



Area Planning Committee (Central and East)

Date Tuesday 10 March 2015
Time 1.00 pm
Venue Council Chamber, County Hall, Durham

Business

Part A

1. Apologies for Absence
2. Substitute Members
3. Minutes of the Last Meeting held on 10 February 2015 (Pages 1 - 10)
4. Declarations of Interest, if any
5. Applications to be determined by the Area Planning Committee (Central & East Durham)
 - a) DM/14/03708/FPA - Land to the south of New Ferens Park, Belmont Business Park, Durham (Pages 11 - 22)
New car showroom with ancillary service workshop, external forecourt and parking, offices and a café.
 - b) DM/14/03713/FPA - Land at Mayorswell Close and Kepier Court, Durham, DH1 1JU (Pages 23 - 44)
Erection of 4 new buildings and restoration of Kepier House for use as 214no. bed student accommodation and associated landscaping.
 - c) DM/14/03871/OUT - Land between 3 Church Villas and 7 Rectory View, Shadforth, Durham (Pages 45 - 58)
Outline application for 10no. properties (all matters to be considered except landscaping).

- d) DM/14/03833/FPA - Former Peterlee Building Supplies, Yoden Way, Peterlee (Pages 59 - 70)
56 Bedroom residential care home.
- e) DM/15/00187/FPA & DM/15/00188/FPA - No's 4 and 16 Wynyard Grove, Gilesgate, Durham, DH1 2QJ (Pages 71 - 78)
Change of use C4 student HMO to 7 bed sui generis student HMO, demolition of rear extension and erection of rear extension.
6. 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

2 March 2015

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

Councillor P Taylor (Chairman)
Councillor A Laing (Vice-Chairman)

Councillors A Bell, G Bleasdale, J Clark, P Conway, M Davinson, K Dearden, D Freeman, S Iveson, C Kay, J Lethbridge, R Lumsdon, B Moir, J Robinson and K Shaw

DURHAM COUNTY COUNCIL

AREA PLANNING COMMITTEE (CENTRAL AND EAST)

At a Meeting of **Area Planning Committee (Central and East)** held in Council Chamber, County Hall, Durham on **Tuesday 10 February 2015 at 1.00 pm**

Present:

Councillor P Taylor (Chairman)

Members of the Committee:

Councillors A Bell, G Bleasdale, J Clark, M Davinson, K Dearden, C Kay, D Freeman, A Laing (Vice Chairman) J Lethbridge and K Shaw

1 Apologies for Absence

Apologies for absence were received from Councillors P Conway, S Iveson, R Lumsdon and B Moir.

2 Substitute Members

There were no substitute Members.

3 Minutes

The Minutes of the meetings held on 13 January 2015 were confirmed as correct records and signed by the Chairman.

4 Declarations of Interest

There were no declarations of interest.

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

a DM/14/02320/FPA – The Cooperage, Durham Road, Bowburn

The Committee considered a report of the Senior Planning Officer regarding the demolition of existing public house and erection of retail and office building with associated parking and landscaping at The Cooperage, Durham Road, Bowburn (for copy see file of Minutes).

The Senior Planning Officer provided the Committee with a detailed presentation which included photographs of the site and a plan of the proposed layout. Members of the Committee had visited the site and were familiar with the location and setting. The Senior Planning Officer advised of late amendments to be made to the application as follows:-

Amended condition 7

The bus box forming part of the bus stop to the south east of the site on Crow Trees Lane shall be reduced in size in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to development commencing. Neither the retail unit nor the offices shall be brought into use until the alteration of the bus box has been completed.

Reason: In the interests of Highway Safety and to comply with Policy T1 of the City of Durham Local Plan 2004.

Additional Condition 8

A one way system shall be introduced to the car park to exit onto Crow Trees Lane in accordance with details, including a signage scheme, to be submitted to and approved in writing by the Local Planning Authority prior to development commencing. Neither the retail unit nor the offices shall be brought into use until the one way system is in place, and it shall remain in place while the development exists.

Reason: In the interests of Highway Safety and to comply with Policy T1 of the City of Durham Local Plan 2004.

Mr J White, agent for the applicant, addressed the Committee. Members were advised that the applicant had worked closely with the Planning Authority for 12 months to fine tune the application, ensuring that traditional materials would be used and that the 21 car parking spaces would be provided.

Councillor J Blakey, local Member, addressed the Committee. She was very familiar with the site and advised that she had highway concerns, particularly in relation to the number of car parking spaces. She felt that 21 spaces would be somewhat congested and would result in highway issues. Members were advised that bollards had been installed in the vicinity of the site as a road safety measure to prevent cars from pulling up and parking on the roadside. Councillor Blakey also advised that since the new road layout had been implemented at the nearby roundabout onto the A1M, traffic regularly came to a standstill in the village and there was added confusion on the network. Councillor Blakey was therefore concerned that cars entering and exiting the application site would only add to those highway pressures.

Councillor Blakey raised further concerns relating to drainage, sewerage and overflowing manholes.

The Highways Officer responded to the points raised as follows:-

- The site was indeed surrounded by bollards to prevent parking on the main road as such the Highways Authority was not concerned about indiscriminate parking. The nearby bus stop also prohibited parking on the highway.

- In relation to the 21 car parking spaces, national comparisons had been made and the Highways Authority was satisfied that the 21 spaces could be comfortably accommodated. It was estimated that in peak times there would be approximately 39-51 trips to and from the car park, with vehicles parking there for a maximum of 20 minutes.

Councillor A Bell fully supported the application, believing the proposed development would complement the street. He did query whether visibility would be impaired for vehicles exiting the car park if there happened to be a bus parked at the bus stop. The Highways Officer clarified that was the reason behind the intention to shorten the bus stop, to extend visibility and to allow a suitable access to be developed. The Committee was advised that only one bus per hour used the stop and Members were further advised that a one way system would be implemented at the car park so vehicles would only exit next to the bus stop.

In response to a query from Councillor Laing, the Senior Planning Officer clarified that condition 6 would deal with the issue of surface water drainage and as such the developer would be required to produce a suitable scheme. It was further highlighted that Drainage Officers were satisfied with the proposals and Northumbrian Water had not raised any objections.

In response to a query from Councillor M Davinson, the Senior Planning Officer clarified that paragraph 37 related to the NPPF and that Design and Conservation could see no justification to remove the building. In terms of the replacement not being considered to be a suitable quality, Members were advised that while Design and Conservation may have preferred to see more outstanding design proposals, the Planning Authority was satisfied with them.

Councillor J Lethbridge accepted that there were highways issues however was satisfied with the explanations put forward by officers. He believed the proposals would be good improvement for Bowburn and he moved that the application be approved.

In response to a query from Councillor J Clark, Mr J White, agent, clarified that the applicant envisaged that the majority of employees would be from the local area and so would not need to park vehicles at the development. It was indeed in the developer's best interests to utilise all parking spaces for customers.

Councillor M Williams, local Member, addressed the Committee. He advised that there were drainage issues in the vicinity of the site, the manhole at the front of the premises was the first in the village to lift with foul water whenever there were drainage problems. He further advised that he and his colleague local Members had the bollards placed as well as a pedestrian crossing to try to mitigate against highway safety issues. He reiterated the issues raised by Councillor Blakey regarding traffic at a standstill through the village due to the new road layout at the roundabout.

The Senior Planning Officer advised that notwithstanding the current planning application, the public house could have been re-opened which would itself have generated traffic.

Councillor A Laing seconded the motion to approve the application and upon a vote being taken it was;

RESOLVED:- “That the application be approved subject to the conditions detailed within the report”.

b DM/14/02852/FPA – Site of Former Coxhoe Pottery, Front Street, Coxhoe

The Committee considered a report of the Senior Planning Officer regarding the erection of 30 no. dwellings including demolition of existing dwelling on site and pumping station at the site of the former Coxhoe Pottery, Front Street, Coxhoe (for copy see file of Minutes).

The Senior Planning Officer provided the Committee with a detailed presentation which included photographs of the site and a plan of the proposed layout. Members of the Committee had visited the site and were familiar with the location and setting. Further to 6 additional letters of objection being received by the Planning office since the publication of the Committee report, a number of new areas of concern were reported as follows:-

- Concern relating to the new homes being Prince Bishops Scheme homes and that such a housing model with a large number of people renting, would be inappropriate to the area. There was a suggestion that the properties would be social housing. The Senior Planning Officer clarified that the houses would not be classed as social housing but would be more affordable houses aimed initially at those to rent at the lower end of the housing market;
- Concern that hedgerow 7 near to Belgrave Court was not shown enclosed by a blue line indicating protective fencing on the submitted tree protection plan;
- Concern over land to be bought from the Council – Members were advised that the developer had gone through the appropriate channels to buy land from the Council and notice had been served on the Asset Management section;
- Concern over the rear path/track and access to the Potteries – Members were advised that land ownership had been correctly declared and officers had not noted access being restricted from the Potteries site. Though that matter had been raised at a late stage, it had been properly looked into;
- Officers unaware of the exact noise from the pumping station – Members were advised that it was considered acceptable by Environmental Health and would have the required 15 metre set off from residential properties.

Members were advised of a late letter which had been received from a local resident which raised issues relating to the temporary access to the development, the planting plan, the footpath link and the removal of trees, all issues which were dealt with within the officers report.

The Chairman took the opportunity to advise that he knew one of the speakers on the application, Mr K Tallentire. Both Mr Tallentire and the Chairman were board

members on the Mid Durham Area Action Partnership and the Chairman advised that was the only capacity in which he knew the speaker. He therefore remained in the chair throughout the discussion and determination of the application.

Mrs K Fisher, local resident, addressed the Committee to speak in objection to the application. Members were advised that the development land was a largely greenfield site falling outside the settlement boundary of Coxhoe as defined in the County Plan and was contrary to the Coxhoe Parish Plan.

In relation to the revised plans which had been submitted, Mrs Fisher felt that the estate would be overly dense at 30 properties. The demographic of house type was not diverse being mainly semi-detached and terraced houses. The design and appearance was not interesting or of good quality and construction materials were not in character with the surrounding properties and Mrs Fisher advised that this deviated from the extant outline planning approval for 24 houses. It was highlighted that the Council's Design and Conservation Team and Coxhoe Parish Council had objected to the development.

Members were advised that all of the 30 properties in the ownership of Prince Bishops Homes would be rented to tenants for the first 4 years with an option, not an obligation, to buy under a "buy to rent" scheme. Mrs Fisher advised that even if 30% of the tenants chose to take up the option after 4 years there would still be 21 houses remaining tenanted. It was felt that this would not fit in with the surrounding demographic of properties which were all privately owned.

Mrs Fisher advised that the privacy amenity that the residents of Belgrave Court had been afforded by the hedgerow lying to the front of their properties for over 40 years, would be adversely affected by the removal of any part of this it. The Committee was advised that the hedgerow was owned by Durham County Council and was referred to in the Arboricultural Method Statement dated 15/1/15 and was shown numbered "7" on the plan thereto.

To enable dual access and egress from the development to Front Street, Mrs Fisher advised that the owner/developer entered into an Agreement to purchase part of "hedge 7" from the Council's Assets Department for an undisclosed sum, only upon the circumstance of the approval of the Planning Application. Members were advised that the owner/developer did not own the current access track to the development nor did they have a legal right of access to the development at the point shown on the revised layout plan. The widened access and development would cause a substantial increase in vehicular traffic and noise particularly for the residents of 1 The Pottery and Belgrave Court.

Mrs Fisher advised that the access track to the development was only currently used by Ivy Cottage and Fairview. The development was likely to increase that usage by approximately 60 vehicles. Members were advised that the resident of Ivy

Cottage frequently drove in and out of his property many times a day due to his taxi business located in Coxhoe. To do that manoeuvre, the Committee was advised that he was required to either reverse in or out of the access track, as there was no turning point within his property. Although such a manoeuvre was currently carried out safely as there was a lay by off the main road that allowed a turn to be done safely, Mrs Fisher advised that should the development proceed then the gentleman and his family would be reversing directly onto an estate road used by a possible 60 vehicles. It was feared that would be unsafe for both vehicular and pedestrian users of that road.

The Committee was advised that the Council's own Landscape Team had expressed concern at the lack of an upfront landscaping scheme which could severely affect the visual amenity of all the surrounding properties. Mrs Fisher also advised that part of the land was contaminated with asbestos, other hazardous materials and invasive vegetation. Local residents were concerned that contaminants might become airborne or infect the water table adversely affecting adjoining properties.

Mr I Walker, local resident, addressed the Committee to speak in objection to the application. Mr Walker believed that deals in relation to land ownership had been done incorrectly and should have been subject to a tendering process.

He felt that the proposals were for an undesirable design of properties which would not be in keeping with properties in the surrounding area. Mr Walker queried who would want to buy any of the properties if they would be surrounded by neighbours who were renting social housing.

In relation to the pumping station, Mr Walker advised that such stations were prone to breakdown and so he queried who would be responsible for any related maintenance and repairs.

The Senior Planning Officer responded to the points raised as follows:-

- It was accepted that the removal of the hedge would cause some disturbance and so a landscaping scheme could be preserved by way of a condition;
- In relation to land ownership, it was reiterated that the developer had served the correct notice on the current owner and the Council;
- Pumping Station – It would be in no-ones interest for the pumping station to breakdown and the agent for the applicant would clarify the plans for maintenance.

The Solicitor responded to points raised as follows:-

- In relation to the land issues which had been raised, the Committee was advised that the developer was permitted to apply for planning permission on land not within their ownership;

- Issues regarding legal rights of access over a track were private legal issues and not for consideration by the Committee;
- Land – issues relating to the purchasing of land were private legal issues and not for consideration by the Committee.

Mr K Tallentire, Prince Bishops Homes, addressed the Committee. Members were advised that Prince Bishops Homes was a subsidiary of Derwentside Homes and its main objective was to help residents onto the property ladder through rent to buy housing schemes. After a period of rental, occupiers could apply to purchase their property and any increase in the value of the property would be split 50/50 with Prince Bishops Homes, the occupier could then use their share as a deposit. Residents had to be in full time employment and properties were priced in accordance with market rent. Any profits accrued by Prince Bishops Homes were recirculated to the registered social housing provider, there were no stakeholders.

The application site was a brownfield site and was contaminated with Japanese Knotweed and asbestos, which would be professionally cleared in order to provide much needed start up homes.

Members were advised that the pumping station would be adopted by Northumbrian Water and the access road would improve the access to the site.

In response to a query from Councillor J Blakey, local Member, the Senior Planning Officer clarified that there was no regular s106 arrangement on the application as there were a series of high associated costs which would be incurred by the developer, relating to the clearance of the contaminated land and the siting of the pumping station.

Councillor J Blakey addressed the Committee. Members were advised that in late 2014 a serious road traffic accident had occurred just 100 yards from the access to the development site, at peak time. As such, there were concerns locally regarding highway safety.

Councillor Blakey advised that the local school was full and would not be able to accommodate children from a 30 dwelling development, especially as another 200 homes were being developed nearby.

It was hoped that specialists would be contracted to remove the Japanese Knotweed and the asbestos and Councillor Blakey also raised objections to the application in relation to the land sale issue.

The Senior Planning Officer responded to the points raised as follows:-

- Japanese Knotweed/Asbestos – issues relating to the contaminated land would be conditioned through an ecology report, requiring professional removal of the contamination;
- Education – The Education Department had confirmed there were sufficient local school spaces.

Mr S Bell, agent for the applicant, addressed the Committee. He clarified that in relation to asbestos, there were fibres both in and on the ground which were friable. The developer had a remedial specialist who would provide both suppression and monitoring of the site. Removal would be undertaken by a specialist removal contractor.

The same would happen in relation to the Japanese Knotweed, which was located on the boundary of the site and so in seeing to its removal, the developer was safeguarding against potential spread into neighbouring properties.

Councillor Bleasdale was pleased that the Japanese Knotweed would be removed from the site, however expressed concerns that some of the properties could suffer from overshadowing.

Councillor M Williams, local Member, addressed the Committee. He was surprised that the Environment Agency had not raised any objections to the scheme and he also advised that as local Member, he had repeatedly requested that a traffic survey be undertaken in the area. His requests had been refused despite him raising highway related issues.

The Highways Officer clarified that the 30 dwellings would generate 17 two way vehicle movements per peak hour and not all of those vehicles would be on the network at the same time. Members were further advised that the Highways Authority had no concerns relating to the A177 and Station Road junction.

In response to a query from Councillor A Laing, the Senior Planning Officer clarified that the pumping station was not a large piece of machinery, rather it was a cabinet underneath the ground which would be 2 sunken chambers which pumped to the main sewer. The standard requirement was met in that the station would be located 15 metres away from residential properties. The option of altering the location of the pumping station had been explored, however it had to be located where planned because that would be on the lowest point of the application site.

In response to a query from Councillor M Williams, the Senior Planning Officer clarified that the developer would be responsible for the monitoring of the contaminated land and as such would be required to undertake a series of land surveys. Environmental Health legislation would likely regulate decontamination works. Furthermore, attention was drawn to a condition which would be applied should permission be granted which would require a further phase 2 study to be undertaken.

In response to a query from Councillor A Bell, the Senior Planning Officer clarified that the Planning Policy Team had been consulted and had not raised any objections to the application. The site was considered a sustainable location and already had a live permission on it for 24 dwellings.

Councillor A Bell raised concerns regarding the lack of s106 contributions, though he acknowledged the reasons that had been cited by officers and he agreed that the site was an eyesore, in urgent need of attention.

Councillor M Davinson raised concerns regarding the modest design proposals of the dwellings and he also queried whether visitor parking was to be provided.

The Senior Planning Officer acknowledged that the design proposals were modest, however highlighted that the site was off the main highway and so relatively out of sight. The proposed dwellings would not necessarily be out of keeping with the character of the area as there were neighbouring properties which were brick and rendered. It was believed that cost was the main reason for the modest design.

The Highways Officer clarified that there were plans for some laybys at the entrance to the development site which could be used for visitor parking, and this was satisfactory. There was also visitor parking at the lower end of the site near the pumping station which might not be as well used and might result in some off street parking, though the Highways Authority did not believe this would be serious enough to raise any objections.

Mr K Tallentire clarified that Prince Bishops Homes would be happy to negotiate s106 arrangements with the Planning Authority should properties end up being sold in the future prior to being within prince bishops scheme for 4 years.

Councillor Lethbridge acknowledged that the development site was an eyesore and in desperate need of development, however he would have preferred to have seen proposals of better design.

Councillor Kay found that the only material issues which had been raised had been those relating to off street parking and highway issues, all of which had been fully explained by officers.

He was in support of the initiative which would assist people to get onto the housing ladder and he noted that the proposals complied with the NPPF.

Councillor Freeman concurred with Councillor Kay, noting that the site already had permission for 24 dwellings, as such the issue of whether the site was suitable for development could not actually be revisited. He felt that the model being used by Prince Bishops Homes would probably be more widely used in the future.

In response to a concern raised by Councillor A Bell, the Solicitor highlighted that the recommendation was to approve the application subject to a S106 legal agreement to secure the Prince Bishops housing model which was proposed. The Committee was advised that the purpose of such an agreement would be to secure the delivery of the types of homes which were being proposed, as the viability appraisal took account of the number of abnormalities associated with the development. Additional obligations were unlikely to pass the legal tests for imposition although further negotiations could be had with the developer on a voluntary basis.

