



Planning Services

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION No:	DM/19/01406/FPA
FULL APPLICATION DESCRIPTION:	Change of use from A1 (retail) to C3 (residential) use. Creation of additional residential unit. External alterations (resubmission of DM/19/00291/FPA)
NAME OF APPLICANT:	Mr S Ravichandran
ADDRESS:	96 Wheatbottom, Crook, DL15 9HB
ELECTORAL DIVISION:	Crook
CASE OFFICER:	Adam Williamson Planning Officer 03000 260826

DESCRIPTION OF THE SITE AND PROPOSAL

The Site

1. The application site relates to no. 96 Wheatbottom, Crook, a mixed-use property located to the west of Crook Town Centre, to the south west of the County. At present the ground floor of the property consists of an A1 retail use, with an associated residential use to the rear of the retail area, extending to the first floor. The property provides residential accommodation over five bedrooms. The building is a semi-detached building with the adjoining Travellers Rest Public House to the northwestern elevation. The building has a rendered in finish to the A690 and rear elevation and constructed of buff brick to the south (side) eastern elevation.
2. The site lies on the A690 which is the main road linking Crook to Durham, sited approximately 500 metres to the south east of Crook town centre. To the north of the site, beyond the A690, the residential dwellings no.7 -12 Wheatbottom are sited. To the south east of the site, public open space is located on the junction of Ennerdale Drive and Wheatbottom. To the rear of the site a rear garden is present, which beyond lies the residential properties of Ravensworth and Walton Court.
3. The southern boundary of the Crook Conservation Area lies approximately 300 metres to the north west of the site which contains a number of listed buildings. There is no intervisibility between the application site and the conservation area.

The Proposal

4. Planning permission is sought for the change of use of the A1 retail area to a residential use and the subdivision of the building, to form two no. 2 bedroom flats. Externally the existing shop front is proposed to be removed and replaced with a new double window and an entrance door to provide access to the ground floor unit, while a secondary window is proposed to the ground floor front elevation. A conservatory on the rear elevation is proposed to be demolished and a new entrance door created to provide access to the unit on the first floor. A single window on the ground floor side elevation overlooking an area of open space is proposed. Existing windows and doors throughout the property are proposed to be replaced, while the rear garden would be retained and would serve as amenity space for both properties, no in-curtilage car parking is proposed.
5. The application has been reported to the South West Planning Committee at the request of Cllr Patterson who raises concerns in respect of car parking and the impact on the adjoining public house.

PLANNING HISTORY

6. Planning application DM/19/00291/FPA for General alterations and creation of additional residential unit was withdrawn over highways concerns as it included land for parking not in the control of the applicant.
7. In 1998 planning permission was granted (3/1998/0463) for the change of use of ground floor office to form part of the dwelling.

PLANNING POLICIES

National Policy

8. A revised National Planning Policy Framework (NPPF) was published in July 2018 (with updates since). The overriding message continues to be that new development that is sustainable should go ahead without delay. It defines the role of planning in achieving sustainable development under three overarching objectives – economic, social and environmental, which are interdependent and need to be pursued in mutually supportive ways.
9. In accordance with Paragraph 213 of the National Planning Policy Framework, existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given). The relevance of this issue is discussed, where appropriate, in the assessment section of the report. The following elements of the NPPF are considered relevant to this proposal.
10. *NPPF Part 2 Achieving Sustainable Development* - The purpose of the planning system is to contribute to the achievement of sustainable development and therefore at the heart of the NPPF is a presumption in favour of sustainable development. It defines the role of planning in achieving sustainable development under three overarching objectives - economic, social and environmental, which are

interdependent and need to be pursued in mutually supportive ways. The application of the presumption in favour of sustainable development for plan-making and decision-taking is outlined.

