planningpolicystatements>

6. REGIONAL POLICY:

The North East of England Plan - Regional Spatial Strategy to 2021 (RSS) July 2008, sets out the broad spatial development strategy for the North East region for the period of 2004 to 2021. The RSS sets out the region's housing provision and the priorities in economic development, retail growth, transport investment, the environment, minerals and waste treatment and disposal. Some policies have an end date of 2021 but the overall vision, strategy, and general policies will guide development over a longer timescale. Of particular relevance is the following policy:

Policy 4 (The Sequential Approach to Development) seeks a prioritized approach to development of sites based on previously developed land, protection of nature and heritage sites, and relation to existing homes, jobs, services and modes of transport.

The above represents a summary of those policies considered most relevant. The full text can be accessed at: <http://www.gos.gov.uk/nestore/docs/planning/rss/rss.pdf>

7. LOCAL PLAN POLICY:

The following saved policies of the Teesdale Local Plan 2002 are considered relevant:

Policy H6 New housing in the open countryside

Policy ENV1 Protection of the countryside

Policy ENV3 Development within or adjacent to and area of high landscape value

The above represents a summary of those policies considered most relevant in the Development Plan the full text, criteria, and justifications of each may be accessed at: <http://www.durham.gov.uk/Pages/Service.aspx?ServiceId=6619>

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

8. Northumbrian Water Limited raises no objection.

9. The Highway Authority raises no objection.

INTERNAL CONSULTEE RESPONSES:

10. The Landscape Section does not support the proposal on the basis of the site's contribution to the countryside and area of high landscape value.

PUBLIC RESPONSES:

11. Six letters of objection have been received, and objections are made on the following summarised grounds:

- The proposal would not fit with the rural surroundings;
- The scale of the building would overshadow the adjacent bungalow;
- Good quality agricultural land would be lost;
- The site lies outside the development limits of Barnard Castle;
- There is no need for the development because there are many houses for sale in the town;
- There would be loss of privacy and amenity to adjoining property;
- There would be an increase in traffic; and,
- Existing low mains water pressure would be made worse.

12. Three letters of support have been received, which highlight the existence of surrounding residential properties.

13. In addition, a letter has also been received on behalf of 5 of the objectors which advises that letters of support are likely to be from relatives of the applicant who live in the locality.

APPLICANTS STATEMENT:

14. The proposal is for a 3 to 4 bedroom detached dwellinghouse of traditional design of stone construction under a slate pitched roof. The application is in outline only to establish the principle of the matter. The site is within Barnard Castle residential area of Darlington Road located between existing dwellings. Existing access to Marden Farm to the south would remain unaffected by the proposal. The site can be fully serviced by existing mains drainage, gas, electricity etc. Public transport, schools etc. are within walking distance.

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://teesdale.planning-register.co.uk/PlanAppDisp.asp?RecNum=20243>

PLANNING CONSIDERATIONS AND ASSESSMENT

15. The main planning considerations are the principle of development, the landscape impact, impact upon residential amenity and privacy, and the means of access.

Principle of development

16. The application site is a greenfield site located outside the development limits of Barnard Castle, as defined in Inset Proposals Map 1 of the adopted Teesdale District Local Plan (2002). Whilst there is an existing dwelling beyond the application site to the east, once again beyond the development limits of the town, historical records suggest that this is the original Marden Farm House, which predated much of the other residential development along Darlington Road. The existence of this property was clearly discounted when the development framework of the town was prescribed prior to adoption of the local plan in 2002, the chosen limit being defined by Roseberry and Pine Lodge, both more recent developments.

17. The position of the application site is therefore considered to be countryside for the purposes of application of the appropriate development plan policy to the proposal. This conclusion is supported by the fact that it is agricultural land which has not previously been developed for other purposes.

18. Policy H4 (Infill Development On Sites Of Less Than 0.4 Hectare) of the Local Plan cannot be applied, because the site would need to be within the development limits, and also need to be previously developed land. As such, the main applicable policy in this instance is Policy H6 (New Housing in the Open Countryside), which states that new dwellings will not be permitted in the countryside unless it can be shown to be essential in any particular location to the needs of agriculture or forestry, and where the need cannot reasonable be accommodated within an existing town or village.

19. It is recognised by the applicant in the submitted Design and Access Statement that the requirements of Policy H6 are unlikely to be met in terms of an essential need for a rural dwelling, so no justification has been put forward. In these circumstances, the proposal for a private residential dwelling unconnected with the rural economy is clearly contrary to Policy H6 of the Teesdale District Local Plan. As such, the proposal is also considered to be contrary to Policy ENV1 which seeks to protect the countryside from development other than that which is necessary to support the rural economy, nature conservation, tourism and recreation.

20. At the present time, the North East of England Plan Regional Spatial Strategy to 2021 (RSS) is still a component of the Development Plan, together with the adopted Teesdale District Local Plan 2002. Policy 4 of the RSS sets out a sequential approach for selection of sites for residential development in the preparation of local policy, which includes, suitable previously-developed sites and buildings within urban areas, particularly around public transport nodes; other suitable locations within urban areas not identified as land to be protected for nature or heritage conservation or recreational purposes; suitable sites in locations adjoining urban areas, particularly those that involve the use of previously-developed land and buildings; and, suitable sites in settlements outside urban areas, particularly those that involve the use of previously-developed land and buildings. The application site does not perform well against any of these four criteria because of its

location outside of the settlement limits of Barnard Castle and because it does not constitute previously developed land.

21. PPS3 (Housing) which prescribes national policy on residential developments states, in paragraph 69 that, "In general, in deciding planning applications, Local Planning Authorities should have regard to: achieving high quality housing; ensuring developments achieve a good mix of housing reflecting the accommodation requirements of specific groups, in particular, families and older people; the suitability of a site for housing, including its environmental sustainability; using land effectively and efficiently; and ensuring the proposed development is in line with planning for housing objectives, reflecting the need and demand for housing in, and the spatial vision for, the area and does not undermine wider policy objectives e.g. addressing housing market renewal issues." Furthermore, paragraph 40 states that, "A key objective is that Local Planning Authorities should continue to make effective use of land by re-using land that has been previously developed."

22. The applicant expresses an opinion that PPS3 requires the Local Planning Authority to look favourably on proposals for housing where there is failure to meet a 5 year supply of deliverable housing sites. Whilst the former Teesdale area falls a little short of a 5 year supply, paragraph 71 makes it clear that when considering proposals for housing in such circumstances, favourable consideration should be made taking into account all policy expressions in PPS3, including paragraph 69 above. It is considered that the proposal does not accord with PPS3.

Landscape Impact

23. The application site lies within an area which is designated as having high landscape value. It is however recognised that this area does already contain built development, predominantly within the development limits of Barnard Castle. This part of Darlington Road is characterised by individual detached properties set within generous curtilages, and with a significant amount of mature landscaping. The application site is part of a field which, with the exception of Marden House to the east, terminates the built environment of Barnard Castle. The site forms a small but distinct gap in the residential building line to the south side of the A67 and is the last parcel of land that forms the open countryside, with important views to the south. Development of the site would remove this important gap in the building line, and the views of the countryside beyond. The application site has significant value in terms of the appearance and character of the countryside and any built development will detract from its special character.

24. It is considered that development of the site for residential purposes would result in the loss of land which contributes to the distinctive qualities of the environment in this location, and that it would be contrary to Policy ENV3 of the Local Plan.