Seconded by Councillor A Laing, Councillor C Kay moved approval of the application.

RESOLVED:- “That the application be approved subject to a Section 106 legal agreement to secure the Prince Bishops housing model proposed and subject to the conditions detailed within the report”.

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	DM/14/03708/FPA
FULL APPLICATION DESCRIPTION:	New car showroom with ancillary service workshop, external forecourt and parking, offices and a café.
NAME OF APPLICANT:	Mike Pulman Holdings Ltd
ADDRESS:	Land to the south of New Ferens Park, Belmont Business Park, Durham
ELECTORAL DIVISION:	Belmont
CASE OFFICER:	Chris Baxter Senior Planning Officer 03000 263944 chris.baxter@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

The Site

1. The application site comprises of a vacant area of shrub land located south of New Ferens Park which is within the Belmont Business Park. To the north of the site is New Ferens Park football stadium, with the football leisure facility known as Soccarena to the north west. Directly to the east is the main spine road which runs through the industrial estate with office buildings located beyond. There is highway directly to the south with the Broomside Park public house and Premier Inn Hotel sited beyond. To the south west there are the car dealerships Cooper Durham Mini and SG Petch Nissan.
2. It is noted that the site is allocated in the City of Durham Local Plan as an employment site.

The Proposal

3. Planning permission is sought for the construction of a new car showroom which would include an ancillary service workshop, external forecourt and parking along with offices and a café. The car showroom would be used as a Skoda Dealership.
4. The proposed building which would incorporate the showroom, workshop, office and café would be located to the east of the site. The majority of the parking along with the the bin store and wash bays would be located to the west. Customer parking would be located along the east boundary and there would be a car display area along the south boundary. Access to the site would be from the highway to the south directly opposite the Premier Inn Hotel.
5. The proposed building is the standard Skoda model design which is a simple box design with a flat roof. The building would measure 52 metres in length by 22 metres

in width and would have a height of 8 metres. It would be constructed from a mix of colour coated cladding, glazing, vinyl graphic panels and aluminium edgings. Landscaping strips are proposed along the south and east boundaries of the site with tubular steel barriers along the edges of the site. The internal parking, pedestrian and road areas would be finished in a mixture of concrete, tarmac and block pavements.

6. The application is reported to the Planning Committee as it constitutes a major application.

PLANNING HISTORY

7. No planning history on this site relevant to the determination of this application.

PLANNING POLICY

NATIONAL POLICY:

8. The Government has consolidated all planning policy statements, guidance notes and many circulars into a single policy statement, the National Planning Policy Framework (NPPF), although the majority of supporting Annexes to the planning policy statements are retained. The overriding message is that new development that is sustainable should go ahead without delay. It defines the role of planning in achieving sustainable development under three topic headings – economic, social and environmental, each mutually dependant.
9. The presumption in favour of sustainable development set out in the NPPF requires local planning authorities to approach development management decisions positively, utilising twelve ‘core planning principles’.
10. The following elements are considered relevant to this proposal;
11. *NPPF Part 1 – Building a Strong and Competitive Economy.* The Government attaches significant weight on the need to support economic growth through the planning system. Local Planning Authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century.
12. *NPPF Part 4 – Promoting Sustainable Transport.* Encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. Developments that generate significant movement should be located where the need to travel will be minimised and the use of sustainable transport modes maximised.
13. *NPPF Part 7 – Requiring Good Design.* The Government attaches great importance to the design of the built environment, with good design a key aspect of sustainable development, indivisible from good planning.
14. *NPPF Part 8 – Promoting Healthy Communities.* The planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Developments should be safe and accessible; Local Planning Authorities should plan positively for the provision and use of shared space and community facilities. An integrated approach to considering the location of housing, economic uses and services should be adopted.

15. *NPPF Part 11 – Conserving and Enhancing the Natural Environment.* The Planning System should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests, recognising the wider benefits of ecosystems, minimising the impacts on biodiversity, preventing both new and existing development from contributing to or being put at unacceptable risk from pollution and land stability and remediating contaminated or other degraded land where appropriate.

The above represents a summary of the NPPF considered most relevant the full text may be accessed at:

<http://www.communities.gov.uk/publications/planningandbuilding/nppf>

LOCAL PLAN POLICY:

City of Durham Local Plan

16. *Policy E14 (Trees and Hedgerows)* sets out the Council's requirements for considering proposals which would affect trees and hedgerows. Development proposals will be required to retain areas of woodland, important groups of trees, copses and individual trees and hedgerows wherever possible and to replace trees and hedgerows of value which are lost. Full tree surveys are required to accompany applications when development may affect trees inside or outside the application site.
17. *Policy E15 (Provision of New Trees and Hedgerows)* states that the Council will encourage tree and hedgerow planting.
18. *Policy EMP5 (Prestige Industrial Sites – General)* states that the Belmont Business Park is designated as a prestige industrial site and only proposal falling within use classes B1 and B2 should be allowed.
19. *Policy T1 (Traffic – General)* states that the Council will not grant planning permission for development that would generate traffic likely to be detrimental to highway safety and / or have a significant effect on the amenity of occupiers of neighbouring property.
20. *Policy T10 (Parking - General Provision)* states that vehicle parking should be limited in amount, so as to promote sustainable transport choices and reduce the land-take of development.
21. *Policies Q1 and Q2 (General Principles Designing for People and Accessibility)* states that the layout and design of all new development should take into account the requirements of all users.
22. *Policy Q5 (Landscaping General Provision)* sets out that any development which has an impact on the visual amenity of an area will be required to incorporate a high standard of landscaping.
23. *Policy Q7 (Industrial and Business Development)* seeks to promote an attractive image of the District and thereby stimulate inward investment through the provision of well-designed buildings which are appropriate to their designation.
24. Emerging Policy

The County Durham Plan was submitted for Examination in Public in April 2014 and stage 1 of that Examination has been concluded. Paragraph 216 of the NPPF says that decision-takers may give weight to relevant policies in emerging plans according

to: the stage of the emerging plan; the extent to which there are unresolved objections to relevant policies; and, the degree of consistency of the policies in the emerging plan to the policies in the NPPF. However, the Inspector's Interim Report following stage 1 of the Examination process, dated 18 February 2015, has raised issues in relation to the soundness of various elements of the plan. The Council is currently considering the options available and in light of this it is considered that no weight should be afforded to the CDP at the present time.

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

25. *Durham County Highways Authority* has not raised any objections.
26. *Environment Agency* has raised no objections to the proposals.
27. *Northumbrian Water* has not raised any objections to the proposed development subject to a condition requiring details of foul and surface water disposal from the site.
28. *The Coal Authority* has not raised any objections to the proposed development.
29. *Belmont Parish Council* has not raised any objections but have raised concerns regarding highway and traffic issues; design and conservation; landscaping and planting; and disposal of foul and surface water from the site.

INTERNAL CONSULTEE RESPONSES:

30. *County Environmental Management* has not raised any objections to the proposals.
31. *County Ecologist* has not raised any objections.
32. *County Drainage Officer* has not raised any objections.
33. *Public Rights of Way* has no objections to the scheme.
34. *Landscape Officers* has not raised any objections but has indicated that there should be adequate structural planting along the east boundary of the site.
35. *Sustainability* fully supports the proposed scheme.
36. *Spatial Planning Policy* has not raised any objections to the proposed scheme.
37. *County Design and Conservation* has not raised any objections to the proposed development.
38. *Business Durham* has no objections to the proposed development.

PUBLIC RESPONSES:

39. The application has been advertised in the local press, a site notice was posted and neighbouring residents were notified in writing. No letters of representation have been received.

APPLICANTS STATEMENT:

40. After many years of searching for the right site in the right location, we believe that by developing this vacant site we can provide a state of the art destination facility for local customers to use and enhance the retail area.
41. We will run the dealership in a professional, well managed manner, with the intention of growing the business over future years and adding further employment to the area.

PLANNING CONSIDERATIONS AND ASSESSMENT

42. Having regard to the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004 the relevant Development Plan policies, relevant guidance and all other material planning considerations, including representations received, it is considered that the main planning issues in this instance relate to the principle of development; impact on surrounding uses; visual impact; highway issues; and other issues.

Principle of development

43. The site is allocated in the local plan under policy EMP5 as a prestige industrial site which should only permit development falling within use classes B1 and B2. A car showroom is considered to be an employment use however under the use class order this type of development is classed as 'sui generis'. From a strict policy stance the proposal could be deemed unacceptable in principle.
44. Each application has to be determined on its own merits. It is acknowledged that a car showroom is an employment use as the proposal in this application would provide 8 retail staff, 14 workshop staff, 7 office staff and 3 employees in the café. Car showrooms are common features on the edge of business parks and it is noted that there are two existing car dealerships directly adjacent to this site.
45. Business Durham was consulted on this application in order to understand the current demand for land within this location. Business Durham identified limited demand from potential occupiers within the B1 and B2 use classes. There has been no interest in this particular site and it is noted that there is vacant land still remaining within the Belmont Business Park which could accommodate future employment uses falling within the B1 and B2 use classes. Business Durham has therefore not objected to the release of the land for a car showroom business.
46. It is also noted that there is a small element proposed for a café which would be ancillary to the main use of the car showroom. A café use does not fall within the allocated B1 and B2 use. It is noted however that the café use is only a small element, and it is likely that the café would only be used by customers to the showroom and potentially people who work on the Belmont Business Park. Given the small scale nature, it is not considered that the café would compromise the viability or vitality of the Belmont Business Park.
47. Although it is acknowledged that the proposal is in conflict with local plan policy EMP5, it is considered that the release of the land for a car showroom use would not compromise the deliverability of B1 and B2 use businesses coming forward on the Belmont Business Park. The car showroom is an employment use creating approximately 32 new job opportunities within the area. The proposal is considered

acceptable in principle and would be in compliance with the economic guidance within the NPPF.

Impact on surrounding uses

48. As previously discussed, the proposed development would be located within an established business park which has a variety of uses including offices, industrial units, depots, leisure facilities and existing car showrooms. Given the nature of the business park it is not considered that the operations associated with a car showroom would have any adverse impact on surrounding neighbouring businesses.
49. It is noted however that there is a public house and a Premier Inn Hotel directly adjacent to the south of the site. The operations of the car showroom, in particular the proposed workshop element, could have the potential to impact on these businesses. The applicant has confirmed that the air conditioning/condenser units would be located to the rear of the building, situated away from the hotel and pub, therefore the proposed building would screen any noise impacts. The applicant has also confirmed that the workshop element does not operate with the doors open. The workshop is located directly opposite the entrance to the site, and to maintain an attractive appearance for customers, the applicant has indicated that the workshop doors are to be closed whenever practically possible. It is also noted that the application indicates that the hours of opening for the business would not be unusual hours, Monday to Friday – 7:30am to 7pm, Saturday 8:30am to 5pm, and Sunday 10:30am to 4:30pm. These opening times are considered to be appropriate and subsequently it is not considered any operations during these times would have an adverse impact on the amenity of the hotel and pub. The Council's Noise Officer has suggested that a condition be imposed for a sound attenuation scheme to be submitted in relation to proposed plant and machinery. A condition is recommended accordingly.
50. The Environment Agency and the Coal Authority have not raised any objections to the proposed development, and it is considered that the proposals would not have an adverse impact on flooding or stability of the land. Norhumbrian Water have also not raised any objections however they have requested the submission of details of how foul and surface water is to be drained from the site. A standard condition is recommended which will ensure these details are submitted and agreed. It is therefore considered that the site will not compromise drainage in the area.
51. Overall, it is considered that the proposals detailed in this application would not have an adverse impact on surrounding uses and the proposals would be in accordance with policies EMP5 and Q7 of the local plan.

Visual impact

52. In terms of the layout of the site, it is usually preferable to the main building fronting onto the access road and the car parking to the rear. However the nature of the business requires parking directly at the front for vehicle display. There is therefore no objection to the proposed layout with the main frontage facing the access road and the east elevation facing Belmont Business Park spine road. Concerns have been raised from both the Design Officer and Landscape Officer that the existing hedgerow along the east boundary is proposed to be removed. As previously mentioned though, the nature of the business requires car showroom sites to be open so vehicles are on display. The applicant has acknowledged the loss of the hedgerow and has provided amended layout details which show a landscaped strip along the east and south boundaries of the site. Final landscaping details would

have to be confirmed through a planning condition however it is envisaged that low level hedging and shrubbery would be appropriate.

53. The design of the building is an extensive single large shed with an unrelenting roof line with flat frontages. The Design Officer has indicated that generally there is not a problem with modern contemporary box like construction for this type of use. The Design Officer has requested some minor amendments to the building which improve its appearance. The applicant has commented on the design indicating that the building design is Skoda's corporate image and Skoda are wanting to maintain this brand identity. Whilst it is disappointing that there is an unwillingness to improve the design of the building, it is considered that the proposed box like construction, with the attractive mix of materials, would not have an adverse impact on the appearance which would justify refusal of the application.
54. Overall it is considered that the proposals are acceptable in visual terms and would be in accordance with policies EMP5 and Q7 of the local plan.

Highway issues

55. The County Highways Officer has been consulted on the proposals and no objections have been raised. Access is to be taken from the highway directly to the south of the site and this is considered acceptable. The proposed customer and staff parking meet the minimum standard parking requirements. Provision should be made for electric vehicle charging and enclosed and secure cycle parking for staff. A condition is recommended for these details to be provided prior to development commencing.
56. Recent experience of similar operations throughout the County has seen spillage of development vehicles onto verges and paved areas. In order to avoid such issues arising on the public highway the Highways Officer has requested that no waiting /no loading restriction is made at the access road junction and alongside the development. Consultation with the Councils Legal department have confirmed that it would not be appropriate to control such an issue through a planning condition as the applicants have demonstrated sufficient provision within the site.
57. Overall it is considered that the proposals would not have an adverse impact on highway safety and would be acceptable. The proposal therefore is considered to be in accordance with policies T1 and T10 of the local plan.

Other issues

58. An ecology survey of the site has been submitted with the application. The survey concludes there are no protected species located within the site. The Council's Ecology Officer has been consulted on the application and the submitted details and no objections have been raised to the proposed development. It is therefore considered that the proposals would not have an adverse impact on protected species or their habitats.

CONCLUSION

59. The release of the land for a car showroom use would not compromise the deliverability of B1 and B2 use businesses coming forward on the Belmont Business Park. The car showroom is an employment use creating approximately 32 new job opportunities within the area. The proposal is considered acceptable in principle and would be in compliance with the economic guidance within the NPPF.

60. The proposed development would be located within an established business park which has a variety of uses including offices, industrial units, depots, leisure facilities and existing car showrooms. Given the nature of the business park it is not considered that the operations associated with a car showroom would have any adverse impact on surrounding neighbouring businesses. The proposals would be in accordance with policies EMP5 and Q7 of the local plan.
61. The layout and design of the proposed development is typical of a modern car showroom business which would not appear out of place on Belmont Business Park. The proposed development would not detract from the visual appearance of the surrounding area and would be in accordance with policies EMP5 and Q7 of the local plan.
62. The County Highways Authority is satisfied that sufficient parking is available on the site for staff, visitors and the display of sale vehicles. The proposed access to the site is acceptable and would not create any highway safety concerns. It is considered that the proposals would not compromise highway safety in the area and the proposals would comply with policies T1 and T10 of the City of Durham Local Plan.
63. Finally, it is considered that the proposals would not have an adverse impact on protected species or their habitats and there would be no adverse impacts upon drainage and flooding; or coal mining issues

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.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

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

Plan Ref No.	Description	Date Received
1226 (0)01 P1	Proposed Plans	05/12/2014
1226 (0)02 P1	Proposed Elevations	05/12/2014
1226 (90)02 P4	Proposed Site Plan	24/02/2015
1226 (90)03P3	Site Surface Finishes	19/02/2015
1226 (90)05 P1	Bin Store and Car Wash Details	05/12/2014
14-0059-001	Location Plan	05/12/2014
1226 (90)04P3	Site and Roof Plan	19/02/2015

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

3. No development shall commence until a landscaping scheme has been submitted to and approved in writing by the local planning authority. The scheme shall identify those trees/hedges/shrubs scheduled for retention and removal; shall provide details of new and replacement trees/hedges/shrubs; detail works to existing trees; and provide details of protective measures during construction period. The works agreed

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

Reason: In the interests of the appearance of the area and to comply with policies Q5 and Q7 of the City of Durham Local Plan.

4. No development shall take place until a detailed scheme for the disposal of surface and foul water from the development hereby approved has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of the amenity of the area and to comply with policy U8a of the City of Durham Local Plan.

5. No development shall take place until a parking scheme showing electric vehicle charging bays and cycling provision has been submitted to and agreed in writing. The development shall be carried out in accordance with the approved details and the areas kept free for their designated purpose for the life of the development.

Reason: In the interests of highway safety and to comply with policies T1 and T10 of the City of Durham Local Plan.

6. The development hereby approved shall not be brought into use until such time as a no waiting/no loading restriction has been implemented along the highway to the south of the site in accordance with details to be first submitted to and approved in writing by the local planning authority.

Reason: In the interests of highway safety and to comply with policies T1 and T10 of the City of Durham Local Plan.

7. No development hereby approved shall take place unless in accordance with the mitigation, recommendations and conclusions within the Extended Phase 1 Habitat Survey by Argus Ecology dated 7th November 2014.

Reason: To conserve protected species and their habitat in accordance with criteria within the NPPF.

8. Before the development hereby approved is brought into use, a scheme of sound attenuation relating to the operation of plant and machinery, shall be submitted to and approved in writing by the local planning authority. The approved apparatus shall be retained and maintained in good working order at all times.

Reason: To safeguard the amenities of adjacent uses and to comply with policies Q1 and Q2 of the City of Durham Local Plan.

STATEMENT OF PROACTIVE ENGAGEMENT

64. In dealing with the application, the Local Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising during the application process. The decision has been made within target provided to the applicant on submission and in compliance with the requirement in

the National Planning Policy Framework to promote the delivery of sustainable development.