11. *NPPF Part 4 Decision-Making* - Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
12. *NPPF Part 5 Delivering a Sufficient Supply of Homes* - To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.
13. *NPPF Part 6 Building a Strong, Competitive Economy* - 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 a low carbon future.
14. *NPPF Part 8 Promoting Healthy and Safe 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 9 Promoting Sustainable Transport* - Encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. Developments that generate significant movement should be located where the need to travel will be minimised and the use of sustainable transport modes maximised.
16. *NPPF Part 11 Making Effective Use of Land* - Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.
17. *NPPF Part 12 Achieving Well-Designed Places* - The Government attaches great importance to the design of the built environment, with good design a key aspect of sustainable development, indivisible from good planning.
18. *NPPF Part 15 Conserving and Enhancing the Natural Environment* - Conserving and enhancing the natural environment. The Planning System should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests, recognising the wider benefits of ecosystems, minimising the impacts on biodiversity, preventing both new and existing development from contributing to or being put at unacceptable risk from

pollution and land stability and remediating contaminated or other degraded land where appropriate.

LOCAL PLAN POLICY:

Wear Valley Local Plan (WVDLP) 1997

19. *Policy GD1 (General Development Criteria)*- Sets out that all new development and redevelopment within the District should be designed and built to a high standard and should contribute to the quality and built environment of the surrounding area.
20. *Policy H3 (Distribution of Development)*- Sets out that new development will be directed to those towns and villages best able to support it. Within the limits to development of towns and villages, as shown on the Proposals Map, development will be allowed provided it meets the criteria set down in Policy GD1 and conforms to the other policies of this plan.
21. *Policy H18 (Sub-Division of Premises)*: Sets out that permission will be granted for sub-division and/or conversion of any premises to flats or other forms of multiple residential occupation provided it meets the criteria detailed and conforms with Policy GD1.
22. *Policy H24 (Residential Design Criteria)*: Requires that new residential developments and/or redevelopments will be approved provided they accord with the design criteria set out in the local plan.
23. *Policy T1 – General Policy – Highways*. All developments which generate additional traffic will be required to fulfil Policy GD1 and provide adequate access to the developments; not exceed the capacity of the local road network; and be capable of access by public transport networks.

RELEVANT EMERGING POLICY:

The County Durham Plan

24. Paragraph 48 of the NPPF states that decision-takers may give weight to relevant policies in emerging plans according to: the stage of the emerging plan; the extent to which there are unresolved objections to relevant policies; and, the degree of consistency of the policies in the emerging plan to the policies in the NPPF. Following consultation at 'Issues & Options', 'Preferred Options' and 'Pre Submission Draft' stages, the CDP was approved for submission by the Council on 19 June 2019. The CDP was submitted to the Planning Inspectorate on 27 June 2019. A timetable for the Examination in Public (EiP) of the CDP has been devised with the Hearings set to commence in October 2019. Although the CDP is now at a relatively advanced stage of preparation, it is considered that it is not sufficiently advanced to be afforded any weight in the decision-making process at the present time.

The above represents a summary of those policies considered relevant. The full text, criteria, and justifications can be accessed at: <http://www.durham.gov.uk/article/3266/Whats-in-place-to-supportplanning-and-development-decision-making-at-the-moment> (Wear Valley District Local Plan)

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

25. Highways Authority - Advise that the existing property comprises a small area of commercial A1 use at ground floor, with the rest of the accommodation given over to a 4 bed flat with study (the latter, a possible extra bedroom). The proposal removes the A1 use and converts/subdivides the remaining space to form 2 no. 2 bed flats. Parking availability has been cited adjacent to a nearby public house. This land is DCC freehold and while parking has historically been able to take place here without apparent restriction it is third party land and cannot be conditioned as exclusively available for the benefit of the applicant. It is advised that the proposed removal of the commercial A1 use, and no increase in total bedroom numbers, leads to a conclusion that an NPPF based highway objection would not be sustainable, accordingly no objections are raised to the proposal.