Impact upon residential amenity and privacy

25. The proposal seeks to establish the principle of developing the site for residential purposes and provides very little detail of the intended form of development. No indicative plan has been submitted to identify the likely position of the dwelling on the site, and the design and access statement simply refers to a *"3 to 4 bedroom detached dwelling house of stone construction under a slate, pitched roof."*

26. It is anticipated that the proposed dwelling would be similar in scale to the majority of

others on Darlington Road, which are generally set well back in their plots. The immediately adjacent property Roseberry is a bungalow which is unusually set much further forward on its plot, and contains two side windows that face the application site. It is considered however that there is enough scope within the size and proportions of the site to arrive at a design that would not compromise the amenity or privacy of the occupiers of Roseberry.

Access

27. Although details of site access would be reserved for subsequent consideration, no objections have been raised by the Highway Authority to the principle of forming an additional vehicular access to the site to serve a single dwelling, at this point on the highway.

Other Matters Raised

28. Other matters raised by local residents are firstly, there is no need for the development because there are many houses for sale in the town and secondly that the existing low mains water pressure would be made worse.

29. In terms of the issue of need, this is considered only to be relevant to this proposal in terms of a functional agricultural or forestry need under Policy H6 of the Local Plan. As explained, the applicant has not attempted to demonstrate such a functional need with this private residential proposal.

30. Northumbrian Water Limited have been consulted on the application and has not made comments that would indicate problems of low mains water pressure, and this would be insufficient reason to resist the proposal.

CONCLUSION

31. The main planning consideration in this instance is principle. The application site lies beyond the development limits of Barnard Castle and is part of a paddock associated with Marden Farm. The site has not previously been developed and is therefore Greenfield agricultural land.

32. The proposal is considered to constitute residential development in the open countryside. In the absence of a functional need for a dwelling in this location, the proposal is considered to be contrary to Policies H6 and ENV1 of the Teesdale District Local Plan.

33. The application site is located within an area of high landscape value and contributes significantly to the character and appearance of the rural landscape. The residential development of the site would diminish the contribution it makes to the rural landscape and would detract from the character and appearance of the area of high landscape value, contrary to Policy ENV 3 of the Teesdale District Local Plan. Accordingly, Officers are unable to offer their support to the application

RECOMMENDATION

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

-
1. The Local Planning Authority considers that the application site lies beyond the development limits of Barnard Castle and is land which has not previously been developed. The proposed development of this site in the open countryside for residential use without an essential functional need related to agriculture or forestry is contrary to Policies H6 (New Housing in the Open Countryside) and ENV1 (Protection of the Countryside) of the Teesdale District Local Plan 2002.
 2. The Local Planning Authority considers that the proposed development, if approved, would diminish the contribution that the application site makes to the rural landscape and would detract from the character and appearance of the area of high landscape value, contrary to Policy ENV 3 (Development Within or Adjacent To and Area of High Landscape Value) of the Teesdale District Local Plan 2002.
-

BACKGROUND PAPERS

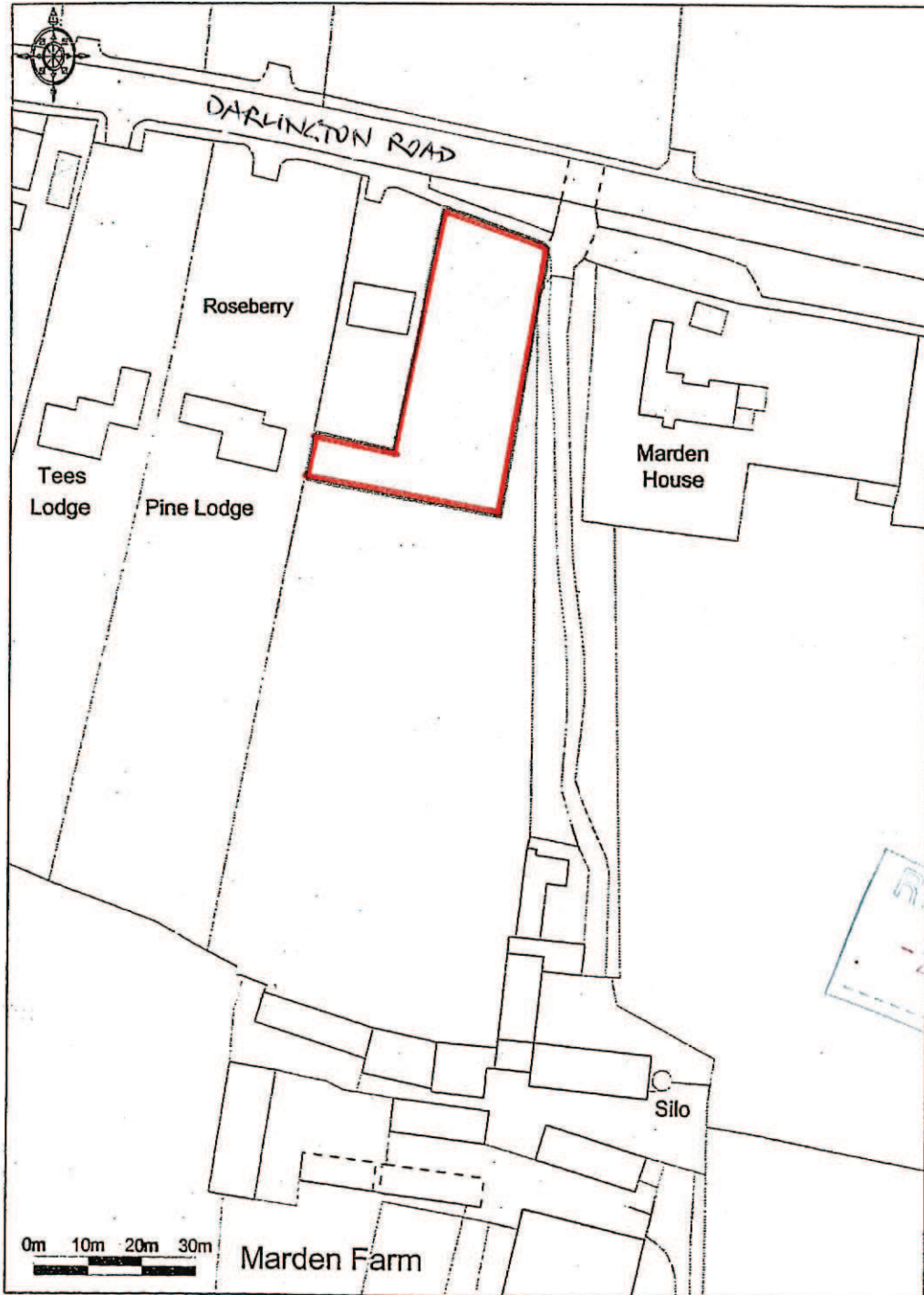
- Submitted Application Forms and Plans.
- Design and Access Statement
- Teesdale District Local Plan 2002
- Planning Policy Statements / Guidance, PPS1, PPS3
- Responses from Highways, Northumbrian Water
- Public Consultation Responses



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Land Adjacent to Marden House. Barnard Castle.