BACKGROUND PAPERS

Submitted Application Forms, Plans and supporting documentation

City of Durham Local Plan 2004

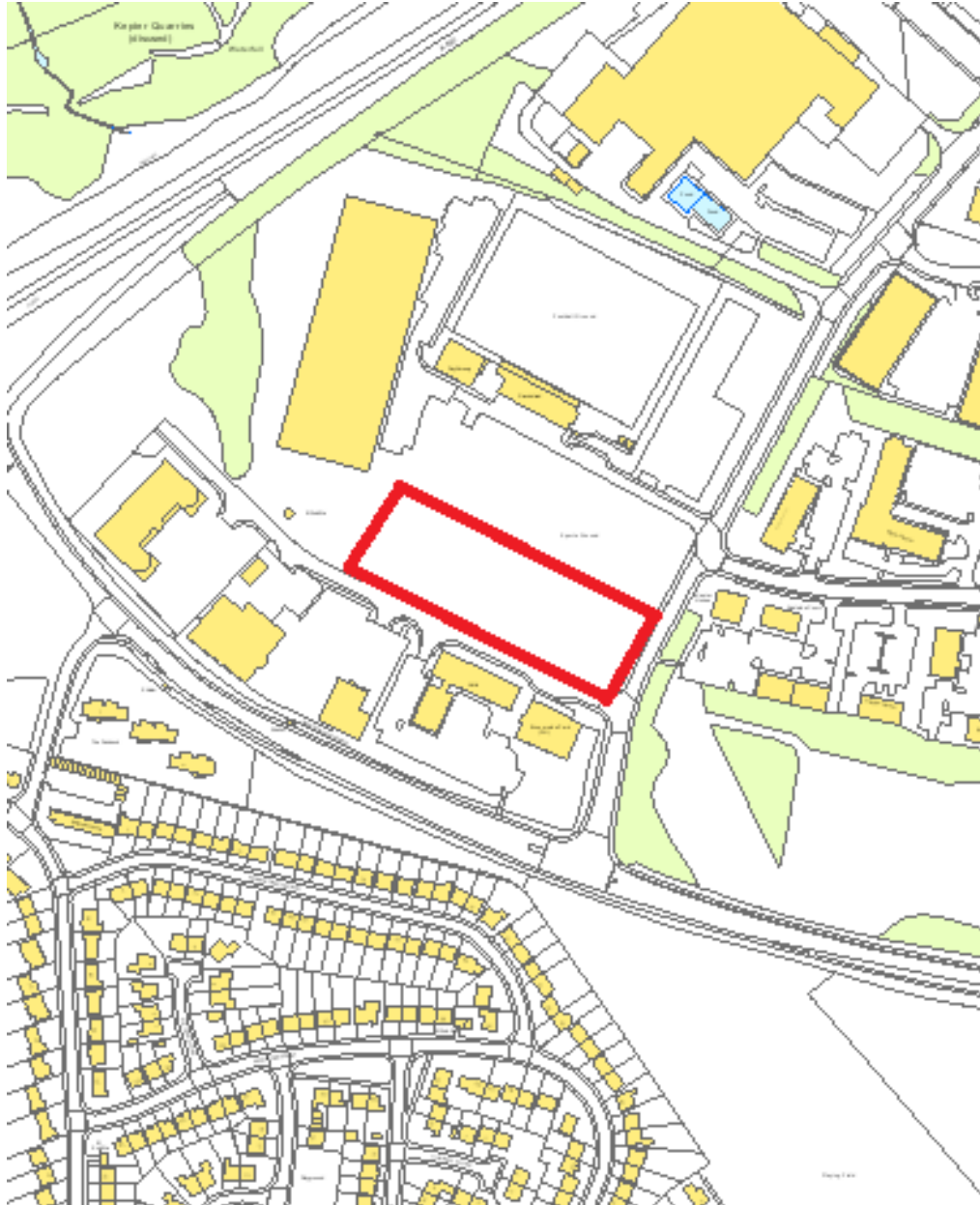
National Planning Policy Framework

Internal consultee responses

Public responses

Responses from statutory and other consultees

Planning Circular 11/95



Planning Services

New car showroom with ancillary service workshop, external forecourt and parking, offices and a café at land to the south of New Ferens Park, Belmont Business Park, Durham

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Date
10th March 2015

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COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	DM/14/03713/FPA
FULL APPLICATION DESCRIPTION:	Erection of 4 new buildings and restoration of Kepier House for use as 214no. bed student accommodation and associated landscaping.
NAME OF APPLICANT:	Gilltown Limited
ADDRESS:	Land at Mayorswell Close and Kepier Court, Durham, DH1 1JU
ELECTORAL DIVISION:	Elvet and Gilesgate
CASE OFFICER:	Chris Baxter Senior Planning Officer 03000 263944 chris.baxter@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

The Site

1. The application site is an unoccupied site located adjacent to Bakehouse Lane and Mayorswell Close in Durham. The site is also known as Kepier Court which is a short distance north east of Durham City. The site falls steeply along a south/north axis with a level change of approximately 19.5m from Bakehouse Lane to the northern site boundary.
2. The site was vacated by Durham University in 2005 and has stood vacant since this time. There are a total of 7 existing buildings on the site, formerly providing student accommodation. Kepier House is located within the centre of the site which is a Victorian, stone built former penitentiary building. The rest of the buildings are modern 1960's structures. Kepier House is not listed however the site does lie within the Durham City Conservation Area.
3. The site is surrounded by residential properties, with Ferens Close and Wearside Drive to the north, Bakehouse Lane to the south, Mayorswell Close to the east and Wear View and Kepier Terrace to the west. The site is immediately bounded by adopted highways to the south and east.

The Proposal

4. Planning permission is sought for the erection of 4 new buildings and restoration of Kepier House for use as 214no. bed student accommodation including associated landscaping. The proposed accommodation would be a mix of both studio and cluster flats with on site amenity facilities for the residents.

5. The site measures 0.7 hectares and the buildings would be laid along the boundaries of the site with a central landscaped courtyard. To accommodate the level differences across the site, the proposed blocks are designed to have a mixture of two storey, three storey and three and half storey heights. There are to be no alterations to the height of footprint of Kepier House. A new vehicular access is proposed to be taken from Mayorswell Court, which will lead into a small parking and refuse area. A Travel Plan has been submitted with this application detailing there will be no provision for student parking on the site. A secure, covered cycle store for 42 cycles is provided within the ground floor of block 3 which will be accessed by a coded entry system.
6. The proposed student blocks are to be of framed construction clad with a limited pallet of high quality materials which will consist of colour acrylic render, facing brickwork, synthetic slate roofing, colour coated standing seam or panelled cladding to gable stair towers and eaves elements. Windows and doors and also rainwater goods will generally be colour coated aluminium.
7. A landscape strategy has been submitted with the application and this seeks to retain the majority of the existing trees surrounding the site. Where trees are proposed to be removed, the introduction of new trees and shrubbery is proposed to mitigate the loss.
8. This application is referred to the Planning Committee as it constitutes a major planning application.

PLANNING HISTORY

9. A separate application to gain permission to demolish the existing buildings has been approved under reference DM/14/03329/FPA.
10. Planning permission for housing has previously been refused on this site in 2006 and the decision was upheld by a Planning Inspector at an appeal. The Planning Inspector had deemed the housing scheme acceptable in design terms and its impact on the conservation area. The Inspector dismissed the appeal on the grounds that the housing scheme did not incorporate affordable housing.

PLANNING POLICY

NATIONAL POLICY:

11. The Government has consolidated all planning policy statements, guidance notes and many circulars into a single policy statement, the National Planning Policy Framework (NPPF), although the majority of supporting Annexes to the planning policy statements are retained. The overriding message is that new development that is sustainable should go ahead without delay. It defines the role of planning in achieving sustainable development under three topic headings – economic, social and environmental, each mutually dependant.
12. The presumption in favour of sustainable development set out in the NPPF requires local planning authorities to approach development management decisions positively, utilising twelve ‘core planning principles’.
13. The following elements are considered relevant to this proposal;

14. *NPPF Part 1 – Building a Strong and Competitive Economy.* The Government attaches significant weight on the need to support economic growth through the planning system. Local Planning Authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century.
15. *NPPF Part 4 – Promoting Sustainable Transport.* Encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. Developments that generate significant movement should be located where the need to travel will be minimised and the use of sustainable transport modes maximised.
16. *NPPF Part 6 – Delivering a Wide Choice of High Quality Homes.* Local Planning Authorities should use evidence bases to ensure that their Local Plan meets the needs for market and affordable housing in the area. Housing application should be considered in the context of the presumption in favour of sustainable development. A wide choice of homes, widened opportunities for home ownership and the creation of sustainable, inclusive and mixed communities should be delivered. Where there is an identified need for affordable housing, policies should be met for meeting this need unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified and such policies should also be sufficiently flexible to take account of changing market conditions over time.
17. *NPPF Part 7 – Requiring Good Design.* The Government attaches great importance to the design of the built environment, with good design a key aspect of sustainable development, indivisible from good planning.
18. *NPPF Part 8 – Promoting Healthy Communities.* The planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Developments should be safe and accessible; Local Planning Authorities should plan positively for the provision and use of shared space and community facilities. An integrated approach to considering the location of housing, economic uses and services should be adopted.
19. *NPPF Part 10 – Meeting the Challenge of Climate Change, Flooding and Coastal Change.* Planning plays a key role in helping shape places to secure Local Planning Authorities should adopt proactive strategies to mitigate and adapt to climate change. Local Planning Authorities should have a positive strategy to promote energy from renewable and low carbon sources. Inappropriate development in areas at risk of flooding should be avoided.
20. *NPPF Part 11 – Conserving and Enhancing the Natural Environment.* The Planning System should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests, recognising the wider benefits of ecosystems, minimising the impacts on biodiversity, preventing both new and existing development from contributing to or being put at unacceptable risk from pollution and land stability and remediating contaminated or other degraded land where appropriate.
21. *NPPF Part 12 – Conserving and Enhancing the Historic Environment.* Working from Local Plans that set out a positive strategy for the conservation and enjoyment of the historic environment, LPA's should require applicants to describe the significance of the heritage asset affected to allow an understanding of the impact of a proposal on its significance.

The above represents a summary of the NPPF considered most relevant the full text may be accessed at:

<http://www.communities.gov.uk/publications/planningandbuilding/nppf>

LOCAL PLAN POLICY:

City of Durham Local Plan

22. *Policy E3 (World Heritage Site)* Protection seeks to safeguard the site and setting from inappropriate development that could harm its character and appearance.
23. *Policy E6 (Durham City Centre Conservation Area)* states that the special character, appearance and setting of the Durham (City Centre) Conservation Area will be preserved or enhanced as required by section 72 of the Planning (Listed Building and Conservation Areas) Act 1990. The policy specifically requires proposals to use high quality design and materials which are sympathetic to the traditional character of the conservation area.
24. *Policy E14 (Trees and Hedgerows)* sets out the Council's requirements for considering proposals which would affect trees and hedgerows. Development proposals will be required to retain areas of woodland, important groups of trees, copses and individual trees and hedgerows wherever possible and to replace trees and hedgerows of value which are lost. Full tree surveys are required to accompany applications when development may affect trees inside or outside the application site.
25. *Policy E15 (Provision of New Trees and Hedgerows)* states that the Council will encourage tree and hedgerow planting.
26. *Policy E16 (Protection and Promotion of Nature Conservation)* is aimed at protecting and enhancing the nature conservation assets of the district. Development proposals outside specifically protected sites will be required to identify any significant nature conservation interests that may exist on or adjacent to the site by submitting surveys of wildlife habitats, protected species and features of ecological, geological and geomorphological interest. Unacceptable harm to nature conservation interests will be avoided, and mitigation measures to minimise adverse impacts upon nature conservation interests should be identified.
27. *Policy E18 (Sites of Nature Conservation Importance)* seeks to safeguard such sites from development that would be detrimental to their nature conservation interest. These sites as well as being important for their wildlife and geological interest are also a valuable resource for amenity, recreation, education and research.
28. *Policy E22 (Conservation Areas)* seeks to preserve or enhance the character or appearance of conservation areas, by not permitting development which would detract from its setting, while ensuring that proposals are sensitive in terms of scale, design and materials reflective of existing architectural details.
29. *Policy H7 (City Centre Housing)* seeks to encourage appropriate residential development and conversions on sites conveniently located for the City Centre.
30. *Policy H13 (Residential Areas – Impact upon Character and Amenity)* states that planning permission will not be granted for new development or changes of use which have a significant adverse effect on the character or appearance of residential areas, or the amenities of residents within them.
31. *Policy H16 (Residential institutions and Student Halls of Residence)* provides for purpose-built accommodation provided that they are well related to local facilities and

are not likely to impact adversely on adjacent development or lead to community imbalance.

32. *Policy T1 (Traffic – General)* states that the Council will not grant planning permission for development that would generate traffic likely to be detrimental to highway safety and / or have a significant effect on the amenity of occupiers of neighbouring property.
33. *Policy T10 (Parking – General Provision)* states that vehicle parking should be limited in amount, so as to promote sustainable transport choices and reduce the land-take of development.
34. *Policy T20 (Cycle facilities)* seeks to encourage appropriately located, secure parking provision for cyclists
35. *Policy T21 (Safeguarding the Needs of Walkers)* states that the Council will seek to safeguard the needs of walkers by ensuring that: existing footpaths and public rights of way are protected; a safe, attractive and convenient footpath network is established throughout the City; that the footpath network takes the most direct route possible between destinations; and the footpath network is appropriately signed. Wherever possible, footpaths should be capable of use by people with disabilities, the elderly and those with young children. Development which directly affects a public right of way will only be considered acceptable if an equivalent alternative route is provided by the developer before work on site commences.
36. *Policies Q1 and Q2 (General Principles Designing for People and Accessibility)* states that the layout and design of all new development should take into account the requirements of all users.
37. *Policy Q3 (External Parking Areas)* requires all external parking areas to be adequately landscaped, surfaced, demarcated, lit and signed. Large surface car parks should be subdivided into small units. Large exposed area of surface, street and rooftop parking are not considered appropriate.
38. *Policy Q5 (Landscaping General Provision)* sets out that any development which has an impact on the visual amenity of an area will be required to incorporate a high standard of landscaping.
39. *Policy Q8 (Layout and Design – Residential Development)* sets out the Council's standards for the layout of new residential development. Amongst other things, new dwellings must be appropriate in scale, form, density and materials to the character of their surroundings. The impact on the occupants of existing nearby properties should be minimised.
40. *Policy Q15 (Art in Design)* states that the Council will encourage the provision of artistic elements in the design and layout of proposed developments. Due regard will be made in determining applications to the contribution they make to the appearance of the proposal and the amenities of the area
41. *Policy U5 (Pollution Prevention)* states that development that may generate pollution will not be permitted where it would have unacceptable impacts upon the local environment, amenity of adjoining land and property or cause a constraint the development of neighbouring land.

42. *Policy U8a (Disposal of Foul and Surface Water)* requires developments to provide satisfactory arrangements for disposing foul and surface water discharges. Where satisfactory arrangements are not available, then proposals may be approved subject to the submission of a satisfactory scheme and its implementation before the development is brought into use.
43. *Policy U11 (Development on Contaminated Land)* sets out the criteria against which schemes for the redevelopment of sites which are known or suspected to be contaminated. Before development takes place it is important that the nature and extent of contamination should be fully understood.
44. *Policy U13 (Development on Unstable Land)* will only be permitted if it is proved there is no risk to the development or its intended occupiers, or users from such instability, or that satisfactory remedial measures can be undertaken.
45. *Policy U14 (Energy Conservation – General)* states that the energy efficient materials and construction techniques will be encouraged.
46. *Emerging Policy*
The County Durham Plan was submitted for Examination in Public in April 2014 and stage 1 of that Examination has been concluded. Paragraph 216 of the NPPF says that decision-takers may give weight to relevant policies in emerging plans according to: the stage of the emerging plan; the extent to which there are unresolved objections to relevant policies; and, the degree of consistency of the policies in the emerging plan to the policies in the NPPF. However, the Inspector's Interim Report following stage 1 of the Examination process, dated 18 February 2015, has raised issues in relation to the soundness of various elements of the plan. The Council is currently considering the options available and in light of this it is considered that no weight should be afforded to the CDP at the present time.

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

47. *County Highways Authority* has not raised any objections to the proposed development.
48. *City of Durham Trust* has no raised any objections.
49. *Durham University* has not raised any objections.
50. *English Heritage* has raised no objections.
51. *Environment Agency* has not raised any objections.
52. *Natural England* has not raised any objections.
53. *Northumbrian Water* has not raised any objections however has recommended that a condition is imposed for details of surface water disposal from the site to be submitted.
54. *Police Architectural Liaison* has provided advice in terms of security around the site.
55. *The Coal Authority* has not raised any objections.

INTERNAL CONSULTEE RESPONSES:

56. *Archaeology* has not raised any objections subject to the imposition of conditions requiring a programme of archaeological work to be submitted prior to works on site.
57. *Sustainability Officer* has not raised any objections to the scheme.
58. *Environmental Management (Contamination)* has not raised any objections subject to a condition requiring the submission of a contamination site investigation report.
59. *Environmental Management (Noise/light/smoke/dust/odour)* has not raised any objections.
60. *Ecologist* has not raised any objections to the proposed development.
61. *Design and Conservation* has not raised any objections and stated that on balance the proposal presents a good quality development that will change the sites contribution to the surrounding Durham City Conservation Area from negative to positive. The impact on the non-designated heritage asset, Kepier House, would be positive through restoration and refurbishment works, and improvements to the setting. The proposals would also have no adverse impact upon the outstanding universal values of the Durham Heritage Site or its wider setting.
62. *Landscape Team* has not raised any objections to the proposed scheme.
63. *Tree Officer* has not raised any objections to the proposed scheme.
64. *Drainage Officer* has not raised any objections to the proposed scheme.
65. *Targeted Recruitment Training* has provided advice with regards to employment opportunities and training for the proposed development.
66. *Spatial Planning Policy* has not raised any objections to the proposed development.

PUBLIC RESPONSES:

67. The application has been advertised on site and in the local press. Neighbouring residents were also notified individually of the proposed development. 27 letters of representation have been received from local residents. The majority of the letters are objecting or raising concerns with the proposed development. One letter of support has been received to the proposals.
68. Objections have been raised with regards to the stability of the land and the potential impact this could have on surrounding residents. Issues have been raised with regards to highway concerns, including parking, congestion, and problems accessing the site.
69. Concerns are raised in relation to potential anti-social behaviour which can arise from students living in the area. Concerns include a potential rise in noise, litter, disruption and congestion.
70. Objections have been raised with regards to the impact the development would have on the conservation area and the appearance of the surrounding area. It is considered by local residents that the proposed scheme is too large in scale and height and would dominate the surrounding area. The design of the buildings are not

considered to be in keeping with the area. The loss of trees from the site is considered unacceptable.

71. There are concerns that the proposal would result in the loss of privacy to neighbouring properties and create overbearing and overshadowing impacts with loss of light to some properties. There is also a concern that wildlife in the area would be adversely impacted upon, including impacts upon protected species.
72. It has also been questioned whether there is a need for student accommodation, and a local resident has requested that the University should provide clarity on student numbers. It is felt that there are currently a high number of students already living in the area and there is no need further accommodation. Local residents do accept that the existing buildings used to house students however it has been explained that these were mainly graduates who lived there with families.
73. It has been stated that the proposed development is contrary to local plan policies H16, C3, H13, H7 and emerging County Plan policies 18 and 32. Some residents have indicated that housing should be built on the site. One resident has also raised the requirement for the developer to contribute towards the maintenance of public open spaces in the area.
74. The letter of support for the development indicated that the development proposals have several merits and it is hoped that the proposals are accepted.

APPLICANTS STATEMENT:

75. Gilltown Ltd has sought to redevelop vacant land at Kepier Court with the aim of re-establishing the Student Accommodation use for the site. The site was last used to provide Student Accommodation for students of Durham University and was operational up until 2005.
76. The site is within a sustainable location which will promote pedestrian, cycling and public transport links into the City Centre and Durham University as well as reusing a brownfield site which has been allowed to fall into a poor state of disrepair. As a 'zero car' development, Gilltown Ltd note that the site will only provide car parking for disabled students and members of staff.
77. Based on the positive design and heritage consultee advice from Durham County Council, it is considered that the proposed scheme will have a positive impact on the character and appearance of the surrounding Durham City Centre Conservation and the sites non-designated heritage asset, Kepier House. Additionally, the design of the development reflects the previous application for the site (Ref: 4/06/60537/FPA). Although this application was refused due to a lack of affordable housing in March 2007, the inspector at appeal considered the design of the proposal is appropriate. Gilltown Ltd considers that the development conforms to the detailed design configuration and massing guidance set out by the Planning Inspectorate.
78. Due to the Student Accommodation use of the scheme, Gilltown Ltd is aware that there may be some concerns for the amenity of surrounding residents. Based on the management arrangements in place, including onsite staff and the tenancy agreement which are detailed within the planning application, it is considered that the proposed development will not have an adverse impact on the neighbouring residents.