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- 2 JUN 2011

LAND ADJACENT TO MARDEN HOUSE
DARLINGTON ROAD,
BARNARD CASTLE DL12 8HN
Co. DURHAM,
SCALE 1:1250



GEORGE STASTNY
CHARTERED ARCHITECT & GARDEN DESIGN
Riverside, Whorlton
Nr. Barnard Castle,
Co. Durham DL12 8XD
07974 230919

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Planning Services

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	6/2011/0208/DM
FULL APPLICATION DESCRIPTION:	Erection of sun room to front
NAME OF APPLICANT:	Mr John Copeland
ADDRESS:	67 Winston Road Staindrop County Durham DL2 3NR
ELECTORAL DIVISION:	Barnard Castle East
CASE OFFICER:	Paul Martinson, Planning Officer 03000 260823, paul.martinson@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

1. The application site is a stone built semi detached dwelling located on the outskirts of Staindrop on the north side of the Winston Road. The dwelling is one of two pairs of semi detached dwellings with open front gardens which have an open character with a low stone wall defining the boundaries with the pavement. The front garden of no. 67 is located adjacent to a main route into Staindrop and the open character of the gardens of this property and the adjacent dwellings leads to the site being highly prominent from the road. The application site is approximately 5m away from the boundary of the Conservation Area,
 2. The application seeks planning permission for the erection of a sun room to the front elevation of no. 67 Winston Road. The sun room would be positioned centrally on the front elevation and would project out from the existing building by 3.3m and measure 3.7m wide. It would consist of a 0.7m high stone wall with glazing to all three sides. The sun room would have a hipped slate roof measuring 3.3m high to the ridge.
 3. The application is reported to committee at the request of Councillor Richardson, the local Ward Member, who wished to consider the impact on the street scene in the setting of a conservation area.
-

PLANNING HISTORY

4. No planning history relevant.
-

PLANNING POLICY

5. **NATIONAL POLICY:**

Planning Policy Statement 1: Delivering Sustainable Development sets out the Governments overachieving planning policies on the delivery of sustainable development through the planning System.

Planning Policy Statement 5: Planning for the Historic Environment sets out planning policies on the conservation of the historic environment.

The above represents a summary of those policies considered most relevant. The full text can be accessed at: <http://www.communities.gov.uk/planningandbuilding/planning/planningpolicyguidance/planningpolicystatements>

6. **REGIONAL POLICY:**

There are no RSS Policies of relevance to the consideration of this planning application.

7. **LOCAL PLAN POLICY:**

The following policies of the Teesdale Local Plan are considered relevant to the determination of this planning application:

Policy GD1 – General Development Criteria - All new development and redevelopment within the District should be designed and built to a high standard and should contribute to the quality and built environment of the surrounding area.

Policy BENV4 – Development Within and/or Adjoining Conservation Areas - refers to development within and adjoining conservation areas and requires new development to respect the quality and character of the area; use appropriate materials; and respect trees, hedgerows, landscape features, views and undeveloped areas which contribute to the character or the appearance to the area and its settings. Proposals which would adversely affect the setting of a conservation area or the views into or out of the area will not be permitted.

Policy H11 – Extensions - extensions and alterations to an existing dwelling will be permitted where the relevant criteria listed in policy GD1 are met, and where in particular they respect the scale, character, architectural style and materials of the original property and its neighbours; and respect the amenity of the adjoining residential properties.

The above represents a summary of those policies considered most relevant in the Development Plan the full text, criteria, and justifications of each may be accessed at: <http://www.durham.gov.uk/pages/Service.aspx?ServiceId=6619>

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

8. The Highway Authority has raised no objections.

INTERNAL CONSULTEE RESPONSES:

9. The Design and Conservation Section advise that the property and the other 3 no. adjacent semi detached properties are of identical construction with a symmetrical, flush finish to the front elevation and a small garden area to the front of the buildings. None of the other properties have extensions to the front elevation. The proposed sun room extension would disturb the symmetry of the 2 no. pairs of semi detached properties and set a precedent for front extensions to these properties. They therefore consider that the proposal would have an adverse impact on the setting of the conservation area and would object to the principle of this proposal.

PUBLIC RESPONSES:

10. The occupiers of neighbouring properties were notified in writing of the proposals and a site notice was also posted. Three letters of objection have been received, two of which are properties to either side of the application site. The content of the representations are summarised below:
 1. The sun room would spoil the attractive view of these cottages which are prominent from the road as you approach Staindrop;
 2. It would be large and out of proportion with surrounding properties and protrude significantly from the front;
 3. The sun room would restrict the views of the neighbouring properties;
 4. It would block light to the neighbouring properties;
 5. The sun room would encroach on privacy of the gardens of neighbouring properties;
 6. It would be detrimental to the value of the neighbouring properties.

APPLICANTS STATEMENT:

11. The primary reason for me submitting the application was based on my current health situation and the prognosis on my remaining limb. Social services and my occupational therapist both agree that our current accommodation as standing can not facilitate my current and future health needs i.e. specialist bed and associated needs. In their opinion the house is not suitable for chair lifts and they are not suitable for amputees. I have lived at no. 67 for some 50 years and would like to continue doing so. Our architect considered the extension, as applied for, the only suitable way to accommodate my requirements. Any extension to the rear is excluded by a shared access road and a side extension is not feasible either. An access path would still have to be accommodated for i.e. normal access and wheelchair access to front of property. Consideration was given to the siting and construction of the proposed extension by using materials sympathetic to the property and the surrounding areas. Should some screening be required we would do so. It is our intention to minimise the effect of the proposed extension on the surrounding area. In conclusion we hope for a sympathetic appraisal of our needs.

PLANNING CONSIDERATIONS AND ASSESSMENT

11. The application proposes to erect a sun room extension to the front elevation of a semi detached dwelling. Policy H11 of the Teesdale Local Plan allows for the erection of domestic extensions provided that they respect the scale, character, architectural style and materials of the original property and its neighbours; and respect the amenity of the adjoining residential properties. The policy also requires extensions to meet the requirements in policy GD1. The application site is located approximately 5m from the boundary of the Conservation Area and as such the impact on the setting of the Conservation Area is an important consideration. Policy BENV4 of the Teesdale Local Plan refers to development within and adjoining conservation areas and requires new development to respect the quality and character of the area; use appropriate materials; and respect trees, hedgerows, landscape features, views and undeveloped areas which contribute to the character or the appearance to the area and its settings. Furthermore the policy states that proposals which would adversely affect the setting of a conservation area or the views into or out of the area will not be permitted. The main issues are therefore the impact on the setting of the conservation area and residential amenity.

Impact on the Setting of the Conservation Area

12. The application site is located in a prominent position adjacent to a main route into Staindrop and within the setting of the Staindrop Conservation Area, the boundary of which is located approximately 5m away. The property itself is of stone construction and forms part of group of 4no. adjacent semi detached dwellings all of which are of a similar style. The gardens are located to the fronts of these properties and have an open character with a low stone wall defining the boundaries with the pavement. No significant boundary definition occurs between the gardens of these properties which contribute to the area's open character. Furthermore no other extensions have been carried out to the front elevations of these properties and as the main entrance doors are on the side of the properties there are also no porches to the front elevation. In addition, there are also no front extensions further along this part of Winston Road.
13. The proposed sun room extension would therefore be an extremely prominent addition to the front elevation of an attractive dwelling of traditional construction within the setting of the Conservation Area. The extension would be at odds with the current open and unaltered character of the front of these semi detached dwellings and would have a negative impact on the character and appearance of this important approach to Staindrop. The proposed sun room style extension is not a form of extension that would normally be expected on the front of a dwelling such as this and as such, given its prominence and impact on the existing open character, would be an incongruous addition to this part of the streetscene. The modern conservatory/sun room character of the extension would be inappropriate on the front elevation of a dwelling within the setting of the Conservation Area and as such would conflict with policies GD1, BENV4 and H11 of the Teesdale Local Plan, in addition to the guidance provided within PPS5.

Impact on Residential Amenity

15. The proposed sun room would be sited to the front elevation of the dwelling adjacent to the front gardens of the neighbouring properties. There is little boundary definition between the gardens and as such the occupiers of the applicant's dwelling would be

able to overlook these gardens from the sun room. However these gardens are located to the front of the property and their open character corresponds to a low level of privacy with neighbours and pedestrians being able to see into each of the gardens. As such it is not considered that the proposed sun room would lead to significant harm to the privacy of the neighbouring properties.

16. The objections received cited a potential a loss of light to neighbouring properties. The extension would be single storey and project out from the existing elevation by 3.3m; it would be sited approximately 1m away from the boundaries with the neighbouring properties. It would also be predominantly glazed which would minimise the loss of light to neighbouring properties. Therefore, given its scale and the materials used, it is considered that the proposed sun room would not be detrimental to the light levels in the neighbouring properties.

Personal Circumstances

17. The applicant has provided details of a medical condition and a letter that has also been received from his occupational therapist stating that if his health is to deteriorate, which is likely, he would have difficulty safely accessing bedroom facilities and in this instance the sun room could be used as a ground floor bedroom. It is understood that the proposed sun room would be sufficiently large enough to accommodate a purpose built bed and associated equipment.
18. The applicant would therefore require the sun room extension in order to provide the ground floor sleeping accommodation that would allow him to live with his disability.
19. With regard to personal circumstances and planning applications, the companion guide to PPS1 states "*while the personal circumstances of an occupier or personal hardship may be material to the consideration of a planning application, such arguments will seldom outweigh the more general planning considerations*".
20. In this case, the application proposes a sun room extension to the front elevation which would be significantly harmful to setting of the Conservation Area and detrimental to the wider character and appearance of the streetscene. Although the applicant's reasons for requiring the extension have been given due weight in the determination of this application, these do not outweigh the clear visual harm of the extension as demonstrated above. This is supported by paragraph 21 of the PPS1 companion guide.
21. The applicant has been advised to consider the construction of a side extension that would be able to provide in excess of the additional floor space that he would require. This could be utilised as a bedroom, or the internal arrangement could be altered to provide a bedroom elsewhere within the dwelling and relocate the displaced room into the extension. An extension to the rear of the property is not possible as a shared access is located immediately to the rear of these dwellings, however the side extension remains an option and the applicant has been urged to consider this.

Other Issues Raised

22. The consultation response raised the issues of the impact on property value and loss of a view resulting from the sun room. However these are not material planning considerations and as such cannot be given significant weight in the determination of this application.

CONCLUSION

23. The proposed sun room extension would be an extremely prominent addition to the front elevation of an attractive dwelling of traditional construction within the setting of the Conservation Area. The extension would be at odds with the current open and unaltered character of the area and would have a negative impact on the character and appearance of this important approach to Staindrop. The proposed sun room style extension is not a form of extension that would normally be expected on the front of a dwelling such as this and as such, given its prominence and impact on the existing open character, would be an incongruous addition to this part of the streetscene. The modern conservatory/sun room character of the extension would be inappropriate on the front elevation of a dwelling within the setting of the Conservation Area and as such would conflict with policies GD1, BENV4 and H11 of the Teesdale Local Plan, in addition to the guidance provided within PPS5.
24. The proposed sun room would not have a negative impact on the privacy of the neighbouring properties as there relatively low levels of privacy exist at present; the proposal would be sited to the front of the properties in an open situation where neighbouring properties are currently able to look over each others gardens in addition to pedestrians and motorists. There would also be no significant loss of light to neighbouring properties due to the scale and large amount of glazing used in the construction of the sun room.
25. Although the applicant's reasons for requiring the extension have been given due weight in the determination of this application, these do not outweigh the clear visual harm of the extension as demonstrated above. Officers are therefore unable to offer their support to the application.

RECOMMENDATION

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

The local planning authority considers that the proposed sun room extension would, by reason of its form, appearance and prominence in the streetscene, significantly harm the existing character of this group of semi-detached dwellings, detrimental to setting of the Conservation Area and contrary to policies GD1, BENV4 and H11 of the Teesdale Local Plan and PPS5.

BACKGROUND PAPERS

- Submitted Application Forms and Plans
- Design and Access Statement
- Teesdale District Local Plan 2002
- Planning Policy Statements: PPS1 and PPS5
- Responses from Highway Authority and Design & Conservation Section
- Public Consultation Responses

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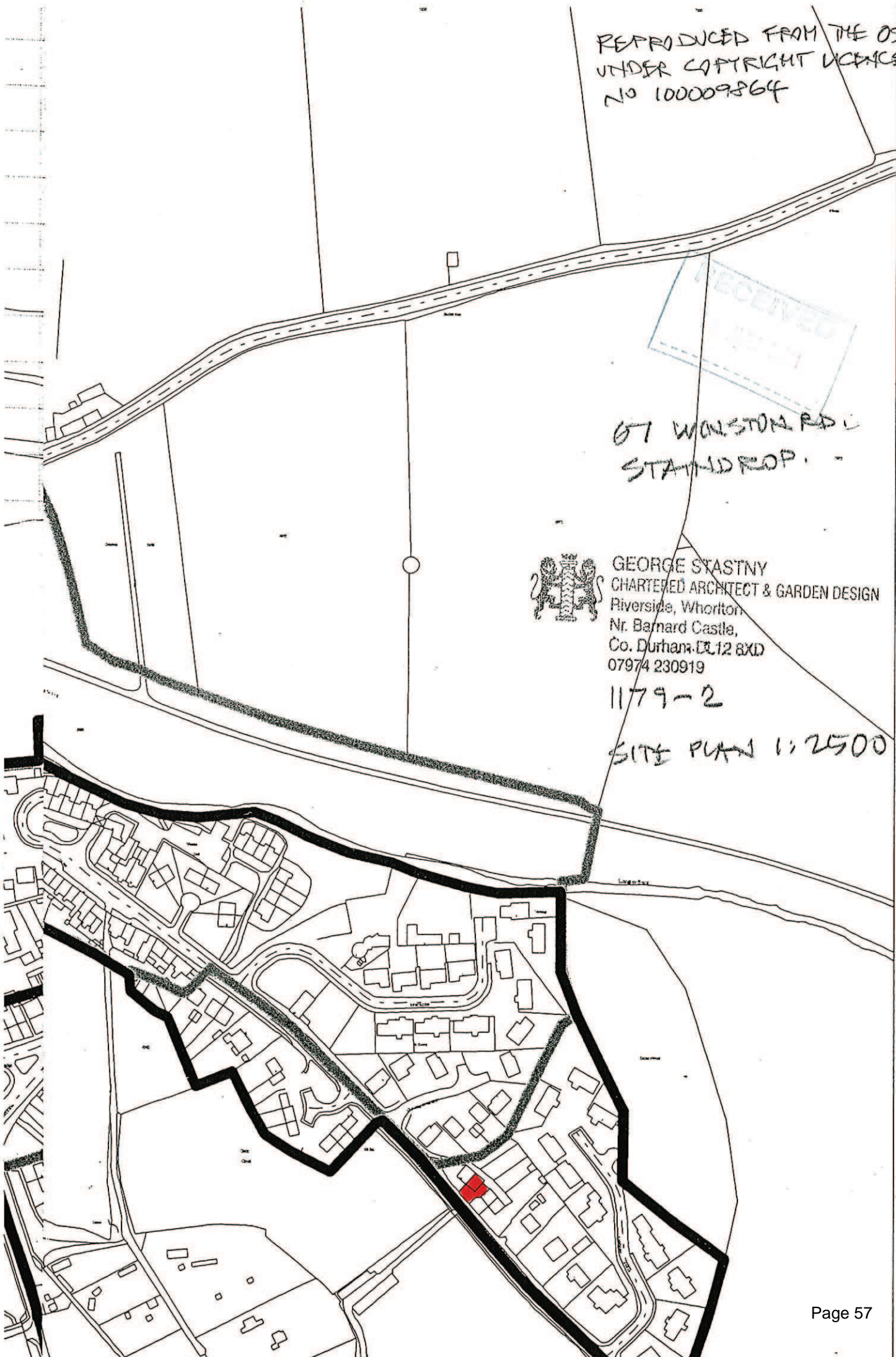
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Planning Services