79. It is considered that if granted planning permission, Gilltown Ltd will bring the site back into beneficial and sustainable use which provides a more pleasant environment for the wider area.

PLANNING CONSIDERATIONS AND ASSESSMENT

80. Having regard to the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004 the relevant Development Plan policies, relevant guidance and all other material planning considerations, including representations received, it is considered that the main planning issues in this instance relate to principle of development; impact upon the character, appearance and setting of heritage assets and surrounding area; impact on residential amenity; highway safety; ecology and other issues.

Principle of development

81. The application proposes the erection of a purpose built student accommodation development on previously developed land close to Durham City Centre. The proposal would therefore be in accordance with the sustainable principles of the NPPF as the proposal demonstrates an efficient use of land with good access to services and public transport.

82. The local plan has a specific policy, H16, which relates to student halls of residence and forms of residential institutions. Policy H16 states that planning permission will be granted for such developments provided that they are situated within close proximity to services and public transport links, satisfactory standards of amenity and open space are provided for occupiers, that the development does not detract from the character or appearance of the area or from the amenities of residents and finally with regards to student halls that they either accord with the provisions of Policy C3 or that the proposal would not lead to a concentration of students to the detriment of the amenity of existing residents.

83. Policy C3 of the local plan relates to development by the University of Durham, the University are not the applicant on this proposal and therefore this policy is not strictly relevant to this particular application. The proposal is not considered contrary to Policy H16 as the site is well located in terms of local services and within easy walking distance of bus routes, local shops and University buildings.

84. A primary consideration in determining the principle of development for this scheme, is the fall back position of the site. In this instance, the site already has a lawful student accommodation use and it is recognised that the existing buildings could be brought back into use as student accommodation without the need for any planning permission. Local residents have indicated that the student accommodation was previously occupied by graduates who had families. Whilst this may have been the case, there is no restriction on the site and the existing buildings could be brought back into use and be accommodated by undergraduates. The fall back position of the site having a current student accommodation use is a material consideration and adds weight to the proposed development being acceptable in principle.

85. The NPPF emphasises the need to ensure mixed and inclusive communities mentioned at paragraph 50 and encourages that development establishes a strong sense of place and sustains an appropriate mix of uses as detailed in paragraph 58. The local area does include a mix of uses in the immediate area with residential properties surrounding the site and with some of the properties in the area already

used as student accommodation. The local area can therefore be considered to have a mixed use character which could be expected at the edge of a City Centre.

86. Given the above it is considered that the site is sustainably located in an area which has an existing mix of uses; and is previously developed land. The proposals are therefore considered to be in accordance with the presumption in favour of sustainable development as outlined in the NPPF. The development would also be acceptable in principle and in accordance with policy H16 of the local plan. Given the fall back position is that the site and the existing buildings can be accommodated by students without requiring any planning permission, this is a material consideration which supports the principle of development. The proposal would be in accordance with policies E22, H13 and Q8 of the local plan and in accordance with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Impact upon the character, appearance and setting of heritage assets and surrounding area

87. The application site is located within the eastern part of the designated conservation area within a densely developed residential area. The development of the site and the significance of Kepier House is well documented within the detailed supporting heritage statement, rightly identifying the building as being of some significance in the historic development of this part of the conservation area. It is a substantial detached 1850's building originally constructed as Durham County Penitentiary, and because of this use and subsequent character it is a rarity within the city centre. The building has a well preserved building plan, retains some original features with the external character summarised as the mass and solidity of the external walls, rhythm of the openings, and its overall appearance and aesthetic qualities derived from its functional construction.
88. The building is considered to meet the criteria in the NPPF to be considered a non designated heritage asset for its clear evidential, historical, and aesthetic values, particularly as it lies within an area dominated by modern housing. Despite its current deteriorating condition with some erosion/loss of historic fabric it continues to make a positive contribution to the surrounding designated conservation area. The adjacent 1960's blocks and other ancillary buildings/structures are of no historic or architectural interest.
89. In terms of the impact upon the conservation area the principle of redevelopment is to be supported as it has a number of benefits. The sites main heritage feature, Kepier House, would be retained and restored as a historic focal point within the development. The demolition of the later additions to Kepier House would be welcomed as these presently detract from the buildings historic character and appearance and removal would revert the asset back to its original cruciform footprint. The other existing buildings proposed to be demolished to facilitate the new built elements do not make any positive contribution to the conservation area given that they are of a 1960s construction and of no architectural quality, removal is therefore not opposed.
90. Overall, redevelopment of this site has the potential to have a positive outcome in bringing a long term vacant site back into active use, significant improvements in terms of the quality of the built form the surrounding spaces and thus visual amenity, and generally enhancing the sites contribution to the character and appearance of the designated conservation area, which is presently assessed as being negative. The proposals are positive for the future of Kepier House and would not adversely affect the Durham World Heritage Site, its setting or any noteworthy public views towards this asset, due to the lack of interaction and inter visibility.

91. The most recent relevant planning application submitted in 2006 proposed 43 apartments over three blocks with 9 town houses contained within the site. This was recommended for approval but overturned by committee, subsequently the decision was appealed by the applicant but this was dismissed by the Planning Inspectorate. Both the Conservation Officer at the time and English Heritage concluded that the scheme, at a greater density and with some larger scaled blocks than this current submission, would not harm the character or appearance of the conservation area. The appeal was dismissed as the proposal was considered to fail to meet national and local policy to secure the provision of affordable housing however the Inspector did consider the scheme to be acceptable in relation to the impact on the conservation area.
92. The proposed layout is very similar to the previous scheme comprising of four separate blocks arranged around a central landscaped communal area dissected by connecting foot ways and utilising existing access points. The arrangement of the various blocks relates effectively to the sites opportunities and constraints, orientated appropriately to follow the urban grain and terrain, and providing street frontages to both Bakehouse Lane and Mayorswell Close. They have also been effectively arranged to provide visual links into the site from the surrounding residential area notable channelling views towards the non designated heritage asset.
93. Block 1 appropriately follows the urban grain and has been reduced in plan depth and its general massing in comparison to the previous application so that it now adopts a more domestic scale to the street frontage along Bakerhouse Lane. It would still be higher than some of the adjacent properties but would not be unduly dominant. The incorporation of steps and breaks in the roof form, the breaking up of the façade into defined bays through building line modulation and clever use of varying materials would assist in reducing the blocks perceived scale and massing further, demonstrated in the corresponding coloured visualisation submitted.
94. Appropriately Blocks 2 and 3 would follow Kepier House in being built across the contours of the site while echoing the form of the terraced housing in the area by stepping down the hill. The potential impact would be lessened by the use of two separate blocks rather than presenting a continuous built up frontage. Again the incorporation of height variants and use of materials would assist in reducing the blocks perceived massing, generating a domestic scale, form and rhythm.
95. Block 4 would be of a greater scale and height, larger than the surrounding residential properties and closer to them than the exiting blocks which is a concern. But 3/4 storey town houses formed part of the previous proposal, the scale and massing of which was not considered to be contentious. This block also incorporates a number the same mitigating design measures as described above to help break up the massing and lessen its impact, with the design of the side elevation to the properties in Mayorswell Close well considered.
96. Overall, the scale and massing is less than previously proposed, the blocks follow the local urban grain, have an appropriate rhythm and articulation, and outwardly have a domestic expression. This part of the conservation area is mixed in building ages, forms, and character and taken as a whole the proposals would not be considered harmful within this local context.
97. Turning to the detail of the design, the elevations present an uncomplicated cohesive design aesthetic, which successfully integrates both contemporary and traditional components, the strong lines, vertical emphasis and regular rhythm fitting into the streetscapes yet generating a development with its own identity. A theme carried across the blocks are the stair towers projecting outwards from the elevations and

extending upwards into the roofscape and the use of cladding, a mixture of long metal strips and coloured acrylic panels, these help to create further breaking elements as well as providing visual interest.

98. The materials proposed for the construction reflect a simple limited material palette with the brick and slate taken from within the conservation area, complemented by mixed areas of cladding, with aluminium windows and doors etc appropriate to the general styling of the development. But should the application be approved then appropriate conditions relating to all building materials proposed for use should be attached to the approval certificate. A condition is recommended accordingly
99. With regards to the proposed alterations Kepier House; the alterations to the north elevation involving the removal of the existing modern unsightly external escape staircase, intrusive associated later door openings, and the insertion of new windows reflecting the existing elsewhere within the building, would result in an enhancement in the heritage assets appearance. The full height glazing at basement level is not considered to be significantly harmful to the heritage assets overall functional character and appearance, provided it is suitably designed, recessed and detailed, this should be controlled by a condition if the application is approved.
100. Additional works would involve replacement of the timber windows with aluminium. While this is not entirely satisfactory as timber would be the preferred material the major of the existing windows are replacements. Retention and repair is not considered by the applicant to be viable and there is no reason to refute this, and given the buildings unlisted status retention and upgrading of the existing windows or like for like timber replacements would be difficult to specify. But it is suggested that the proposed replacement windows are controlled by a standard planning condition to ensure the preservation of external character.
101. The above along with the proposed internal refurbishment works would result in some loss of historic fabric but this is considered to be outweighed by the fact that the conversion assists in providing a positive and sustainable future for the non designated asset in theory aiding its long term maintenance and general up keep conserving the building in a manner appropriate to its significance and for future generations.
102. An Arboricultural Impact Assessment has been submitted with the application which provides information on which trees on the site are to be retained and which are to be removed. The applicant has also given indications that replacement trees are to be planted to mitigate the loss of those trees which have to be removed. The Council's Tree and Landscape Officers have not objected to the proposed scheme. A condition is recommended for a landscaping scheme to be submitted which would ensure that new planting would be provided on the site. This would ensure proposal would be in accordance with policies E22, H13 and Q8 of the local plan and in accordance with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
103. Given the above comments it is considered that the proposed development would preserve the character and setting of the Durham City Conservation Area and would not have a detrimental impact on the appearance of the surrounding area. Overall the proposal is considered to be in accordance with policies E3, E6 and E22 of the local plan.

104. A key issue is the suitability of the site for the development having regards to the impacts upon residential amenity, more broadly regarding the potential for disturbance and noise through the concentration of students but also with regards to specific relationships with the closet properties.
105. Policy H16 of the Local Plan states student hall developments that would result in a concentration of students that would adversely detract from the amenities of existing residents will not be considered acceptable development. This is supported by Policy H13 which states that planning permission will not be granted for development that would have an adverse impact upon the character of residential areas or the amenities of residents within them. Paragraph 50 of the NPPF refers to the need to create sustainable, mixed and inclusive communities and paragraph 58 within the design section of the NPPF emphasises the need to create safe and accessible environments where crime and disorder and the fear of crime do not undermine quality of life or community cohesion.
106. The issue of the dense concentration of students and impact this may have on the residential amenity of the surrounding area is a material consideration. Whilst such behaviour associated with students often gets exaggerated along with the frequency and magnitude it is important for the confidence of all to have a well-defined management plan. The applicant already operates other student accommodation buildings similar to one proposed in this application and management plans are in operation at these other facilities. A student management plan has been submitted with this planning application. This management plan indicates that the target student market for the proposed accommodation would be postgraduates together with undergraduates in their second, third and fourth year of study. The site will be managed by a professional student management company which will have on site staff 24 hours a day, 7 days a week. The management plan provides information and plans with regards to internal and external management; tenancy agreements; fire and health and safety procedures; and traffic management. The management plans also gives a commitment which will allow for two way communication between the community and the management company as well as having sanctions in place to control any anti-social behaviour should it arise. It is fair to say that a dense residential nonstudent apartment scheme will raise from time to time some disruptive behaviour but without the control of a strong management structure relying purely on other legislation. By its very nature all existing controls will exist but in the first instance the management plan and company will be the first recourse and as such this is considered an effective method of controlling such behaviour should it occur, aided by two way communication with community representatives.
107. In terms of inter-relationships with surrounding development these all meet the requirements of the local plan in terms of facing distances between elevations and windows serving habitable rooms. Policy Q8 considers that in order to provide adequate levels of amenity and in order to maintain privacy 21m should remain between main windows serving habitable rooms. This 21 metre distance is achieved in the majority of cases. The separation distance between block 1 and the residential properties on Kepier Terrace to the south is 20.2 metres. The separation distances between blocks 2 and 3 with the residential properties on Mayorswell Close are also reduced to 20.3 metres at its minimum. Whilst it is acknowledged these distances don't meet the required 21metres, it is considered that a reduction in the separation distance by 0.8 metres (at the most) would not have an adverse impact on the amenity of the neighbouring residents. The separation distance from block 1 to the residential property on Mayorswell Close to the east is set at 16.6 metres. There are

windows proposed in the east elevation of block 1 which could potentially have some overlooking issues onto the neighbouring property. To ensure that there is no loss of privacy it is suggested that obscure glazing is installed in to the east elevation windows of block 1. A condition is recommended accordingly. The separation distance between Kepier House and the neighbouring properties to the west are not to be altered however it is recognised that the separation distance is well below the required distances. Kepier House is proposed to be used as a facilities building which incorporates common rooms, study areas, gym and TV room. It is acknowledged that the windows in the west elevation of Kepier House could provide overlooking issues onto the residential properties to the west. Therefore it is recommended that obscure glazing is installed into the west elevation windows of Kepier House. This will ensure there would be no overlooking or loss of privacy. A condition is recommended accordingly. It is also noted that the application site is set at a higher level to some of the surrounding properties in particular the properties to the north and east. Given the distance of the proposed accommodation blocks in relation to the neighbouring properties, it is not considered that the proposal would have an adverse impact in terms of overbearing or overshadowing issues.

108. Concerns have been raised from local residents regarding the stability of the site. A ground investigation report was submitted with the application, and the Coal Authority have been consulted on this report and they have not raised any objections. It is also noted that the buildings will have to be constructed in line with Building Regulations which will ensure that building structures and site foundations are safe and secure.

109. In conclusion there are no objections to the proposed development on the grounds of harm to residential amenity, either with regards to the influx of the number of students to the site nor with regards to specific relationships between the site and the nearest properties. The proposal is therefore considered to accord with policies H16 and H13 of the Local Plan as well as not being in conflict with the aims of policy Q8 to safeguard the amenity of existing and proposed occupiers.

Highway safety

110. The proposed development provides a layout which incorporates a total of five car parking spaces (including two disabled bays) which are to be used for visitors and staff.

111. The site is in an accessible location where access to sustainable transport modes is good. It is within reasonable walking and cycling distance to the city's main public transport hubs and close to the city centre and university amenities. It is located within the County Council's Controlled Parking Zone (CPZ) for Durham City in which parking is restricted to permit holders or pay and display charges. No permits would be issued for occupiers of the development to allow on street parking. The location of the site within the CPZ and the limited on site parking provision will discourage use of student cars.

112. The applicant's transport consultant has considered both traffic generation and parking demand for the development when submitting their transport assessment. It is estimated the existing student accommodation on site, when in use, generated approximately 60 two way trips per day. The limited parking availability will result in most trips being by staff, disabled students or service deliveries. The County Highways Officer considers it is likely that no significant increase in vehicular trips over and above the previous use will be generated.

113. The proposal indicates that there would be 2-3 staff working in the communal building. The scheme proposes a total of five car parking spaces which includes two disabled bays. The Council's parking standards for student accommodation within the CPZ would require 1 space per 5 members of staff and space for disabled persons. No space is required for the general student populace in a city centre development of this nature. On street parking control will ensure the site operates with minimal demand for student parking.
114. It is proposed that a total of 43 cycle parking spaces will be provided in the form of Josta two-tier cycle racks which will be located in three cycle store areas (with level access) in the basement of buildings with secure entry. This level of provision is welcomed although two tier cycle racks are difficult for users and single tier provision in the form of Sheffield Stands is the simplest and preferred option. The level of provision is in accordance with the Council's standard for student residents, however no cycle parking provision is provided for visitors. In accordance with the Council's standards 1 space per 20 students should be provided for visitors, which amounts to 11 spaces. The spaces should be at or close to entrances to individual blocks. A condition is recommended for cycling parking provision to be submitted prior to development starting on site.
115. A management plan has been submitted which puts in place a plan for start and end of terms to accommodate student arrival and departures by use of the 5 parking spaces on site. No indication has been given as to where the displaced parking will be located or the impact this will have on the disabled bays. Displacement would need to be made to City Centre off street car parks. The Highways Officer has also indicated that emergency access for the development can be achieved from Bakehouse Lane and Mayorswell Close.
116. A Framework Travel Plan has been prepared for the development. This framework recognises the need for fully approved travel planning. The Highways Officer has therefore requested that a condition is imposed to ensure an acceptable travel plan is brought forward at the opening of the development. A travel plan is considered essential to promote sustainable travel to the site and between the site and university facilities. A condition is recommended for a final travel plan to be submitted prior to the development being brought into use.
117. Given the above, it is considered that the proposed development would not have an adverse impact on highway safety in the area and the proposal would not be contrary to policies T1, T10, T20 and T21 of the local plan.

Ecology

118. The presence of a European Protected Species (EPS) is a material planning consideration. The Conservation of Habitats and Species Regulations 2010 have established a regime for dealing with derogations which involved the setting up of a licensing regime administered by Natural England. Under the requirements of the Regulations it is an offence to kill, injure or disturb the nesting or breeding places of protected species unless it is carried out with the benefit of a licence from Natural England.
119. Notwithstanding the licensing regime, the Local Planning Authority must discharge its duty under the regulations and also consider these tests when deciding whether to grant permission for a development which could harm an EPS. A Local Planning Authority failing to do so would be in breach of the regulations which requires all public bodies to have regard to the requirements of the Habitats Directive in the exercise of their functions. Regulation 9(3) of the Conservation of Habitats and

Species Regulations 2010 requires local planning authorities to have regard to the requirements of the Habitats Directive in exercising its functions the Local Planning Authority must consider a detailed assessment against the 3 no. "Derogation tests" of the Habitats Directive.

120. An ecological assessment of the site along with a bat survey was submitted with the application and this indicated that there are bats present on the site. Mitigation measures are proposed which would ensure that bat roosts are provided within the buildings and ensure that bats will have a habitat in this location. The submitted assessments have been analysed by the County Ecologist. The County Ecologist has confirmed that there are no objections to the findings of the assessment or the proposed mitigation measures. A condition is recommended ensuring that the mitigation measures are adhered too, and this condition is recommended accordingly. The County Ecologist has no objections to the proposed scheme and it is considered that Natural England are likely to issue a license. Subsequently it is not considered that the proposed development would have an adverse impact on protected species or their habitats and would be in accordance with part 11 of the NPPF.

Other issues

121. The County Archaeologist has not raised any concerns with regards to the proposed development however a condition is requested for a programme of archaeological work to be undertaken prior to works commencing. A condition is recommended accordingly.