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO: 3/2011/0274

FULL APPLICATION DESCRIPTION: THREE PROPOSED DETACHED DWELLINGS AND DETACHED GARAGES

NAME OF APPLICANT: MR M SHELDON

ADDRESS: THE BATTS, WEAR CHARE, BISHOP AUCKLAND, DL14 7QQ

ELECTORAL DIVISION:

CASE OFFICER: Adam Williamson
adam.williamson@durham.gov.uk
01388 761619

DESCRIPTION OF THE SITE AND PROPOSALS

1. Planning permission is sought for the erection of 3 detached dwellings and garages on land at The Batts, Bishop Auckland.
2. Plots 1 and 2 would measure 12.7 metres in width, 9 metres in length, 5.4 metres to the eaves and 8.7 metres to the highest point.
3. Plot 3 would measure 15.3 metres in width, 9 metres in length, 5.2 metres to the eaves and 8.7 metres to the highest point.
4. The proposed garage to serve plots 1 and 2 would measure 11 metres in width, 6 metres in length, and 5.5 metres to the highest point.
5. The proposed garage to serve plot 3 would measure 5.5 metres in length, 6 metres in width, and 5.5 metres to the highest point.
6. The dwellings would be set back from the edge of the highway by 4 metres, with vehicular access gained from between the dwellings leading to detached garages located to the rear of the dwellings. The submitted details show that the dwellings would be constructed from brick and render for the walls and slate for the roofs. Living accommodation to all dwellings would be spread over 3 floors.
7. The application site is located outside the settlement limit for Bishop Auckland but is

within the Bishop Auckland Conservation Area and is known as the Batts. It lies to the south of the River Wear between 1 Wear Chare and 10 Wear Terrace and is an area of open grassland, which rises towards to southern end of the site where there are a number of mature trees. The site is classed as a greenfield site. The dwellings that make up The Batts are a mix of types, ranging from terraced dwellings to detached dwellings.

8. This application has been called to the Committee by Neil Harrison, County Councilor for Bishop Auckland.

PLANNING HISTORY

9. The following decisions are relevant to the site;

3/1995/0473 Erection of 12 dwellings. Refused
TCA/2007/0013 Felling of 33 trees. Approved

An application was also withdrawn earlier in 2011 in order to address issues of design and ecology.

PLANNING POLICY

NATIONAL POLICY:

Planning Policy Statement 1: Delivering Sustainable Development (PPS1) sets out the Governments overarching planning policies on the delivery of sustainable development through the planning System.

Planning Policy Statement 3: Housing (PPS3) Underpins the delivery of the Government's strategic housing policy objectives and our goal to ensure that everyone has the opportunity to live in a decent home, which they can afford in a community where they want to live.

Planning Policy Statement 5: Planning for the Historic Environment (PPS5): Sets out the Government's planning policies on the conservation of the historic environment.

Planning Policy Statement 7 Sustainable Development in Rural Areas (PPS7) Sets out the Government's planning policies for rural areas. The key objectives are for continued protection of the open countryside and to promote more sustainable patterns of development by:

- focusing most development in, or next to, existing towns and villages;
- preventing urban sprawl;
- discouraging the development of 'greenfield' land.

New building development in the open countryside away from existing settlements, or outside areas allocated for development in development plans, should be strictly controlled. In particular, when considering housing, house in the countryside will not normally be permitted and regard must be given to national housing policy requirements (PPS3).

Planning Policy Statement 9: Biodiversity and Geological Conservation (PPS9) Sets out planning policies on protection of biodiversity and geological conservation through the planning system.

Planning Policy Guidance Transport (PPG13) Aims to promote accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling and to

reduce the need to travel, especially by car. To deliver these objectives, the guidance says that local planning authorities should actively manage the pattern of urban growth, locate facilities to improve accessibility on foot and cycle, and accommodate housing principally within urban areas.

Planning Policy Statement 22 Renewable Energy (PPS22) Sets out government policies for renewable energy. The guidance preceded the PPS1 Climate Change Supplement. The importance of renewable energy in delivering the Government's commitments on climate change is emphasised. Local planning authorities and developers should consider the opportunity for incorporating renewable energy projects in all new developments. Small scale renewable energy schemes utilising technologies such as solar panels, biomass heating, small scale wind turbines, photovoltaic cells and combined heat and power schemes can be incorporated both into new developments and some existing buildings.

LOCAL PLAN POLICY:

Policy GD1 (General Development Criteria):

All new development and redevelopment within the District should be designed and built to a high standard and should contribute to the quality and built environment of the surrounding area.

Policy ENV1 (Protection of the Countryside):

The District Council will seek to protect and enhance the countryside of Wear Valley.

Policy BE5 (Conservation Areas):

The character of each Conservation Area will be protected from inappropriate development.

Policy BE6 (New Development and Alterations in Conservation Areas): The District Council will permit new development and alterations within Conservation Areas provided it satisfies the following criteria:

- i) the proposal preserves or enhances the character of the area in terms of scale, bulk, height, materials, colour, vertical and horizontal emphasis and design; and
- ii) the proposal will use external building materials which are appropriate to the conservation area. This will generally require the use of local materials or equivalent natural materials; and
- iii) the proposal satisfies the General Development criteria set out in Policy GD1.

Policy BE8 (Setting of a Conservation Area):

Development which impacts upon the setting of a Conservation Area and which adversely affects its townscape qualities, landscape or historical character will not be allowed.

Policy BE17 (Areas of Archaeological Interest):

When development is proposed which affects areas of archaeological interest, an archaeological assessment will be required, before planning approval is given. Where possible the remains will be preserved in-situ.

Policy H3 (Distribution of Development):

New development will be directed to those towns and villages best able to support it. Within the limits to development of towns and villages, as shown on the Proposals Map, development will be allowed provided it meets the criteria set down in Policy GD1 and conforms to the other policies of this plan.

Policy H24 (Residential Design Criteria):

New residential developments and/or redevelopments will be approved provided they accord with the design criteria set out in the local plan.

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.planningportal.gov.uk/england/government/en/1020432881271.html> for national policies; <http://www2.sedgefield.gov.uk/planning/WVCindex.htm> for Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

10. Northumbrian Water raises no objection.

INTERNAL CONSULTEE RESPONSES:

11. **Archaeology** has no objection to the application subject to a conditional planning consent being granted.
12. The site is in close proximity to the historic town of Bishop Auckland and the Roman fort at Binchester. It is probable, but not proven, that the route of the Roman road of Dere Street which ran south from Binchester through to Bishop Auckland and beyond may pass through this area. Previous archaeological monitoring works (H15880) carried out within the proposed area in 2007 found a Post Medieval wall - likely a continuation of the Medieval burghage plot boundary running down Wear Chare.
13. Given that few archaeological resources were noted in the 2007 monitoring, I think it would be unjustified to request the applicant to provide any further information pre-determination. However, as the remains of a Post Medieval wall were recorded in 2007, which appears to extend along the line of the earlier burghage plot boundary, it would be reasonable to place a condition requiring the applicant to ensure that archaeological monitoring of all groundworks is undertaken. An agreed method statement (Written Scheme of Investigation) must be agreed with the Archaeology Section via the planning authority as a pre-commencement condition.
14. **Design and Conservation:** This scheme has been subject to previous planning applications and pre-applications discussions in order to secure an acceptable layout and design. The current proposal is broadly in line with recent pre-applications discussions. The proposed layout makes good use of the space available within the infill plot, relating acceptably in terms of scale and appearance to adjacent buildings and in terms of character and appearance to the Bishop Auckland conservation area. I therefore have no objections to the principle of the proposal, subject to conditions being attached requiring the approval of samples of external materials and submission of a landscaping scheme including details of hard and soft landscaping and boundary treatments.
15. **Ecology** Have viewed the *Bat and Badger Risk Assessment* and are satisfied that the risks of impact on bats and badgers have been addressed. It is recommended that tree protection measures detailed in the arboricultural report for this site should be conditioned to protect trees, bat boxes in the trees and the badger sett from encroachment during the development stage.