122. Whilst it is noted that there are some landscaped public areas designed into the proposed scheme, there is no formal open space or public recreational space proposed. In accordance with policies R1 and R2 of the local plan financial contributions towards open space provision within the area can be sought from the developer and this can be sought by a section 106 legal agreement. The Council also encourage the provision of artistic elements in the design and layout of new development. In accordance with Q15 contributions towards public art can also be secured through section 106 legal agreement. It is therefore recommended that development is recommended subject to the signing of a section 106 legal agreement for contributions towards open space, recreational facilities and public art within the near locality. These contributions would be in accordance with policies R1, R2 and Q15 of the local plan.

CONCLUSION

123. The proposed development is considered acceptable in principle as it is sustainably located in an area which has an existing mix of uses; and is previously developed land. The land is located within the defined settlement boundaries and is not allocated for a specific use. The fall back position of the site is material consideration in this application. The site and the existing buildings last use was for student accommodation, and it is noted that these buildings can be occupied by students without the need for any planning permission. The proposals are therefore considered to be in accordance with the presumption in favour of sustainable development as outlined in the NPPF. The development would also be acceptable in principle and in accordance with policy H16 of the local plan.

124. The proposed development has been sensitively designed and it is considered that the proposal would preserve the character and setting of the Durham City Conservation Area and would not have an adverse impact on the appearance of

the surrounding area. Overall the proposal is considered to be in accordance with policies E1, E3, E6, E10, E22, E23 and E24 of the local plan.

125. The proposed development would not create adverse harm to residential amenity, either with regards to the influx of the number of students to the site nor with regards to specific relationships between the site and the nearest properties. The residential amenities of existing and future occupiers of surrounding neighbouring properties as well as occupiers of the proposed development would not be adversely compromised. The proposal is therefore considered to accord with policies H16 and H13 of the Local Plan as well as not being in conflict with the aims of policy Q8 to safeguard the amenity of existing and proposed occupiers.

126. No objections have been received from the County Highways Officer. The site is considered in a sustainable location with good pedestrian and public transport links to shops, services and public facilities. Sufficient parking and drop off/pick up areas have been secured on site and the access to the site is considered acceptable. Cycle parking provision has been provided in safe and secure locations on the site. It is therefore considered that the proposed development would not have an adverse impact on highway safety in the area and the proposal would not be contrary to policies T1, T10, T20 and T21 of the local plan.

RECOMMENDATION

That the application be **APPROVED** subject to the signing of a Section 106 legal agreement to secure the payment of commuted sums towards open space, recreational facilities and public art in the locality and 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.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

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

Plan Ref No.	Description	Date Received
01 A	Site location Plan	06/01/2015
02	Site Plan	06/01/2015
10 L	Proposed Site Plan	27/02/2015
12 A	Site Sections AA and BB	06/01/2015
13 A	Site Sections CC and DD	06/01/2015
16 C	Block 1 – Plans	06/01/2015
17 B	Block 1 – Plans	06/01/2015
18 C	Block 1 – Elevations	06/01/2015
19 B	Block 1 – Roof Plan	06/01/2015
20 E	Block 2 – Plans and Sections	06/01/2015
21 B	Block 2 – Elevations	06/01/2015
24 C	Block 3 – Plans	06/01/2015
25 B	Block 3 – Roof Plan and Sections	06/01/2015
26 E	Block 3 - Elevations	06/01/2015
27 D	Block 4 – Plans	06/01/2015
28 E	Block 4 – Plans	06/01/2015
29 D	Block 4 – Plans and Roof Plan	06/01/2015

30 E	Block 4 – Elevations	06/01/2015
31 C	Block 4 – Elevations and Sections	06/01/2015
33 E	Kepier House Proposed Plans	06/01/2015
34 C	Keperi House Proposed Elevations	06/01/2015

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

3. Notwithstanding any details of materials submitted with the application no development shall commence until details of the external walling, roofing materials, windows details and hardsurfacing have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details.

Reason: In the interests of the appearance of the area and to comply with policies E3, E6 and E22 of the City of Durham Local Plan.

4. No development shall commence until details of means of enclosures have been submitted to and approved in writing by the Local planning authority. The development shall be undertaken in accordance with the approved details.

Reason: In the interests of the appearance of the area and to comply with policies E3, E6 and E22 of the City of Durham Local Plan..

5. No development shall take place until a detailed scheme for the disposal of surface and foul water from the development hereby approved has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of the amenity of the area and to comply with policy U8a of the City of Durham Local Plan.

6. The development hereby approved shall not be occupied until a Travel Plan conforming to The National Specification for Workplace Travel Plans PAS 500:2008, Bronze Level, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details. Prior to the bringing into use of the development a Travel Plan Coordinator shall be appointed and contact details for this person shall be provided in writing to the Local Planning Authority'

Reason: In the interests of highway safety and to comply with policy T1 of the City of Durham Local Plan.

7. No development approved by this permission shall be commenced until:
 - a) the application site has been subjected to a detailed site investigation report for the investigation and recording of contamination and has been submitted to and approved by the LPA;
 - b) should contamination be found, detailed proposals for the removal, containment or otherwise rendering harmless such contamination (the 'contamination proposals') have been submitted to and approved by the LPA;
 - c) for each part of the development, contamination proposals relevant to that part (or any part that would be affected by the development) shall be carried out either before or during such development;
 - d) if during development works any contamination should be encountered which was not previously identified and is derived from a different source and/or of a different

type to those included in the contamination proposals then revised contamination proposals shall be submitted to the LPA; and

e) if during development work, site contaminants are found in areas previously expected to be clean, then their remediation shall be carried out in line with the agreed contamination proposals.

Reason: To remove the potential harm of contamination in accordance with Policy U11 of the City of Durham Local Plan 2004.

8. Before the development hereby approved is occupied details of all lighting shall be submitted to and approved in writing by the local planning authority. The lighting shall be implemented in accordance with the agreed details.

Reason: In the interests of residential amenity and to comply with policies EMP11 and H13 of the City of Durham Local Plan.

9. Before the development hereby approved is occupied details of ventilation and glazing combinations, and details of proposed plant machinery shall be submitted to and approved in writing by the local planning authority. The development shall be constructed in accordance with the approved details and permanently retained thereafter.

Reason: To safeguard the residential amenity of neighbouring residents and to comply with policies H13 and Q8 of the City of Durham Local Plan.

10. 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 in accordance with a mitigation strategy document that shall be 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 field work 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 Principal Archaeologist of the commencement of archaeological works and the opportunity to monitor such works.

Reason: To comply with criteria detailed in the NPPF as the site is of archaeological interest.

11. Prior to the development being beneficially occupied, a copy of any analysis, reporting, publication or archiving required as part of the mitigation strategy shall be deposited at the County Durham Historic Environment Record.

Reason: To comply with paragraph 141 of the NPPF which ensures information gathered in terms of archaeological interest becomes publicly accessible.

12. No development shall commence until a landscaping scheme has been submitted to and approved in writing by the local planning authority. The scheme shall identify those trees/hedges/shrubs scheduled for retention and removal; shall provide details of new and

replacement trees/hedges/shrubs; detail works to existing trees; and provide details of protective measures during construction period. The works agreed to shall be carried out within the first planting season following completion of development of the site and shall thereafter be maintained for a period of 5 yrs following planting. Any trees or plants which die, fail to flourish or are removed within a period of 5 years from the substantial completion of the development shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of the appearance of the area and to comply with policies E3, E6 and E22 of the City of Durham Local Plan.

13. No development hereby approved shall take place unless in accordance with the mitigation, recommendations and conclusions within the protected species reports, Bat Risk and Activity Survey Report Final2 (dated 17/02/2015) and Extended Phase 1 Habitat Survey (dated October 2014) by Eco North Ecological Consultants.

Reason: To conserve protected species and their habitat in accordance with criteria within the NPPF.

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) the glass to be used in the east boundary elevation windows of block 1 and west boundary elevation windows of Kepier House shall be obscure to level 3 or higher of the Pilkington scale of privacy or equivalent.

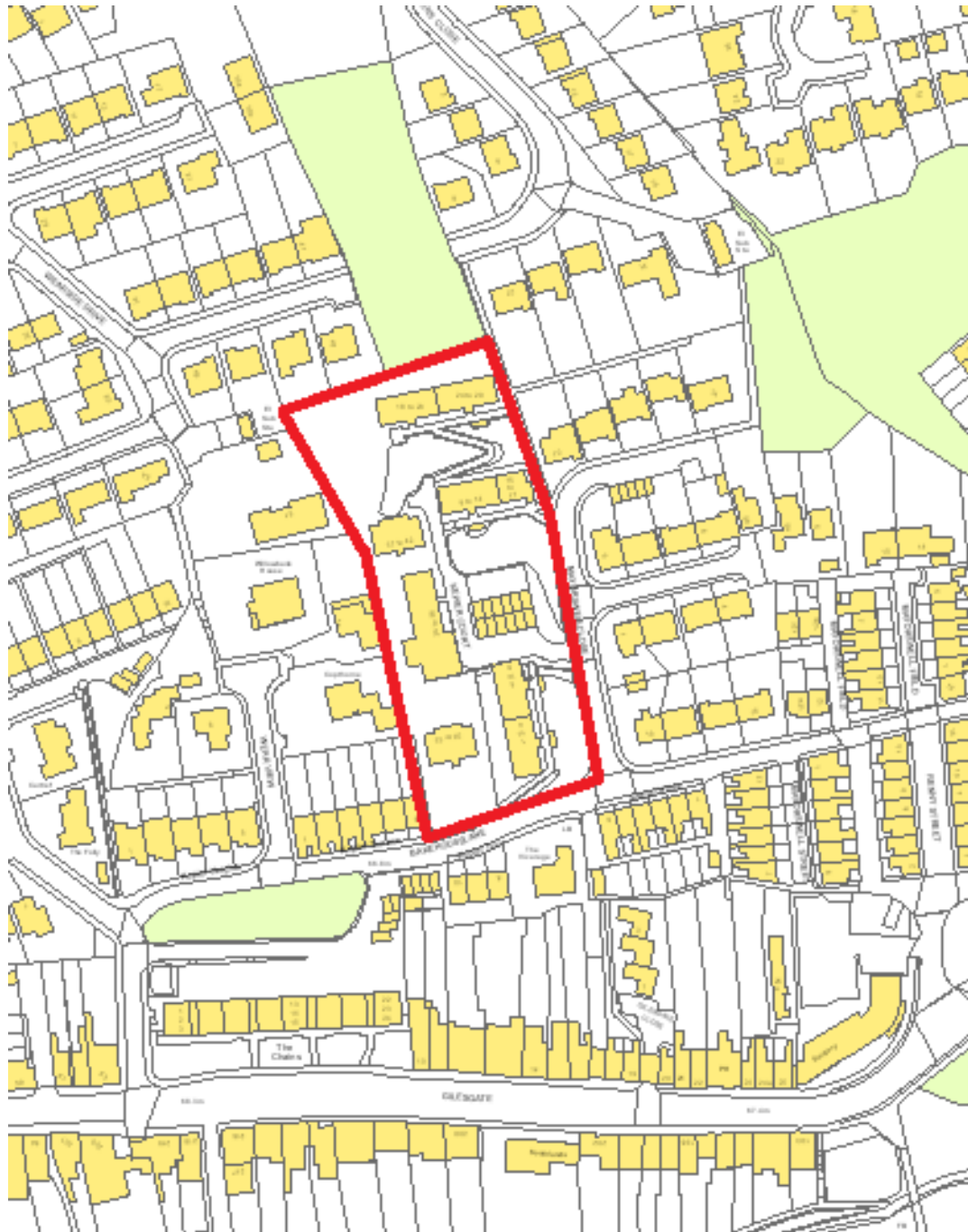
Reason: In the interests of residential amenity and to comply with policy Q8 of the City of Durham Local Plan.

STATEMENT OF PROACTIVE ENGAGEMENT

In dealing with the application, the Local Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising during the application process.

BACKGROUND PAPERS

Submitted Application Forms, Plans and supporting documentation
City of Durham Local Plan 2004
National Planning Policy Framework
Internal consultee responses
Public responses
Responses from statutory and other consultees
National Planning Policy Guidance



Planning Services

Erection of 4 new buildings and restoration of Kepier House for use as 214no. bed student accommodation and associated landscaping at land at Mayorswell Close and Kepier Court, Durham, DH1 1JU

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Date
10th March 2015

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COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	DM/14/03871/OUT
FULL APPLICATION DESCRIPTION:	Outline application for 10no. properties (all matters to be considered except landscaping)
NAME OF APPLICANT:	Haswell Developments Ltd
ADDRESS:	Land between 3 Church Villas and 7 Rectory View, Shadforth, Durham
ELECTORAL DIVISION:	Sherburn
CASE OFFICER:	Chris Baxter Senior Planning Officer 03000 263944 chris.baxter@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

The Site

1. The application site comprises of a parcel of land situated between 3 Church Villas and 7 Rectory View in Shadforth. The site is currently open agricultural land with the adopted highway bordering the site to the east. Open fields are located to the west. The residential properties of Rectory View are located to the north and properties of Church Lane to the south. The grounds of St. Cuthbert's Church are situated to the east beyond the highway. The application is located within the Shadforth Conservation Area.

The Proposal

2. Outline planning permission is sought for 10no. residential units. All matters, except landscaping, are to be considered within this application. This therefore means that access, appearance, layout and scale are to be considered as part of this application. The proposed layout shows a row of detached and semi-detached properties along the main road. Access is to be taken directly from Church Lane and would lead to parking area to the rear of the properties. The proposed properties are to be simple two storey design, with red/brown facing brickwork, blue/grey Spanish slates, natural stone heads and cills, with brown upvc mock sliding sash windows. Car ports are also proposed to the rear of the properties.
3. The application is reported to the Planning Committee as it constitutes a major development.

PLANNING HISTORY

4. Members may recall that outline planning permission was refused on this site at a planning committee in July 2014. The proposal was for 10no. residential units. Planning permission was refused for the following reasons:
 - The development is contrary to policies H3, H4 and H5 of the City of Durham Local Plan, as the site is located outside the defined settlement boundaries and the development does not constitute the definition of infill development; and
 - The proposed development would not preserve or enhance the character, setting or appearance of the Shadforth Conservation Area and would be in conflict with criteria detailed in Parts 11 and 12 of the National Planning Policy Framework.

PLANNING POLICY

NATIONAL POLICY:

5. The Government has consolidated all planning policy statements, guidance notes and many circulars into a single policy statement, the National Planning Policy Framework (NPPF), although the majority of supporting Annexes to the planning policy statements are retained. The overriding message is that new development that is sustainable should go ahead without delay. It defines the role of planning in achieving sustainable development under three topic headings – economic, social and environmental, each mutually dependant.
6. The presumption in favour of sustainable development set out in the NPPF requires local planning authorities to approach development management decisions positively, utilising twelve 'core planning principles'.
7. The following elements are considered relevant to this proposal;
8. *NPPF Part 1 – Building a Strong and Competitive Economy.* The Government attaches significant weight on the need to support economic growth through the planning system. Local Planning Authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century.
9. *NPPF Part 4 – Promoting Sustainable Transport.* Encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. Developments that generate significant movement should be located where the need to travel will be minimised and the use of sustainable transport modes maximised.
10. *NPPF Part 7 – Requiring Good Design.* The Government attaches great importance to the design of the built environment, with good design a key aspect of sustainable development, indivisible from good planning.
11. *NPPF Part 8 – Promoting Healthy Communities.* The planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Developments should be safe and accessible; Local Planning Authorities should plan positively for the provision and use of shared space and community facilities. An integrated approach to considering the location of housing, economic uses and services should be adopted..
12. *NPPF Part 11 – Conserving and Enhancing the Natural Environment.* The Planning System should contribute to and enhance the natural and local environment by

protecting and enhancing valued landscapes, geological conservation interests, recognising the wider benefits of ecosystems, minimising the impacts on biodiversity, preventing both new and existing development from contributing to or being put at unacceptable risk from pollution and land stability and remediating contaminated or other degraded land where appropriate.

13. *NPPF Part 12 – Conserving and Enhancing the Historic Environment*. Working from Local Plans that set out a positive strategy for the conservation and enjoyment of the historic environment, LPA's should require applicants to describe the significance of the heritage asset affected to allow an understanding of the impact of a proposal on its significance.

The above represents a summary of the NPPF considered most relevant the full text may be accessed at:

<http://www.communities.gov.uk/publications/planningandbuilding/nppf>

LOCAL PLAN POLICY:

City of Durham Local Plan

14. *Policy E7 (Development Outside Settlement Boundaries)* advises that new development outside existing settlement boundaries will not normally be allowed. However, there are a number of exceptional circumstances where development outside existing settlement boundaries may be considered acceptable.
15. *Policy E22 (Conservation Areas)* seeks to preserve or enhance the character or appearance of conservation areas, by not permitting development which would detract from its setting, while ensuring that proposals are sensitive in terms of scale, design and materials reflective of existing architectural details.
16. *Policy H3 (New Housing Development within the Villages)* allows for windfall development of previously developed sites within the settlement boundaries of a number of specified former coalfield villages across the District, provided that the scheme is appropriate in scale, design location and number of units.
17. *Policy H4 (Villages with no Settlement Boundary, Ribbon Development and Sporadic Groups of Houses)* the extension or redevelopment of villages with no settlement boundary, of ribbons of development, or sporadic groups of houses will not be permitted. Infill housing at these locations will only be permitted if the development: comprises no more than a single dwelling infilling a small gap between existing buildings; and does not involve the development of an open space that is important to the street scene, and is appropriate in scale, form and materials to the character of its surroundings.
18. *Policy H5 (New Housing the Countryside)* sets out criteria outlining the limited circumstances in which new housing in the countryside will be permitted, this being where it is required for occupation by persons employed solely or mainly in agriculture or forestry.
19. *Policy H13 (Residential Areas – Impact upon Character and Amenity)* states that planning permission will not be granted for new development or changes of use which have a significant adverse effect on the character or appearance of residential areas, or the amenities of residents within them.
20. *Policy E14 (Trees and Hedgerows)* sets out the Council's requirements for considering proposals which would affect trees and hedgerows. Development proposals will be required to retain areas of woodland, important groups of trees,

copses and individual trees and hedgerows wherever possible and to replace trees and hedgerows of value which are lost. Full tree surveys are required to accompany applications when development may affect trees inside or outside the application site.

21. *Policy E15 (Provision of New Trees and Hedgerows)* states that the Council will encourage tree and hedgerow planting.
22. *Policy T1 (Traffic – General)* states that the Council will not grant planning permission for development that would generate traffic likely to be detrimental to highway safety and / or have a significant effect on the amenity of occupiers of neighbouring property.
23. *Policy T10 (Parking – General Provision)* states that vehicle parking should be limited in amount, so as to promote sustainable transport choices and reduce the land-take of development.
24. *Policy Q8 (Layout and Design – Residential Development)* sets out the Council's standards for the layout of new residential development. Amongst other things, new dwellings must be appropriate in scale, form, density and materials to the character of their surroundings. The impact on the occupants of existing nearby properties should be minimised.
25. *Policy Q15 (Art in Design)* states that the Council will encourage the provision of artistic elements in the design and layout of proposed developments. Due regard will be made in determining applications to the contribution they make to the appearance of the proposal and the amenities of the area
26. *Policy U8a (Disposal of Foul and Surface Water)* requires developments to provide satisfactory arrangements for disposing foul and surface water discharges. Where satisfactory arrangements are not available, then proposals may be approved subject to the submission of a satisfactory scheme and its implementation before the development is brought into use.
27. *Policy R2 (Provision of Open Space – New Residential Development)* states that in new residential development of 10 or more units, open space will be required to be provided within or adjacent to the development in accordance with the Council's standards. Where there is an identified deficiency and it is considered appropriate, the Council will seek to enter into a planning agreement with developers to facilitate the provision of new or improved equipped play areas and recreational/leisure facilities to serve the development in accordance with Policy Q8.