16. **Highways** Have some concerns regarding new residential development leading off Wear Chare given that, irrespective of the physical proximity to the town centre, pedestrian footway links on the steep uphill section of Wear Chare (the shortest route to the town) are either non-existent or substandard in places, effectively terminating completely on the approach to the Market Place. Neither is there land available with which to widen them to the rear of the footway/service margins. Therefore the prospect of additional dwellings at the application site, creating additional pedestrian movements along a section of highway where pedestrians must walk on the trafficked carriageway over already reduced width sections, gives concern, hence encouragement at the pre-application stage that any residential development is reduced to the lowest possible no. of units even if this site is regarded as 'infill'.
17. It is understood that the current proposal for three dwellings is the lowest no. of units proposed to date, as compared to these earlier applications. The substandard width and gradient of the Wear Chare footways leading to the town centre may nevertheless be considered acceptable in light of the number of dwelling units proposed, the existence of a small number of other dwellings in the immediate vicinity, and the relatively low traffic flows on Wear Chare. Accordingly, there is no objection to the proposal but it is necessary to require conditioning the installation of an adoptable standard 1.5m wide linking footway from 1 Wear Chare, to the vehicular access position of plot 3, in order that visitors and occupants to the new dwellings have a metalled surface segregated from the trafficked carriageway across which to walk.
18. The applicant and agent should be aware that the first 1.5m laterally from the trafficked carriageway, along the whole northern site boundary is part of the public highway and no planting or structure must take place here. This must be made clear to future occupants of the dwellings. There are two existing highway sign posts (shown in the topographical survey but about which the application makes no comment) to the front of the proposed position of plots 1 and 3. Suffice to say there is no permission implied or inferred to move these signs in any way. Any queries related to them must be directed to the Council's Highways Department on 0191 370 6000 or via hal@durham.gov.uk.
19. It will be necessary for the applicant to enter into an agreement under section 278 of the Highways Act 1980 to allow the required footway works within the existing public highway to be carried out. I would be grateful if you would inform the applicant of this requirement. The appropriate Council contact in this regard is Mr John Collins, Adoptions Engineer, tel 0191 383 4091, e-mail; John.Collins@durham.gov.uk.
20. The vehicular crossings of the highway will be required to be constructed in accordance with S.184(3) of the Highways Act 1980, and the applicant must contact Mr Ian Harrison of Durham County Council Highway Design, Neighbourhood Services, St Johns Road, Meadowfield, (telephone 0191 3725952), in order to receive the necessary (separate) permission prior to undertaking any works within the public highway. I would be grateful if you would inform the applicant of this information.

PUBLIC RESPONSES:

21. Occupiers of neighbouring properties have been notified in writing and a site notice has also been posted. The application has also been advertised in the press. 4 letters of objection and 1 petition containing 19 names has been submitted.

The objections can be summarised as follows:

- a) The proposed houses would be hazardous to traffic;

- b) The land was sold by the then Wear Valley District Council and a stipulation of the sale was that the being fenced, no buildings allowed to be erected, and shall be retained as garden land. This is a covenant on the land.
- c) The application does not include conservation area consent.
- d) The site is subject to flooding.
- e) The scheme is overdevelopment of the area.
- f) The houses would be out of keeping.
- g) The development would have a detrimental impact on Auckland Park.

APPLICANTS STATEMENT

- 22. The planning application is a resubmission made in response to officer's advice and comment, as well as that of public consultees, to an earlier application in March 2011 for two dwellings. Detailed discussions with planning and design and conservation officers has led to the current proposal, which has been fully supported by necessary documentation in respect of ecology, archaeology and flood risk.
- 23. Whilst the detailed design of the scheme has been carefully considered in light of its potential contribution to the Conservation Area, the scheme is necessarily assessed in respect of its policy context, and in this regard, the scheme meets the requirements of current planning policy guidance. The Wear Valley District Local Plan continues to be of primary importance with the demise of the Regional Spatial Strategy and with the growing relevance of the National Planning Policy Framework, at the heart of which is a presumption in favour of sustainable development which will be considered in the light of existing Local Plan policies where no other more up to date plan is available. The proposed development accords with the relevant Local Plan policies H4 and ENV3 and thus should be considered in a positive policy context.
- 24. The site is sustainable, lying within 200m of Bishop Auckland town centre, with all the facilities and linkages which the town centre affords.
- 25. In brief, the planning application should be considered in a positive light, for the following reasons:-
 - It accords with current planning policy guidance and the relevant policies of the Wear Valley District Local Plan.
 - The design and layout of the proposed housing is considered to enhance the Conservation Area
 - All necessary studies and reports conclude that development can satisfactorily take place.
 - The site lies in what can be regarded as a sustainable location and it is one which will provide quality housing close to the centre of Bishop Auckland.

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 Crook Area Office.

PLANNING CONSIDERATIONS AND ASSESSMENT

In assessing the proposals against the requirements of the relevant guidance and development plan policies and having regard to all material planning considerations it is considered that the main planning issues in this instance relate to:

- Principle of development

- Impact on Character and appearance of the Conservation Area
- Residential amenity
- Highway safety
- Ecology
- Archaeology
- Other issues

Principle of development

26. National Policy in the form of PPS1, PPS3, PPS7 and PPG13 highlights the need to ensure that development proposals are based on sustainable development principles. Development in the countryside away from existing settlements or outside areas allocated for development in the development plan should be strictly controlled. The government's aim is to protect the countryside for the sake of its own intrinsic character.
27. PPS3 specifically sets out the national planning policy framework for delivering the Government's housing objectives. PPS3 states: *'that the planning system should deliver:*
- *High quality housing that is well designed and built to a high standard.*
 - *A mix of housing, both market and affordable, particularly in terms of tenure and price, to support a wide variety of households in all areas, both urban and rural.*
 - *A sufficient quantity of housing taking into account need and demand and seeking to improve choice.*
 - *Housing developments in suitable locations, which offer a good range of community facilities and with good access to jobs, key services and infrastructure.*
 - *A flexible, responsive supply of land – managed in a way that makes efficient and effective use of land, including re-use of previously-developed land, where appropriate.'*
28. Inset Map 1/1A of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007 shows the application site to lie immediately adjacent the settlement limits for Bishop Auckland, with the limits to development bounding the southern boundary of the application site. The development is therefore in immediate conflict with planning policies seeking to prevent inappropriate development in the countryside. It is noted though that each application has to be determined on its own merits. In this case it is accepted that the proposed development is contrary to policy H3 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007, however, the location of the application site immediately adjacent to the limits to development and its visual relationship, is a material consideration. In physical terms the site does not appear to lie within the open countryside, as it is bounded on two sides by residential development and use. Visually the site appears as a plot of land within the built up area with no current use.
29. This scheme would deliver high quality housing in the form of three detached dwellings that would be comfortably accommodated on the site. This would improve the mix of housing in the immediate area and overall would lead to improved choice within Bishop Auckland.
30. Whilst it is a greenfield site, it does not have significant amenity value and the loss of the site for the erection of just three dwellings would not prejudice the wider regeneration of the County through the delivery of new housing development on predominantly brownfield sites.

31. The application site is within 200 metres of Bishop Auckland town centre, and the site is also well served by public transport, linking the site to Durham, Spennymoor and Darlington offering reasonable access to jobs and additional services.
32. It is therefore considered that the application site is a sustainable location for the small scale of development proposed and in that respect the proposal is in accordance with guidance contained within PPS1, PPS3 and PPG13.
33. So whilst it is acknowledged that the application site lies outside the settlement limits for Bishop Auckland, it is considered that the release of this land for residential use would not result in damaging encroachment into the open countryside to the detriment of the landscape character of the area. The scheme would not undermine the objectives of policy ENV1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007 and would not prejudice the delivery of sustainable patterns of development in the local area in accordance with Planning Policy Statement 1: Delivering Sustainable Development, Planning Policy Statement 3: Housing, and PPG13: Transport.
34. The proposal can therefore be considered as an acceptable departure in principle from Local Plan Policies ENV1 and H3.

Impact on Character and appearance of the Conservation Area

35. The land to which the application relates occupies a prominent position by the River Wear. The site is currently open green space adjacent to the existing built form within Bishop Auckland and the development would extend the housing further to the west. This area of Bishop Auckland follows traditional ribbon pattern along the River Wear. This proposal will continue this building line and it is considered that the housing would become a natural extension to this area of the town. This area of land is privately owned and as such cannot currently be used for public recreation. It is considered that the loss of this area of land would not be detrimental to the setting of the open countryside, nor would it be detrimental to the setting of Auckland Castle Park, which is to the south of the site but is not readily visible from the application site. The proposed dwellings would not be detrimental to the setting and appearance of the Conservation Area. Therefore in this instance on balance the loss of green land in the open countryside can be justified in this instance, and it is considered that the proposal would not undermine sustainable patterns of development and regeneration in the area.
36. In terms of design and external appearance, the submitted application is a result of detailed discussions between the applicant and the Design and Conservation Officer following a previously withdrawn application.
37. There is currently a variety of property types in the immediate area around the application site including traditional terraces, larger detached properties and bungalows. All of these properties have a mix of roof heights, materials and garden sizes. In general, two storey properties characterise this part of Bishop Auckland and the predominant materials are brickwork, render, and slate.
38. The properties would be finished externally with a mixture of painted render and brickwork. The roofs would either be natural grey/blue slate. The windows would be constructed in timber with a painted finish. These materials are considered to be suitable for this location and would reflect some of these used within the conservation area.

39. The proposed dwellings would retain the building line between Dial Stob Hill Bungalow and 1 Wear Chare, providing the application site with a strong roadside frontage. Parking and garages are to be provided to the rear of the site so as not to provide clutter to the roadside. On the basis of the plans, the design of the proposed dwellings reflects the scale, form and proportions of those in the vicinity of the site and therefore there is potential for the development to preserve the character of the conservation area
40. It is therefore considered that the proposal accords with policies GD1, H24, and BE6 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

Residential amenity

41. Number 1 Wear Chare has a blank gable overlooking the application site, but has a recently completed single storey extension to the rear with a window to the eastern elevation. The site of the proposed dwelling on plot 1 would not obstruct this window. Dial Stobs bungalow does not have any windows overlooking the application site to plot 3. Given the positioning of the proposed dwellings, there would be no loss of residential amenity or any overbearing or overshadowing effects created by the proposed scheme to the occupiers of neighbouring properties.
42. The proposed dwellings would have substantial rear gardens, in excess of the minimum 10 metre requirement set out in policy H24 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007. Given the size of the rear gardens it is considered prudent to remove the permitted development rights for garden structures from the dwellings as large garden buildings/ structures could be constructed without planning consent to the detriment of the conservation area.
43. The proposal accords with policies GD1 and H24 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

Highway safety

44. The site would be accessed via Wear Chare, with parking provided to the rear of the dwellings. It is considered that the provision of three dwellings would not exceed the capacity of the local road network. The Highways Engineer has not objected to the proposal but does consider it necessary to require conditioning the installation of an adoptable standard 1.5m wide linking footway from 1 Wear Chare, to the vehicular access position of plot 3, in order that visitors and occupants to the new dwellings have a metalled surface segregated from the trafficked carriageway across which to walk. Subject to this condition, the proposal accords with policy GD1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.

Ecology

45. The site contains a badger set (a species protected by law) and a number of mature trees.
46. The presence of protected species such as badgers is a material consideration, in accordance with Circular 06/05 to PPS9 Biodiversity and Geological Conservation. The requirements of the Habitats Directive were brought into effect by the Conservation (Natural Habitats etc) Regulations 1994 and now the Conservation of Habitats and Species Regulations 2010. These regulations established a regime for dealing with derogations, which involved the setting up of licensing regime administered by Natural England. Under the requirements of the Regulations it is criminal offence to kill, injure or

disturb the nesting or breeding places of protected species unless it is carried out with the benefit of a license from Natural England.

47. The species protection provisions of the Habitats Directive, as implemented by the Conservation of Habitats and Species Regulations 2010, contain three "derogation tests" which must be applied by Natural England when deciding whether to grant a license to a person carrying out activity which would harm a European Protected Species (EPS). This license is normally obtained after planning permission has been granted. The three tests are that:
 - The activity to which the license is required must be for imperative reasons of overriding public interest or for public health and safety;
 - There must be no satisfactory alternative and;
 - Favourable conservation status of the species must be obtained.
48. Notwithstanding the licensing regime, the local planning authority (LPA) must discharge its duty under Regulation 9(5) and also be satisfied that these three tests are met when deciding whether to grant planning permission for a development which could harm an EPS. A LPA failing to do so would be in breach of Regulation 9(5) of the 2010 Regulations which requires all public bodies to have regard to the requirements of the Habitats Directive in the exercise of their functions.
49. Badgers are a protected species and the survey has identified a Badger set within the application site. To recommend approval, the LPA must therefore be satisfied that the development meets the public interest test; that there is no satisfactory alternative; and that the action will not be detrimental to the maintenance of the population of the species at a favourable conservation status in their natural range.
50. The proposed dwellings would be sited well away from the badger set to ensure there is no disturbance caused by the development. The Ecology section have no objection to the proposed development subject to the tree protection measures detailed in the arboricultural report to protect trees, bat boxes in the trees and the badger sett from encroachment during the development stage. A license is unlikely to be required because development would not affect the sett. It is considered that the proposed scheme would not be detrimental to the maintenance of the population of the species at a favourable conservation status in their natural range as defined in Regulation 44 of the Habitat Regulations. Given this and that it is in the public interest that the permission can be implemented, the LPA can discharge its duty under Reg 9(5).
51. The proposal accords with policies GD1 of the Wear Valley District Local Plan as amended by Saved and Expired policies September 2007.
52. The proposal also accords with guidance contained within PPS9 Biodiversity and Geological Conservation.

Archaeology

53. The site is in close proximity to the historic town of Bishop Auckland and the Roman fort at Binchester. The Council's archaeologist advises that it is probable, but not proven, that the route of the Roman road of Dere Street which ran south from Binchester through to Bishop Auckland and beyond may pass through this area. Previous archaeological monitoring works (H15880) carried out within the proposed area in 2007 found a Post Medieval wall - likely a continuation of the Medieval burghage plot boundary running down Wear Chare.

54. The remains of a Post Medieval wall were recorded in 2007, which appears to extend along the line of the earlier burghage plot boundary. Given the potential for archaeology within the site, a risk assessment has been requested and submitted.
55. The Archaeology section has been consulted and raises no objection to the proposed development subject to recommended conditions. As such it is considered that the proposal would not have a detrimental impact upon archaeology in accordance with guidance contained within PPS5: Planning for the Historic Environment.