28. Emerging Policy

The County Durham Plan was submitted for Examination in Public in April 2014 and stage 1 of that Examination has been concluded. Paragraph 216 of the NPPF says that decision-takers may give weight to relevant policies in emerging plans according to: the stage of the emerging plan; the extent to which there are unresolved objections to relevant policies; and, the degree of consistency of the policies in the emerging plan to the policies in the NPPF. However, the Inspector's Interim Report following stage 1 of the Examination process, dated 18 February 2015, has raised issues in relation to the soundness of various elements of the plan. The Council is currently considering the options available and in light of this it is considered that no weight should be afforded to the CDP at the present time.

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

29. *County Highways Authority* has not raised any objections to the proposed scheme.
30. *Environment Agency* has not raised any objections to the application.
31. *Northumbrian Water* have not objected to the proposal subject to a condition requiring the submission of details of foul and surface water discharge from the site.
32. *Shadforth Parish Council* have raised concerns regarding the proposed scheme.

INTERNAL CONSULTEE RESPONSES:

33. *Archaeology* has not raised any objections.
34. *Environmental Management* has not raised in objections in terms contamination, noise, light, smoke and dust.
35. *Sustainability Team* has not raised any objections.
36. *Ecology Team* has not raised any objections.
37. *Design and Conservation Team* has not raised any objections.
38. *Landscape Team* has not raised any objection.
39. *Tree Officer* has indicated that the trees on site should be retained.
40. *Spatial Planning Policy Team* has not raised any objections to the proposals.
41. *Public Rights of Way Team* has confirmed that there is an unregistered path which crosses through the southern fringe of the site and continues beyond the site alongside Shadforth beck.
42. *Drainage Officer* has not raised any objections to the scheme.

PUBLIC RESPONSES:

43. A press notice was issued. Site notices were also posted. Neighbouring residents were notified individually of the proposed development. 58 letters of objection have been received. Ward Councillor Mr Stephen Guy has also raised objections to the scheme.
44. One of the main areas of objection is with regards to the principle of development, in that it does not constitute infill development and would be the development of greenfield land which is in the Green Belt, situated beyond defined settlement boundaries. The proposal is considered to be contrary to the emerging County Durham Plan, paragraphs within the NPPF as well as saved policies in the City of Durham Local Plan. It has been noted that the Council's Strategic Housing Land Availability Assessment has indicated that sufficient land has been identified for housing in the County. Some residents have indicated that there is no demand or

need for housing in the area whereas one comment states that social and affordable housing is required in the area. The application has also been described as being 'garden grabbing' and not sustainable development. There are concerns that the proposed properties are too small and the area actually needs larger family homes.

45. Another primary concern is the impact the development would have on highway issues. In particular the proposed access is considered dangerous and would compromise highway safety from the increase in traffic. The proposed parking is considered excessive by some objectors and others feel future residents would end up parking on the main road. There are also concerns that the proposed access has been specifically designed in order to provide access to the field to the rear of the site, which could lead to a further application for more houses. There are also concerns that the development would lead to further on street parking.
46. Concerns have been raised with regards to the adverse impact the development would have on the village, in particular the Shadforth Conservation Area. Some residents have indicated that the site is within, or partly, within the conservation area, therefore a full planning application should be submitted. There are concerns that the layout, design and density proposed would not be in keeping with the area. The loss of trees and hedging is also considered to be unacceptable.
47. Local residents have raised issues with the impact the proposals would have on residential amenity. Concerns are raised with regards to overlooking, loss of privacy, overshadowing, increase in noise levels and potential for light pollution. Comments from residents have also objected concerned that the proposal would have an adverse impact on flooding and ecology in the area. There is also a concern that a public walk way along the south of the site would be lost and the loss of some of the hedgerow is unacceptable.
48. It has been noted that previous planning applications has restricted development on this land. Comments received indicates that there are no renewable provisions included within the development and the point is also made that Northumbrian Water are unable to comment on flooding as insufficient details are provided. Finally, one local resident has indicated that the consultation period was too short and there was insufficient time for residents to comment.

APPLICANTS STATEMENT:

49. Crucially, the recent Inspector's interim report into the emerging County Durham Plan has effectively created a whole new scenario. By dismissing land allocations in the Green Belt he has effectively taken out some 4,000 units. This means the Council can no longer demonstrate a five year housing land supply. Moreover, the serious and significant shortfall in the five year supply means that substantial weight has to be afforded to a proposal (such as the current application) which helps meet the deficit. The consequence of not being able to demonstrate the minimum of a 5 year supply is that paragraph 49 of NPPF presumes that the housing policies of the LPA are out of date. Accordingly the presumption in favour of sustainable development is engaged (para. 47 NPPF), and the evidence needed to warrant refusal of consent would have to be compelling to displace the presumption.
50. Since the previous refusal the applicant has had regard for all the concerns expressed by local residents and has fully addressed those in the current application. Despite the numerous representations against the scheme (some of which do not constitute material planning considerations) the objectors fail to demonstrate evidentially that any harm caused would be so significant and compelling as to override the presumption in favour of development of this site.

51. None of the objectors has drawn a rational 'planning balance' that properly weighs the 'pros' and 'cons' of the proposed development. By contrast, the developer's Supporting Statement has undertaken such an exercise, in which each of the objections is addressed and, in turn, vitiated. What is signal is that the Council's professional officers (both 'Policy' and 'Development Management') acknowledge that, in both policy terms and the 'planning balance', the scheme is acceptable.

PLANNING CONSIDERATIONS AND ASSESSMENT

52. Having regard to the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004 the relevant Development Plan policies, relevant guidance and all other material planning considerations, including representations received, it is considered that the main planning issues in this instance relate to principle of residential development of the site; highway and access issues; impact on surrounding area; affordable housing and section 106 contributions; and other issues. It is also considered necessary to provide clarification on the position with regards to local planning authorities receiving and determining outline planning applications within conservation areas.

Clarification on outline applications within Conservation Areas

53. Several comments have been received indicating that the proposed scheme should be submitted as a full planning application given that the site is located within a conservation area. Planning legislation does not prevent the submission of outline applications or prevent a local planning authority from determining outline applications which are within conservation areas. All matters, except landscaping, has been applied for in this outline application, and Officers are satisfied that sufficient information has been submitted in order to make a full assessment of the proposals. It is noted this application is comparable with a full application because many full applications are not submitted with final landscaping details, and are usually approved with conditions requiring landscaping details to be submitted.

Principle of development

54. The scheme proposes housing development on greenfield land that is located outside of the existing settlement boundary for Shadforth. Sites located outside of the settlement boundaries are treated against countryside policies and objectives, and there is a general presumption against allowing development beyond a settlement boundary. Consequently, the development of the site for housing would be in conflict with Policies H3, H4 and H5 of the local plan on account the proposal does not comprise previously-developed within the settlement, does not accord with the local plan definition of infill development, and does not have an agricultural workers requirement for the proposed housing. Therefore, there would need to be other material considerations to justify a departure from those policies.
55. A key material consideration in determining this application should be the NPPF. A strategic policy objective of the NPPF is to support strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs. Local planning authorities are expected to boost significantly the supply of housing, consider housing applications in the context of the presumption in favour of sustainable development, and create sustainable, inclusive mixed communities in all areas both urban and rural. Housing should be in locations which offer a range of community facilities with good access to jobs, key services and infrastructure.

56. Shadforth is recognised as a Small Village within the County Durham Settlement Study, in recognition that the village has some facilities but residents commonly need to travel to workplaces, schools and other facilities. There is a bus service which runs through Shadforth linking to nearby larger settlements including Durham City. The proposal would introduce new houses into Shadforth which could be considered a benefit as the houses would support existing facilities and services in the area as well as services in nearby villages. The NPPF promotes sustainable development in rural areas where housing is located would enhance or maintain the vitality of rural communities. In this respect it is considered that the proposed development can be classed as sustainable development, as the proposal would support the facilities and services within local community.
57. As previously stated, the application is considered to be contrary to policies H3, H4 and H5 of the local plan, as the site is located outside settlement boundaries and does not constitute infill development. In planning terms, it has generally been accepted that sites outside settlement boundaries are classed as being in the open countryside.
58. This proposal is not considered to be development encroaching into the open countryside as the site does form part of the existing built up area of Shadforth village. The site and the immediate surrounding area does have a linear built form which has a built up frontage within the village of Shadforth. The proposed linear development would link up the existing linear built form of the adjacent properties providing an established street frontage which would not encroach into the open countryside.
59. This proposal is finely balanced, given the development is contrary to policies H3, H4 and H5 of the local plan with the site being outside settlement boundaries and the development not constituting the policy H4 definition of infill development. The assessment of the proposal does need to be weighed against the benefits that the development would bring to the local community and the NPPF supports sustainable development where housing would enhance or maintain the vitality of rural communities. It is considered that the proposal would be in line with the sustainable principles of the NPPF. The development of the site is considered to be within the established linear built form of the village and would not constitute an encroachment into the open countryside.
60. On balance, given the proposal is considered to be in accordance with the sustainable principles of the NPPF, the proposed development is considered acceptable in principle.

Highway and access issues

61. Access into the site is proposed from Church Lane which leads to a parking area to the rear of the properties. 24 car parking spaces are proposed for the 10 properties which meets the highway parking standards. Given the access is supplying 10 properties, part of the access would be required to be formally adopted and this is shown on the proposed layout plan. The Highways Officer originally had concerns regarding the width of the access road however amended plans have been submitted showing the required width. The Highways Officer is satisfied that the scheme is acceptable and that there is sufficient parking provision provided. There have been concerns raised by local residents, that the proposed access has been specifically designed to allow for future access into the field to the rear which could accommodate further housing. Any further proposals for housing to the rear of this

site would require formal planning permission and would be subject of a separate application.

62. Overall, it is considered that sufficient parking provision is proposed and the access provides adequate visibility splays to ensure that highway safety would not be adversely compromised. The proposal is considered to be in accordance with policies T1 and T10 of the local plan.

Impact on surrounding area

63. Although this is an outline application, the applicant has requested that the access, appearance, layout and scale be considered at this stage. There is only landscaping which is reserved for future consideration. The proposed layout shows a row of detached and semi-detached properties running parallel with the main road. The access would come off the main road intersecting two properties leading to a parking area to the rear of the properties.
64. The proposed layout is considered suitable as it would match the existing housing arrangement on Church Lane and Rectory View. Parking would be located to the rear of the properties which would be mostly screened by the houses. The site does lie within the Shadforth Conservation Area and the impact the development has on the character and appearance of the conservation area is an important consideration. The general appearance of the built development in this part of Shadforth is a linear form with the properties stretched along Church Lane and Rectory View. The proposed development would reflect this linear form and it is not considered that this would adversely impact on the character of the conservation area. The proposed properties are of two storey design and would be constructed from red/brown brick work and Spanish slate. It is considered that the design of the properties and the proposed materials would not be too dissimilar from the existing properties to the north and south of the site. It is therefore considered that the proposals would provide a development which would blend in with the appearance of the surrounding properties and subsequently would preserve the character and appearance of the Shadforth Conservation Area.
65. In terms of residential amenity, the layout plan provides each property which adequate amounts of useable garden space. The primary outlook from the proposed properties are across the main road to the east and the fields to the west. There are no windows to habitable rooms proposed therefore this ensures that there would be no loss of privacy to neighbouring properties to the north or south. It is not considered that the proposed development would compromise residential amenity of neighbouring properties, and sufficient levels of amenity would be provided for future occupiers of the proposed properties.
66. It is considered that the proposed layout is acceptable and the development would blend in well with the existing linear form of the immediate built environment. It is considered that the proposal would preserve the character and appearance of the Shadforth Conservation Area. The proposal would be in accordance with policies E22, H13 and Q8 of the local plan and in accordance with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Section 106 contributions

67. As the development is introducing 10 properties into the local community, a financial contribution towards open space and recreational facilities in the area is required as part of the application. The required contribution will be £1000 per house, therefore totalling an amount of £10,000. This contribution will be secured through a section

106 legal agreement. The Council also encourage the provision of artistic elements in the design and layout of new development. In accordance with Q15 contributions towards public art can also be secured through section 106 legal agreement. These contributions would help support and improve facilities within the surrounding locality for the benefit of occupiers of the proposed properties and also existing residents of the local community.

Other Issues

68. The County Ecologist has assessed the proposal in terms of potential impacts on protected species and has not raised any objections. The Ecologist has further indicated that if the developer wishes to route surface water in to Shadforth Beck, then a Water Vole Survey of the stream would be required as the outfalls installations could impact on water voles. A condition is therefore recommended for a Water Vole Survey to be submitted at reserved matter stage to ensure that water voles would not be adversely compromised. It is noted that a condition is usually not recommended to safeguard protected species, however in this instance given the impact would only occur if drainage is to be directed towards the Beck it is considered an acceptable approach.
69. Concerns have been raised from residents with regards to flooding and drainage from the site. The Environment Agency and Northumbrian Water have been consulted on the application and no objections have been raised. A condition has been requested requiring details of foul and surface water drainage to be submitted and this condition is recommended. It is not considered that the proposed development would create any adverse flooding or drainage issues in the area.
70. Residents have raised issues that the proposal does not include any renewable provisions. As this is only an outline application it is not necessary for renewable details to be submitted. A condition is recommended for details of renewable and energy efficiencies to be submitted prior to works commencing.
71. Local residents have indicated that there is a well used footpath which runs along the south boundary of the site. The Council's Public Rights of Way Officer has confirmed that there is an unregistered path which crosses the southern fringe of the site and continues beyond the site alongside Shadforth Beck. The applicant has recognised the importance of maintaining this pathway and amended plans have been received which ensures that this pathway is retained and will be available to the public.

CONCLUSION

72. The proposal is finely balanced, given the development is contrary to policies H3, H4 and H5 of the local plan with the site being outside settlement boundaries and the development not constituting the policy H4 definition of infill development. The assessment of the proposal does need to be weighed against the benefits that the development would bring to the local community and the NPPF supports sustainable development where housing would enhance or maintain the vitality of rural communities. It is considered that the proposal would be in line with the sustainable principles of the NPPF. The development of the site is considered to be within the established linear built form of the village and would not constitute an encroachment into the open countryside.
73. Sufficient parking provision is proposed and the access provides adequate visibility splays to ensure that highway safety would not be adversely compromised. The

proposal is considered to be in accordance with policies T1 and T10 of the local plan.

74. It is considered that the proposed layout, appearance and scale of the development is acceptable and the development would blend in well with the existing linear form of the immediate built environment. It is considered that the proposal would preserve the character and appearance of the Shadforth Conservation Area. The proposal would be in accordance with policies E22, H13 and Q8 of the local plan.

75. A contribution of £1000 per house totalling £10,000 from the developer would be secured through a Section 106 legal agreement. These contributions would help support and improve facilities within the surrounding locality for the benefit of occupiers of the proposed properties and also existing residents of the local community.

76. It is not considered that protected species and their habitats would be compromised as a result of the proposed development. Northumbrian Water and the Environment Agency have not raised any objections and it is considered the site would not be compromised in terms of flooding or drainage issues. The unregistered pathway along the south boundary of the site would be retained as part of the development.

RECOMMENDATION

That Members are minded to **APPROVE** the application subject to the completion of a Section 106 Legal Agreement to secure a financial contribution towards the provision and enhancements to sports provision and recreational areas and public art in the locality; and subject to the following conditions;

1. Approval of the details of landscaping (hereinafter called “the reserved matters”) for the development shall be obtained from the local planning authority before the development is commenced. Approval of the reserved matters for the development thereafter shall be obtained from the local planning authority before development is commenced.

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

2. Application for approval of reserved matters for the development must be made not later than the expiration of three years beginning with the date of this permission, and the development must be begun not later than the expiration of two years from the first approval of the reserved matters.

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

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

Plan Ref No.	Description	Date Received
1	Location plan	23/12/2014
2 B	Proposed Site Layout Plan	12/02/2015
3	Proposed Street Scene Elevations	23/12/2014

4	House Type A and Car Port	23/12/2014
5	House Type B	23/12/2014

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

4. Notwithstanding any details of materials submitted with the application no development shall commence until details of the make, colour and texture of all 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.

Reason: In the interests of the appearance of the area and to comply with policy H13 of the City of Durham Local Plan.

5. No development shall commence until details of means of enclosures shall be submitted to and approved in writing by the Local planning authority. The development shall be undertaken in accordance with the approved details.

Reason: In the interests of the appearance of the area and to comply with policy H13 of the City of Durham Local Plan.

6. Prior to the commencement of the development details of the surface treatment and construction of all hardsurfaced areas shall be submitted to and approved in writing by the Local planning authority. The development shall be undertaken in accordance with the approved details.

Reason: In the interests of the appearance of the area and to comply with policy H13 of the City of Durham Local Plan.

7. No development shall take place until a detailed scheme for the disposal of surface and foul water from the development hereby approved has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of the amenity of the area and to comply with policy U8a of the City of Durham Local Plan.

8. No development shall take place until a water vole survey of the Shadforth Beck detailing mitigation measures has been submitted to and approved in writing by the local planning authority. The development and the mitigation measures shall be undertaken in accordance with the approved details.

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

9. Prior to the commencement of the development a coal mining risk assessment of the site shall be submitted to and approved in writing by the local planning authority. The development shall be undertaken in accordance with the approved details.

Reason: In the interests of the stability of the site and to comply with policy H13 of the City of Durham Local Plan.

10. Prior to the commencement of the development a scheme to minimise energy consumption arising from the occupation/operation of the development 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.

Reason: In the interests of sustainable construction and energy generation in accordance with the aims Policy U14 of the City of Durham Local Plan and Part 10 of the NPPF.


STATEMENT OF PROACTIVE ENGAGEMENT

In dealing with the application, the Local Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising during the application process.