Other issues/ response to objections

56. One of the issues raised in the objections received was that when the land was sold by the then Wear Valley District Council a covenant was attached stating that “the piece or parcel of land hereby transferred or any part thereof to be use for any purpose other than garden/ allotment use.” This is not a material planning consideration and does not prevent planning permission from being granted. The Council’s solicitor has provided comment on this matter for clarity:
57. *“There may be many restrictions on a property being developed as per the Planning Permission; it is up to the developer to overcome these obstacles. This rule also applies even if the County Council has imposed a covenant which is contrary to the proposed development. It is up to the developer to seek the release of the covenant and the determination of the planning application should not be held up whilst this is happening. There may be cases where the planning permission can not be implemented because a restriction on the property can not be lifted. This possibility is not a matter which should influence your determination”.*
58. In respect of the concern raised over the site flooding, the site is not within an identified flood zone as identified on the Environment Agency’s flood zone maps. As such in this instance there is no obligation for a flood risk assessment to be provided with the application. Drainage will largely be regulated by Building Control and the utility providers, however a condition is recommended requiring details of hard surfacing with measures to limit surface water runoff.
59. It is noted that the site is within the Bishop Auckland Conservation Area, however, Conservation Area Consent is not required for the construction or alterations of properties within conservation areas. Conservation Area consent is only needed for:
 - Demolition of a building with a volume greater than 115 cubic metres.
 - Demolition of more than 1 metre of wall fronting a highway, waterway or open space.
 - Demolition of more than 2 metres of wall in any other case.
 - Demolition of agricultural buildings constructed before 1914.
60. A separate application for Conservation Area consent is therefore not required.

CONCLUSION

61. In summary the proposals seek permission for the erection of 3 detached dwellings. Whilst it is acknowledged that the application site lies outside the settlement limits for Bishop Auckland, it is considered that the release of this land for residential use would not result in damaging encroachment into the open countryside to the detriment of the landscape character of the area and the character of the conservation area. The application site is a sustainable location for a limited scale of development and the proposed dwellings are considered to be of an acceptable scale and design for this site which is within the Bishop Auckland conservation area.
62. The proposed dwellings would not result in a loss of privacy or residential amenity to the occupiers of neighbouring dwellings and would not have a detrimental impact upon protected species, highway safety, flood risk or archaeology subject to recommended conditions.
63. The proposal is therefore an acceptable departure to local plan policy H3 and accords with the wider national policy aims of securing sustainable patterns of development.

RECOMMENDATION

That the application be APPROVED subject to the following conditions:

Conditions:

1. The development should not be begun later than the expiration of three years from the date of this permission.
2. The development hereby approved shall be carried out in strict accordance with the following approved plans:

Plan Ref No.	Description	Date Received
	Site Location Plan	07.07.2011
02 D	Proposed site plan	07.07.2011
03 B	Proposed plans and elevations plots 1 and 2	07.07.2011
04	Proposed plans and elevations plot 3	07.07.2011
05 A	Proposed street scene	07.07.2011

3. Notwithstanding any details of materials submitted with the application no development shall commence until samples of the external walling and roofing materials have been submitted to and approved in writing by the local planning authority. The development shall be constructed in accordance with the approved details.
4. Prior to the commencement of the development details of the surface treatment and construction of the driveway and all hardsurfaced areas shall be submitted to and approved in writing by the local planning authority. The details should demonstrate how provision will be made to reduce surface water runoff onto the highway and neighbouring properties. The development shall be undertaken in accordance with the approved details.

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5. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work (monitoring) and which has been submitted to, and approved in writing, by the local planning authority. The strategy shall include details of the following:
 - i., Measures to ensure the preservation in situ, or the preservation by record, of archaeological features of identified importance.
 - ii., Methodologies for the recording and recovery of archaeological remains including artefacts and ecofacts.
 - iii., Post-fieldwork methodologies for assessment and analyses.
 - iv., Report content and arrangements for dissemination, and publication proposals.
 - v., Archive preparation and deposition with recognised repositories.
 - vi., A timetable of works in relation to the proposed development, including sufficient notification and allowance of time to ensure that the site work is undertaken and completed in accordance with the strategy.
 - vii., Monitoring arrangements, including the notification in writing to the County Durham Archaeologist of the commencement of archaeological works and the opportunity to monitor such works.
 - viii., A list of all staff involved in the implementation of the strategy, including sub-contractors and specialists, their responsibilities and qualifications.

The development shall then be carried out in full accordance with the approved details.

6. Prior to the dwellings being occupied, a copy of any analysis, reporting, publication or archiving required as part of the archaeological mitigation strategy shall be deposited at the County Durham Historic Environment Record. This may include full analysis and final publication.
7. Prior to occupation of any of the approved dwellings engineering drawings shall be submitted for approval depicting the layout and construction of a 1.5m wide adoptable standard footway at the site northern boundary. Thereafter, the footway must be installed in accordance with the approved details and available for use prior to the occupation of any of the approved dwellings.
8. No development shall take place unless in accordance with the mitigation and recommendation detailed within the protected species report *Bat and Badger Risk Assessment for proposed development at: land at The Batts*, by Dendra Ecology (July 2011),, including, but not restricted to adherence to timing and spatial restrictions; adherence to precautionary working methods.
9. Notwithstanding the provisions of Article 3 and Class E of Part 1 of Schedule 2 and class A of Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 et seq none of the categories of development described therein shall be carried out on the site without an application for planning permission having been first made to and approved in writing by the local planning authority.
10. Prior to the commencement of the development a scheme to minimise energy consumption shall be submitted to and approved in writing by the Local planning authority. Thereafter the development shall be carried out in complete accordance with the approved scheme prior to first occupation and retained so in perpetuity.

Reasons:

1. 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. To define the consent and ensure that a satisfactory form of development is obtained.
3. In the interests of the appearance of the area and to comply with policies GD1 and H24 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
4. In the interests of the appearance of the area and to comply with policies GD1 and H24 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
5. To comply with policy BE1 and BE15 of the Wear Valley District Local Plan as the site may potentially contain features of local archaeological importance.
6. To comply with policy HE12.2 - 12.3 of PPS5 to make the information as widely accessible to the public as possible.'
7. In the interests of highway safety in accordance with policy GD1 of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007.
8. In the interests of nature conservation. In accordance with policy GD1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
9. The Local Planning Authority wishes to control future development at the site in order to safeguard the appearance of the site. In accordance with policies GD1 and ENV1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.
10. In the interests of environmental sustainability and reducing the effects of climate change as supported in PPS1, PPS3 and PPS22.

REASONS FOR THE RECOMMENDATION

1. The development was considered acceptable having regard to the following development plan policies: -

Policy GD1 (General Development Criteria)
Policy ENV1 (Protection of the Countryside)
Policy ENV3 (Area of Landscape Value)
Policy BE5 (Conservation Areas)
Policy BE6 (New Development and Alterations in Conservation Areas)
Policy BE8 (Setting of a Conservation Area)
Policy BE17 (Areas of Archaeological Interest)
Policy H3 (Distribution of Development)
Policy H24 (Residential Design Criteria)

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2. In particular the development was considered acceptable having regard to consideration of the principle, the impact on countryside, impact on residents, highway safety and flood risk.
 3. The nature of the objections received from the general public and the impact of the development on the area were not considered sufficient to outweigh the positive contributions this development will make in terms of the provision of affordable homes and the sustainability of the village.

BACKGROUND PAPERS

- Submitted Application Forms and Plans
- Design and Access Statement
- Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007
- Planning Policy Statements/Guidance, PPS1, PPS3, PPS5, PPS7, PPS9, PPS13, PPS22
- Consultation Responses
- Public Consultation Responses



3/2011/0274 - THREE PROPOSED DETACHED DWELLINGS AND DETACHED GARAGES AT THE BATTS, WEAR CHARE FOR MR M SHELDON