BACKGROUND PAPERS

Submitted Application Forms, Plans and supporting documentation
City of Durham Local Plan 2004
National Planning Policy Framework
Internal consultee responses
Public responses
Responses from statutory and other consultees
National Planning Policy Guidance



 <p>Durham County Council</p> <p>Planning Services</p>	<p>10no. residential units (outline) at Land between 3 Church Villas and 7 Rectory View, Shadforth, Durham</p>	
<p>This map is based upon Ordnance Survey material with the permission of Ordnance Survey on behalf of Her Majesty's Stationary Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceeding. Durham County Council Licence No. 100022202 2005</p>	<p>Date 10th March 2015</p>	

Planning Services

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	DM/14/03833/FPA
FULL APPLICATION DESCRIPTION	56 Bedroom residential care home
NAME OF APPLICANT	HMC Properties Ltd
SITE ADDRESS	Former Peterlee Building Supplies, Yoden Way, Peterlee
ELECTORAL DIVISION	Peterlee East/Horden
CASE OFFICER	Barry Gavillet 03000 261958 barry.gavillet@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSAL

Site:

1. This site is a brownfield site located on land formerly occupied by Peterlee Building Supplies within the settlement boundary of Peterlee, although the site lies within both the electoral division of Peterlee East and Horden. The site had been in a derelict state and vacant for some time until it was bought by HMC Group in June 2014. Some of the remaining buildings were demolished prior to the purchase of the site.
2. The 0.57 acre site is bounded to the north, south and west by open space and trees whilst to the east the site is bound by the B1320, Yoden Way. The site is located approximately 1 kilometre east of Peterlee town centre, and is located in an area which is predominantly residential although there are some commercial and retail uses within walking distance. There is also access to nearby public transport including bus stops directly outside the site.

Proposal:

3. This application proposes the erection of a 56 bedroomed residential care home with associated parking and landscaping, the care home would be within the C2 Use Class. All of the residents would be of fifty years and above in age and the home would be staffed 24 hours per day, 7 days per week. Each resident would have their own private room with en-suite facilities along with the provision of catering, laundry and domestic services. The residents of the home would be likely to come from the local community and the home would be funded both privately and by the Local Authority.

4. The main body of the building would be in red brick that would be similar to that of the nearby buildings. The building would also utilise architectural details to windows and doors such as soldier courses and a cast stone string course. The roof would be pitched and would use a dark grey concrete tile common in the surrounding area. Gabled roofs would be used to break up the massing of the building and create a feature at the main entrance of the building. Whilst render is used as a main cladding material to some of the houses in the local area, with the proposed building it would be used to highlight the main entrance to the building and some bay features.
5. Based upon the 17 care homes that the applicant operates in the North-East and North-Yorkshire and utilising the existing space available, the applicant considers that 15 car parking spaces, (including one space for mobility-impaired users will be provided) would be an appropriate amount to provide in order for the home to operate safely and efficiently. An enclosed and secure cycle store close to the entrance for 6 bicycles would also be provided.
6. The application is being reported to committee as it is classed as a major application.

PLANNING HISTORY

7. None relevant

PLANNING POLICY

NATIONAL POLICY:

8. The Government has consolidated all planning policy statements, guidance notes and many circulars into a single policy statement, the National Planning Policy Framework (NPPF), although the majority of supporting Annexes to the planning policy statements are retained. The overriding message is that new development that is sustainable should go ahead without delay. It defines the role of planning in achieving sustainable development under three topic headings – economic, social and environmental, each mutually dependant.
9. The presumption in favour of sustainable development set out in the NPPF requires local planning authorities to approach development management decisions positively, utilising twelve ‘core planning principles’

The following elements are considered relevant to this proposal:

10. *Part 1* - The Government is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future.
11. *Part 4* - Transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. Smarter use of technologies can reduce the need to travel. The transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel. However, the Government recognises that different policies and measures will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas.

12. *Part 6* - To boost significantly the supply of housing, applications should be considered in the context of the presumption in favour of sustainable development.
13. *Part 7* - The Government attaches great importance to the design of the built environment, with good design a key aspect of sustainable development, indivisible from good planning.
14. *Part 8* - The planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Developments should be safe and accessible; Local Planning Authorities should plan positively for the provision and use of shared space and community facilities. An integrated approach to considering the location of housing, economic uses and services should be adopted.
15. *Part 10* - Planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development.
16. *Part 11* - The planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests and soils; recognising the wider benefits of ecosystem services; minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures; preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability; and remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

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>

LOCAL PLAN POLICY:

District of Easington Local Plan

17. *Policy 1* - Due regard will be had to the development plan when determining planning applications. Account will be taken as to whether the proposed development accords with sustainable development principles while benefiting the community and local economy. The location, design and layout will also need to accord with saved policies 3, 7, 14-18, 22 and 35-38.
18. *Policy 35* - The design and layout of development should consider energy conservation and efficient use of energy, reflect the scale and character of adjacent buildings, provide adequate open space and have no serious adverse effect on the amenity of neighbouring residents or occupiers.
19. *Policy 36* - The design and layout of development should ensure good access and encourage alternative means of travel to the private car.

20. *Policy 37* - The design and layout of development should seek to minimise the level of parking provision (other than for cyclists and disabled people).
21. *Policy 71* - New residential institutions (class C2) and sheltered accommodation will be approved within the defined settlement boundaries of Peterlee, Seaham, Blackhall, Easington, Haswell, Hesleden, Horden, Murton, Shotton, South Hetton, Thornley, Trimdon Station, Wheatley Hill and Wingate/Station Town provided the proposal accords with the provisions of policies 35-37.

EMERGING PLAN

22. The County Durham Plan was submitted for Examination in Public in April 2014 and stage 1 of that Examination has been concluded. Paragraph 216 of the NPPF says that decision-takers may give weight to relevant policies in emerging plans according to: the stage of the emerging plan; the extent to which there are unresolved objections to relevant policies; and, the degree of consistency of the policies in the emerging plan to the policies in the NPPF. However, the Inspector's Interim Report following stage 1 of the Examination process, dated 18 February 2015, has raised issues in relation to the soundness of various elements of the plan. The Council is currently considering the options available and in light of this it is considered that no weight should be afforded to the CDP at the present time.

The above represents a summary of those policies considered most relevant in the Development Plan the full text, criteria, and justifications of each may be accessed at <http://www.durham.gov.uk/Pages/Service.aspx?ServiceId=7534>

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

23. None received.

INTERNAL CONSULTEE RESPONSES:

24. Highways Officers initially raised concerns about some technical aspects of the drawings. However amended plans have since been received and Highways Officers now raise no objections subject to conditions.
25. Environmental Health Officers have no objections subject to a condition which deals with any potential contaminated land and restricts construction hours.
26. The Councils Tree Officer has no objections to the proposals subject to tree protection during construction.
27. Landscape Officers have no objections to the proposals. However a landscaping scheme should be submitted and implemented.
28. Sustainability Officers have no objections subject to a condition requiring renewable energy or carbon reduction measures within the scheme.

PUBLIC RESPONSES:

29. The application has been advertised by way of a press notice, site notice and letters to surrounding residents. No responses have been received as a result of the consultation exercise.

APPLICANTS STATEMENT:

30. The site on Yoden way in Peterlee has been vacant since 2014 when the buildings that formed Peterlee Building Supplies were demolished and the site cleared. It is now a derelict urban site, predominantly concrete and tarmac that is being used by youths as a cycle park and general meeting area. It has become an eyesore on the approach to Horden and is in need of redevelopment.
31. The site has no designated use in the Easington District Council local plan but the Local Plan does indicate that there is a significant demand for aged persons accommodation within Peterlee. The Local Plan also encourages the reclamation of derelict land as an important element of sustainable development in that it ensures that land, which is a non-renewable resource, is re-used.
32. The proposed development seeks to form a new care home that will offer a combination of accommodation, supporting services, assistance and specialist healthcare that can be tailored and evolve to meet the individual care needs of the residents. Care and support services will be available 24 hours a day to meet all of the residents needs in a way that retains the dignity and independence of each resident and encourages the involvement of the residents' family, neighbours and friends. This proposal has been designed to exceed the current and anticipated future legislation. The accommodation and services standards are set well above the current National Minimum Care Standards.
33. The development will respect and complement the scale of the existing Yoden Way streetscape and the further surrounding residential developments. It will amount to an efficient and effective use of land that provides a new care home that is appropriate with the scale, massing and urban grain of the locality. It will sit comfortably within its built form and landscape context.
34. The development will provide good physical relationships between the proposed home and the existing buildings adjacent to and surrounding the site. The provision of garden space at both the north-west and south-west of the building will ensure that residents are afforded a high level of amenity that will provide for the comfortable enjoyment of the home whilst not having a detrimental effect upon the existing neighbours.
35. The residents of the home are likely to come from the local community. It is most likely that the proposed care home will become a fully integrated part of the local community, providing long term care for local people. It is often said that civilized society is defined by the way in which it looks after its children and the elderly. It is sincerely hoped that this new facility will reinforce those values by becoming an important part of those facilities needed to look after an ageing population on a long term basis.
36. We therefore request that the application is approved.

PLANNING CONSIDERATION AND ASSESSMENT

37. As this application seeks full planning permission for a residential care home, the main planning considerations are the principle of the development in terms of accordance with planning policy, the layout and design of the development and impact on surrounding occupiers and the street scene, highways issues, other site specific issues.

Principle of the development and planning policy

38. The proposed development is considered to be in keeping with the relevant Development Plan Policies. Relevant National guidance in relation to new development is found within the National Planning Policy Framework which has a presumption in favour of sustainable development. In this instance this application relates to a site within a predominantly residential area, which is situated within the settlement boundary of Peterlee. There are good links to public transport and there are shops, healthcare facilities, schools and other community facilities in close proximity. The proposals are therefore considered to accord with the general principles of national planning guidance.
39. The former District Council considered that new residential development should normally only be approved on sites within the towns and villages of the former District, this is reflected in the saved Local Plan Policies. There are a number of reasons for this: mainly that new development within the settlements helps to maintain the compact and coherent town and village form, which is most appropriate for the support of shops and facilities and which promotes sustainable forms of development.
40. Saved Policy 71 of the Local Plan specifically states that new residential institutions (class C2) and sheltered accommodation such as the one being proposed will be approved within the defined settlement boundaries of Peterlee, Seaham, Blackhall, Easington, Haswell, Hesleden, Horden, Murton, Shotton, South Hetton, Thornley, Trimdon Station, Wheatley Hill and Wingate/Station Town provided the proposal accords with the provisions of policies 35-37. As this application site is within the settlement of Peterlee, it is considered that the proposal is entirely consistent with the aims of this policy and the National Planning Policy Framework and therefore the principle of the development is accepted.

Layout, design and impact on surrounding occupiers and the street scene

41. The layout of the development is constrained by the shape of the site which is square and surrounded by trees and the B1320 Yoden Way. Therefore the layout of the proposed development is guided by the need for adequate access, parking, amenity space and privacy requirements. It is considered that given the constraints of the site, the applicant has made best possible use of the site and that the layout is acceptable.

42. It is noted that in all instances the privacy distances to nearby properties as set out in the Local Plan are met. No existing dwellings outside of the development site would be adversely affected by the development in terms of loss of privacy, overshadowing or overbearing impact. In terms of impact on the street scene, it is considered that the proposal would enhance the street scene and surrounding area by creating a new good quality development on the site which has been left derelict for some time and which has reportedly been subject to incidents of anti-social behaviour.
43. As noted earlier in the report, the proposed residential care home would be traditional in design and would be constructed with red brick and concrete tiled roofs. The two storey building would have room in the roofspace which could accommodate additional rooms and is slightly larger than a standard housetype, however it is not considered that this would look out of character in this location. The site would be enclosed by close boarded fencing and trellis along with wrought iron railings which is considered acceptable. A landscaping plan should be submitted in order to ensure adequate tree and shrub planting which would complement the development.
44. Overall, it is considered that the proposals would lead to a good quality scheme on what is now a derelict site. On balance having regards to part 7 of the NPPF and the most relevant Policies of the District of Easington Local Plan officers raise no objections to the application having regards to the impact upon surrounding residents and character and appearance of the area.
45. As such, it is considered that the proposals are acceptable in terms of layout, the impact on the street scene and surrounding occupiers in accordance with saved local plan policy 35 and part 7 of the NPPF.

Highways Issues

46. The highways officer has advised that the means of access and level of car parking provision are acceptable. There were no objections in terms of an increase in traffic or parking congestion. However, two specific conditions have been requested involving a scheme to prevent vehicles from waiting, parking, loading and unloading on the B1320 Yoden Way and the installation of 'KEEP CLEAR' road markings on the north-eastbound carriageway to the B1320 Yoden Way in front of the main vehicular access to the site in order to ensure the road junction with the A1086 Coast Road is not obstructed by the tail back of vehicles that could result from right turning vehicles trying to enter the Care Home site. Subject to these conditions, the proposals are considered acceptable in terms of access and parking and therefore are in accordance with saved policies 36 and 37 of the local plan and part 4 of the National Planning Policy Framework.

Site specific issues

47. Given the previous use of the site as a builder's merchant, Environmental Health officers have requested a condition which would deal with any potential contaminated land. In addition, given the proximity of nearby residential properties officers have requested that construction hours are restricted in order to protect residential amenity.

48. Officers have also noted the proximity of trees which surround the site and a condition is suggested which requires the trees to be protected during the construction process.

CONCLUSION

49. In conclusion, it is considered that the proposal is in accordance with the relevant national guidance and local planning policies. The location of the proposed development is considered sustainable as it has good access to facilities such as shops, public transport and other community facilities. There would not be any adverse impact on the street scene or surrounding occupiers, all privacy distances to surrounding properties are adequate. The layout of the proposal is considered acceptable given the constrained shape of the site, adequate amenity space has been provided and the highways officers have considered parking and access to be acceptable. On this basis it is considered that the proposals are in accordance with both the National Planning Policy Framework and saved Local Plan Policies and therefore the application is recommended for approval.

RECOMMENDATION

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

Conditions:

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

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

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

H124-[P]-001 Site Location Plan
H124-[P]-002 Existing Site Plan
H124-[P]-003 Existing Site Sections
H124-[P]-004 Existing Site Photographs
H124-[C]-100 Proposed Site Plan Rev P1
H124-[P]-101 Level 0 - Ground Floor Plan
H124-[P]-102 Level 1 - First Floor Plan
H124-[P]-103 Level 2 - Second Floor Plan
H124-[P]-104 Roof Plan
H124-[P]-105 Proposed Site Sections
H124-[P]-106 Proposed External Works Rev P1
H124-[P]-107 Proposed Travel Plan
H124-[P]-108 Bins Store Details
H124-[P]-109 Bicycle Store Details Rev P1
H124-[P]-110 Planning Application Summary
H124-[P]-111 Proposed Boundary Treatment - Elevations
H124-[P]-112 Proposed Boundary Treatment – Detail
H124-[P]-113 Pantechnicon Vehicle Tracking Plans Rev P2
H124-[P]-114 Design and Access Statement

H124-[P]-300 Elevations - 1 of 2
H124-[P]-301 Elevations - 2 of 2
EXI-A Arboricultural Impact Assessment Existing Trees on Existing Site Plan
TPP-A Arboricultural Impact Assessment Tree Protection Plan
AMS EXI-A Arboricultural Method Statement Existing Trees on Existing Site Plan
AMS TPP-A Arboricultural Method Statement Tree Protection Plan
Arboricultural Impact Assessment Report
Arboricultural Method Statement Report
Phase 1 Habitat and Protected Species Survey

Reason: To meet the objectives of saved Policies 1, 35 and 36 of the Easington District Local Plan and parts 1, 4 and 11 of the NPPF.

3. No development shall commence until a scheme to prevent vehicles from waiting, parking, loading and unloading on the B1320 Yoden Way, from the main vehicular access down to the A1086 Coast Road junction to the north and for the same distance to the south of the main vehicular access, has been submitted to and approved in writing by the Local Planning Authority, and such scheme as agreed shall be implemented in full prior to the occupation of the Care Home by staff or residents.

Reason: In the interests of highway safety and in accordance with saved policies 36 and 37 of the District of Easington Local Plan and part 4 of the NPPF.

4. Prior to the occupation of the Care Home by staff or residents 'KEEP CLEAR' road markings must be installed on the north-eastbound carriageway to the B1320 Yoden Way in front of the main vehicular access to the site.

Reason: In the interests of highway safety and in accordance with saved policies 36 and 37 of the District of Easington Local Plan and part 4 of the NPPF.

5. No development shall commence until full Engineering Details for the off-site highway works have been submitted to and approved in writing by the Local Planning Authority. The off-site highway works must be completed prior to the occupation of the development hereby approved.

Reason: In the interests of highway safety and in accordance with saved policies 36 and 37 of the District of Easington Local Plan and part 4 of the NPPF.

6. No development shall commence until a landscaping scheme has been submitted to and approved in writing by the local planning authority. The scheme shall identify those trees/hedges/shrubs scheduled for retention and removal; shall provide details of new and replacement trees/hedges/shrubs; detail works to existing trees; and provide details of protective measures during construction period. The works agreed to shall be carried out within the first planting season following completion of development of the site and shall thereafter be maintained for a period of 5 yrs following planting. Any trees or plants which die, fail to flourish or are removed within a period of 5 years from the substantial completion of the development shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of the visual amenity of the area and to comply with saved Policies 1 and 35 of the District of Easington Local Plan.

7. The development hereby permitted shall not commence until a scheme to deal with contamination has been submitted to and agreed in writing with the Local Planning Authority. The scheme shall include the following, unless the Local Planning Authority is satisfied that the site is suitable for the proposed use and dispenses of any such requirements, in writing:

Pre-Commencement

- (a) The Phase 1 desk top study has identified that a Phase 2 report is required, a Phase 2 Site Investigation and Risk Assessment is required and shall be carried out by competent person(s) to fully and effectively characterise the nature and extent of any land and/or groundwater contamination and its implications.
- (b) If the Phase 2 identifies any unacceptable risks, remediation is required and a Phase 3 Remediation Strategy detailing the proposed remediation and verification works shall be carried out by competent person(s). No alterations to the remediation proposals shall be carried out without the prior written agreement of the Local Planning Authority. If during the remediation or development works any contamination is identified that has not been considered in the Phase 3, then remediation proposals for this material shall be agreed in writing with the Local Planning Authority and the development completed in accordance with any amended specification of works.

Completion

- (c) Upon completion of the remedial works (if required), a Phase 4 Verification Report (Validation Report) confirming the objectives, methods, results and effectiveness of all remediation works detailed in the Phase 3 Remediation Strategy shall be submitted to and agreed in writing with the Local Planning Authority within 2 months of completion of the development.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risk to workers, neighbours and other offsite receptors in accordance with NPPF Part 11.

8. No development shall be commenced until details of trees and hedgerows which are to be retained along with measures for their protection throughout the development are submitted and approved in writing by the Local Planning Authority. The protection measures shall be in accordance with the relevant British Standard and shall be fully implemented in accordance with the approved details throughout the construction of the development and those trees identified for retention shall be retained throughout the lifetime of the development.

Reason: In the interests of the visual amenity of the area and to comply with saved Policies 1 and 35 of the District of Easington Local Plan.

9. Prior to the commencement of the development a scheme to embed sustainability and minimise Carbon from construction and in-use emissions 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 and retained while the building is in existence.

Reason: In the interests of sustainable construction and energy generation in accordance with the aims of Policies 1 and 35 of the Easington District Local Plan and Part 10 of the NPPF.

10. No development works (including demolition) shall be undertaken outside the hours of 8am and 6pm Monday to Friday and 8am to 1pm on a Saturday with no works to take place on a Sunday or Bank Holiday.

Reason: In order to protect the amenity of residents living in the approved development and in accordance with saved Policies 1 and 35 of the Easington District Local Plan and part 11 of the NPPF.

11. Notwithstanding any details of materials submitted with the application no development shall commence until details of the external walling, roofing materials and hard surfacing have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details.

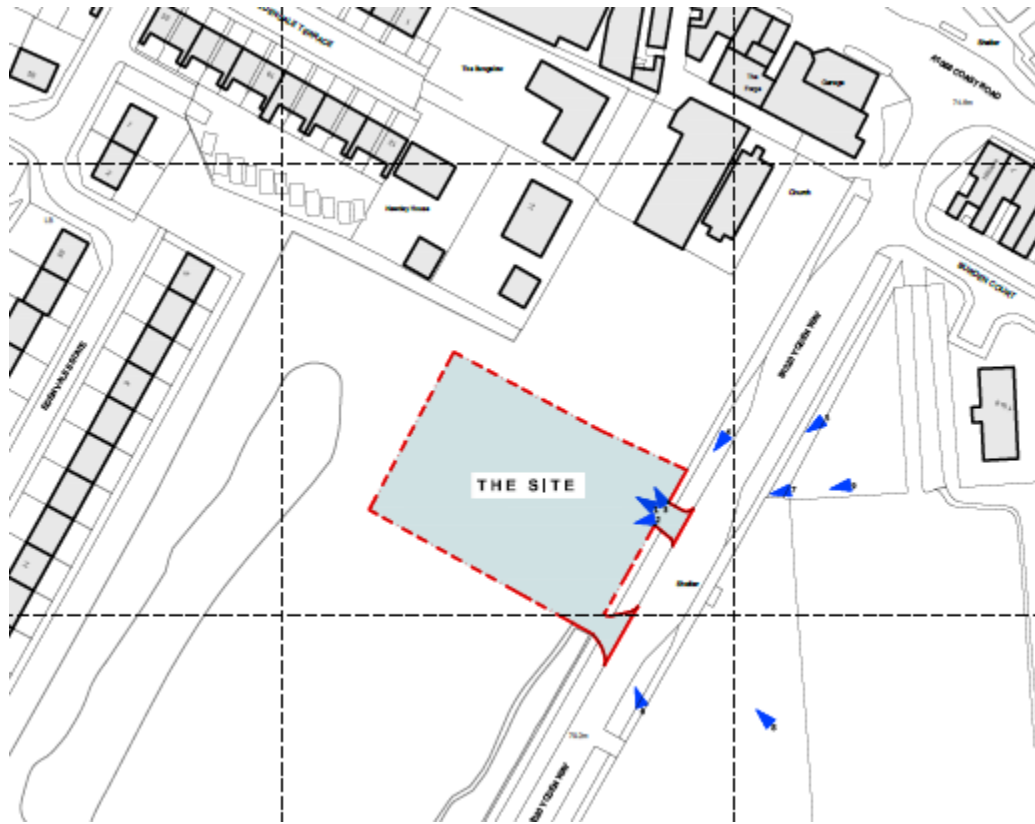
Reason: In the interests of the appearance of the area and to comply with saved Policies 1 and 35 of the Easington District Local Plan and part 11 of the NPPF.

STATEMENT OF PROACTIVE ENGAGEMENT

In dealing with the application, the Local Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising during the application process. The decision has been made within target provided to the applicant on submission and in compliance with the requirement in the National Planning Policy Framework to promote the delivery of sustainable development.

BACKGROUND PAPERS

- Submitted Application Forms and Plans.
- Design and Access Statement
- Emerging County Durham Plan
- District of Easington Local Plan 2001
- National Planning Policy Framework
- Consultation Responses



Planning Services

Proposed 56 Bed Care Home, Yoden Way, Peterlee

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Comments

Date March 2015

Planning Services

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION No:	DM/15/00187/FPA & DM/15/00188/FPA
FULL APPLICATION DESCRIPTION:	Change of use C4 student HMO to 7 bed sui generis student HMO, demolition of rear extension and erection of rear extension.
NAME OF APPLICANT:	Dr W Pollard
ADDRESS:	No's 4 and 16 Wynyard Grove, Gilesgate, Durham, DH1 2QJ
ELECTORAL DIVISION:	Belmont
CASE OFFICER:	Laura Martin, Planning Officer 03000261960 Laura.martin@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

1. **SITE:** The application sites are 4 and 16 Wynyard Grove which are Victorian terraced properties, utilized as student accommodation providing 6 bedrooms in each. The sites sit within the Durham City Centre Conservation Area.
2. **PROPOSAL:** The planning application proposes to change the use of each property from class C4 HMO (6 beds) to Sui Generis HMO (7 beds). The works would also involve the demolition of an existing rear extension and the erection of a new rear extension. This would house bedroom 2 at ground floor level. Two separate applications are being considered, but are presented together in this joint report as the planning issues are the same and because of the close proximity of the sites.
3. The applications are brought before members of the Planning Committee at the request of Cllr Bill Moir.

PLANNING HISTORY

4. Whilst there is no planning history for the two application sites there are other approval of a similar nature within the vicinity under the following references:-
5. 7 Wynyard Grove DM/14/03219/FPA- Change of use from class C4 HMO (6 beds) to sui generis HMO (7 beds) and 20 Wynyard Grove DM/14/03220/FPA- Change of use from class C4 HMO (6 beds) to sui generis HMO (7 beds)

PLANNING POLICY

NATIONAL POLICY

6. The Government has consolidated all planning policy statements, guidance notes and many circulars into a single policy statement, the National Planning Policy Framework (NPPF), although the majority of supporting Annexes to the planning

policy statements are retained. The overriding message is that new development that is sustainable should go ahead without delay. It defines the role of planning in achieving sustainable development under three topic headings – economic, social and environmental, each mutually dependant.

7. The presumption in favour of sustainable development set out in the NPPF requires local planning authorities to approach development management decisions positively, utilising twelve 'core planning principles' .
8. In accordance with paragraph 215 of the National Planning Policy Framework, the weight to be attached to relevant saved local plan policy will depend upon the degree of consistency with the NPPF. The greater the consistency, the greater the weight. The relevance of this issue is discussed, where appropriate, in the assessment section of the report below.
9. The following elements of the NPPF are considered relevant to this proposal;
10. *NPPF Part 7 – Requiring Good Design.* The Government attaches great importance to the design of the built environment, with good design a key aspect of sustainable development, indivisible from good planning.
11. *NPPF Part 12 – Conserving and Enhancing the Historic Environment.* Working from Local Plans that set out a positive strategy for the conservation and enjoyment of the historic environment, LPA's should require applicants to describe the significance of the heritage asset affected to allow an understanding of the impact of a proposal on its significance

12. LOCAL PLAN POLICY:

Policy E6: Durham (City Centre) Conservation Area.

Policy E22: Conservation Areas.

Policy H9 (Multiple Occupation/Student Households)

Policy H13 (Residential Areas – Impact upon Character and Amenity)

Policy Q9: Alterations and extensions to residential property.

Policy T1: Highway Safety.

13. Emerging policy

The County Durham Plan was submitted for Examination in Public in April 2014 and stage 1 of that Examination has been concluded. Paragraph 216 of the NPPF says that decision-takers may give weight to relevant policies in emerging plans according to: the stage of the emerging plan; the extent to which there are unresolved objections to relevant policies; and, the degree of consistency of the policies in the emerging plan to the policies in the NPPF. However, the Inspector's Interim Report following stage 1 of the Examination process, dated 18 February 2015, has raised issues in relation to the soundness of various elements of the plan. The Council is currently considering the options available and in light of this it is considered that no weight should be afforded to the CDP at the present time.

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

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

14. City of Durham Trust- Object to the applications and advise that the applications are considered to be contrary to policy.

INTERNAL CONSULTEE RESPONSES:

15. Design and Conservation- Raises no objections to either scheme
16. Environmental Health Noise Team- raises no objections
17. Highways Section- Raises no objections to either application

PUBLIC RESPONSES:

18. The application was advertised by means of a Press and Site notice and by letter to neighbouring properties within the area. No letters of representation have been received in respect of either application.

APPLICANTS STATEMENT:

19. The current uses of the dwellings are as C4 student accommodation houses No. 4 is a 4 bedroom terraced student dwelling and No.16 is a 3 bedroom terraced student dwelling.
20. The proposed extensions will allow for the ground floor to include 2 bedrooms, along with a new shower room and shared kitchen/dining/living space. Internal alterations to the first floor provide an extra 1 bedrooms and a new staircase leading to a loft conversion. The new loft will contain 2 extra bedrooms with a shared bathroom. These facilities will meet and exceed the standards required by the Environmental Health. The properties will be correctly licensed and run by a reputable landlord and agent combination. The buildings generally maintenance and appearance will be improved and the safety and comfort of the students greatly improved.
21. The apparatus for the protection of life will be brought to and exceed current requirements will full fire alarms and escape lighting included. The quality of the accommodation for the occupants will also be greatly improved and brought to modern expected standards
22. The proposals have been examined by the conservation officers and have generated no objections, but some minor points of comment that have been implemented in revised proposals.
23. Permitted Development rights were confirmed by the Planning Inspectorate that "*Houses in Multiple Occupation, including those which fall within Class C4 can benefit from the permitted development rights granted to dwellinghouses by the GDPO*". This was confirmed under advice produced by the Planning Inspectorate for use by its Inspectors – 15 January 2014
24. A simple modification to the proposals to remove the bedroom at ground floor in the rear extensions will reduce the properties to fall back under C4 and thus benefit from the Permitted Development rights expressed above. This approach was full tested and discussed with Durham City Planners with the conversion of 7 & 20 Wynyard Grove in 2014 now approved and in use. These were then later further extended to achieve the same result as the current proposal under DM/14/03219/FPA and DM/14/03220/FPA respectively.
25. The property is well served by public transport and is on a major public transport network route into the city. The properties are a mere 50 meters away from the bus stop into the city named Gilesgate Moor Sherburn Road End. This stop is served by 4 regular routes numbered 20, 20a, 64 and 265 with frequency every 20 minutes on one of those routes alone. Only marginally further to the A181 a further bus stop is served by routes 22, 24, 24x and 208 at similar frequencies, thus residents will never be short of a bus service into the city. Residents will be made fully aware that the properties have no parking facilities at all; this fact is advertised in the rental particulars of the dwelling. Use of cycles and public transport will be promoted by the landlord.

26. Given the amount of student properties on Wynyard Grove (23 out of 24) and the fact these two properties are already student rentals citing Over Studentification seems somewhat a mute point.
27. Given that the properties are away from the recognised City Centre student areas and into the Gilesgate area, thus reducing pressure on city centre housing studentification, it could be expected that applications further afield would be encouraged. That would seem to be the point or the natural outcome of the emerging policy limiting amount of student properties street by street. The student area will expand if their housing need is to be met.
28. It could also be argued therefore that intensifying the bedroom numbers in single dwellings safely actually reduces pressure on other housing stock. The 14 students accommodated by these two applications could either be housed in these two dwellings or spread over 4 or 5 dwellings left in standard 3 bedroom configurations.
29. Whilst citing the emerging policy for numbers of student housing its noted that the council plan has recently been rejected, its therefore unclear how much weight can actually be put the this new policy.
30. The actual difference between a PD solution and a COU application is we would argue de-minimis, of little or no significance to the outcome, harm or amenity to local residents.

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

PLANNING CONSIDERATIONS AND ASSESSMENT

31. Having regard to the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004 the relevant Development Plan policies, relevant guidance and all other material planning considerations, including representations received, it is considered that the main planning issues in this instance relate to the principle of development, layout and design and highway safety.

Principle of Development

32. Policy H13 states that planning permission will not be granted for new development or changes of use which would have a significant adverse effect on the character or appearance of residential areas, or the amenities of residents within them.
33. Policy H9 relates to the conversion of houses for multiple occupation. It states that such development will be permitted provided that adequate parking, privacy and amenity areas are provided, provided it will not adversely affect the amenities of nearby residents, provided it is in scale and character with its surroundings, provided it will not result in concentrations of sub divided dwellings to the detriment of the range and variety of the local housing stock and provided it will not involve significant extensions or alterations.
34. Wider concern over the habitation of property by students is noted, although no comments have been received from nearby residents in relation to these applications. It is acknowledged that students may have different lifestyles to other residents on the street. In relation to the C4 use class which both properties current fall under they would be capable of providing up to 6 bedrooms without the need for further planning consent. Therefore the increase in occupancy at the properties by one person, in Officers opinion would not be significantly noticeable and would not have any noticeable or tangible detrimental impact on the balance of accommodation in the street scene or existing residents within the street. Yard areas are provided of

a standard size reflective of this type of property for external amenity with a kitchen/lounge and dining room providing internal amenity space.

35. On this basis, the principle of the proposals is considered to be acceptable and in accordance with local policies.

Layout and Design

36. In relation to the proposed demolition works, outbuildings can be of some interest as they were once a common feature to the rear of the Victorian terraced properties throughout the conservation area, many of which have already been lost to development. In this particular case the historic and aesthetic merits of the existing outbuildings are not considered to be sufficient to insist upon their retention, and the removal would not be to the detriment of the terraces or conservation areas significance.
37. The replacement extensions would be comparable to the structures they would replace with only a slight increase in footprint and they would be located in the same position which is appropriate. They would be subservient to the host properties and of a simple mono pitched design again reflective of the existing outbuildings. In wider terms, the rear of the street is visible from the main street frontage along Gilesgate but it is negatively affected by a number of modern rear extensions which vary in heights, roof forms and materials. These, along with insensitive alterations to the host buildings, combine to generate a highly altered rear historic street scene of limited aesthetic quality. As a result the proposed extensions would easily be absorbed into the existing rear built forms without detriment to the character or appearance of the locality. Furthermore, the proposals would satisfy the requirements of Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 by preserving the character and appearance of the Conservation Area.

Highways

38. Whilst there is no on-site parking in association with the properties they are located as such to have excellent access to public transport and are within walking distance of the city centre itself. The Highways Section has raised no objections in relation to either application and as such no concerns are raised in this respect.

CONCLUSION

39. In conclusion it is considered that due to both properties currently operating under a C4 use class they already have the potential to operate with 6 bedrooms. As such it is considered that the introduction of a seventh bedroom at both properties would not be significantly noticeable and would not have any noticeable or tangible detrimental impact on the balance of accommodation in the street scene or existing residents within the street.
40. In relation to the impact upon the designated Conservation Area due to the amount of changes and extensions which have already taken place in the rear yard areas to both properties the proposed extension would easily be absorbed into the existing rear built forms without detriment to the character or appearance of the locality.
41. As a result it is considered that the proposed changes of use would not adversely impact upon the current levels of amenity enjoyed at the site or upon the designated

conservation area and as such it is considered the development is in accordance with National and Local Planning Policy.

RECOMMENDATIONS

That the application **DM/15/00187/FPA** be **APPROVED**

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

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be carried out in strict accordance with the following approved plans and documents.

Drawing No. 838-01 and 838- 02A

Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with Policies E6, E22, H9, H13, Q9 and T1 of the City of Durham Local Plan 2004.

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STATEMENT OF PROACTIVE ENGAGEMENT

In dealing with the application, the Local Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising during the application process. The decision has been made within the 8 week target provided to the applicant on submission and in compliance with the requirement in the National Planning Policy Framework to promote the delivery of sustainable development.

BACKGROUND PAPERS

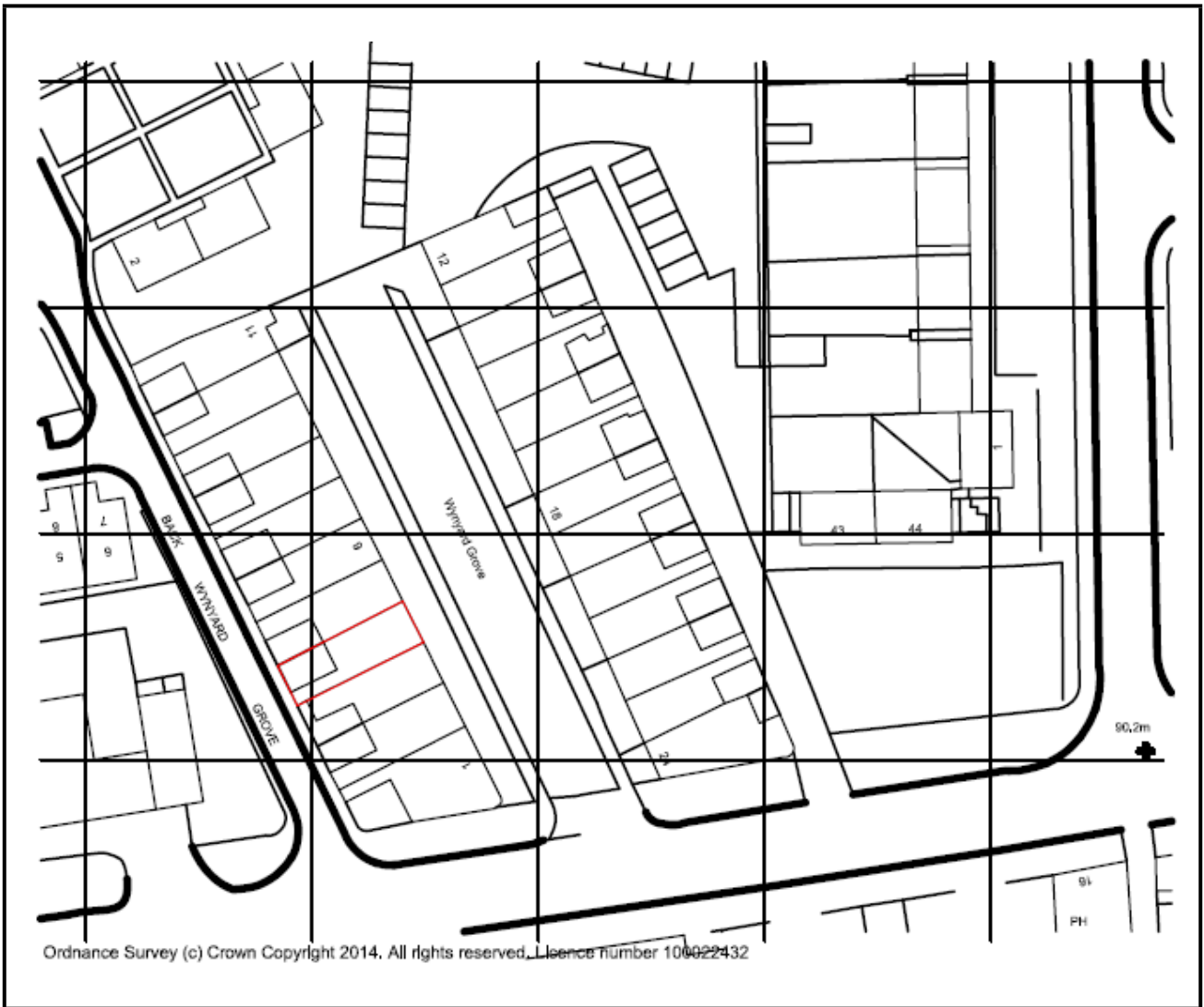
Submitted application forms, plans supporting documents and subsequent information provided by the applicant.


The National Planning Policy Framework (2012)

National Planning Practice Guidance Notes

City of Durham Local Plan 2004

Statutory, internal and public consultation responses



 <p>Planning Services</p>		
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	<p>Date 10th March 2015</p>	



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Planning Services

Change of use C4 student HMO to 7 bed sui generis student HMO
 demolition of rear extension and
 erection of rear extension at
 16 Wynyard Grove, Gilesgate,
 Durham

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Date
10th March 2015