INTERNAL CONSULTEE RESPONSES:

26. *Asset Management* : - Advise that there are no proposed Disposals or Leases adjacent to the site, however the land adjacent is Open Space
27. *Clean and Green*: - No response received.
28. *Environmental, Health and Consumer Protection (Pollution Control)* :- Advise that the submitted details in relation to upgraded glazing would be sufficient to address noise arising from the adjacent public house and road given the construction of the building, layout of adjoining premises and exiting residential use of the site. No objection is raised subject to the agreed glazing details being implemented

PUBLIC RESPONSES:

29. The application has been publicised by way of individual notification letters to neighbouring properties.
30. One letter of objection has been received from the adjoining public house highlighting that the application is retrospective, the works may not accord with building regulations, and the lack of off-street car parking.
31. *Cllr Patterson*: Raises concerns regarding the lack of parking at the property as the land to the west of the Travellers Rest cannot be relied on for parking, and the existing property is landlocked. By creating a 2nd dwelling the applicant is increasing the occupancy levels and the likelihood of increased vehicles at the property with the A690 with speeding and traffic issues just off the bend. The Highways Authority have already lodged an objection to the previous application. Whilst the applicant has undertaken building works there have been issues with the public house and accessibility of deliveries as a result of parked vehicles and obstruction. This is one of the oldest public houses in Crook and it would be wrong to approve an application that would have a detrimental effect on their business.
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PLANNING CONSIDERATION AND ASSESSMENT

32. Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out that if regard is to be had to the development plan, decisions should be made in accordance with the development plan unless material considerations indicate otherwise. In accordance with advice within the National Planning Policy Framework (NPPF), the policies contained therein are material considerations that should be taken into account in decision-making. Other material considerations include representations received. In this context, it is considered that the main planning issues in this instance relate to: the principle of development, housing land supply, residential amenity, highways impacts, visual amenity and other issues.

Principle of development

33. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material planning consideration. The Wear Valley District Local Plan (WVLP) remains the statutory development plan and the starting point for determining applications as set out at Paragraph 12 of the NPPF.

34. The WVDLP was adopted in 1997 and was intended to cover the period to 2006. However, NPPF Paragraph 213 advises that Local Plan policies should not be considered out-of-date simply because they were adopted prior to the publication of the NPPF. Notwithstanding this, it is considered that a policy can be out-of-date if it is based upon evidence which is not up-to-date/is time expired depending on the circumstances. Paragraph 213 also sets out that due weight should be given to existing policies, according to their degree of consistency with the Framework, the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given.

35. Policy H3 of the WVDLP, sets out that new development will be directed to those towns and villages best able to support it, recognising that other than infill developments or small extensions, development outside of defined settlement limits would not be acceptable. The development would comply with Policy H3, representing residential within the defined settlement limits of Crook as set out in the WVDLP Proposals Map.

36. Saved Policy H18 of the WVDLP states that the sub-division of premises to flats is permitted where sites are located in the built up areas of towns and villages; they will not harm the amenity of adjoining residents; they have sufficient off-street parking provision; any alterations or extensions would be in keeping with the character of the area and providing they have sufficient amenity space. In principle, subject to a detailed analysis of the impacts of the proposal the development would be supported by WVDLP Policy H18.

37. However, given the age of the evidence which informed them, policies in relation to establishing settlement boundaries and location of new housing are considered out of date. Whilst this does not mean that they should be disregarded or be given no weight, the weight that can be afforded to them is reduced.

38. The NPPF does not prevent a local planning authority from defining settlement boundaries to control development, however these would need to be based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area. Given the age of the evidence which informed them, policies in relation to establishing settlement boundaries and location of new housing are considered out of date. Furthermore, although the approaches of Policy H3 and H18 of the WVDLP are considered consistent with the NPPF, which seeks to promote development in sustainable locations, whilst minimising the impacts of a development, it is recognised that the housing supply policies of the WVDLP are based on time limited information. WVDLP Policies H3 and H18 are therefore considered out of date, whilst this does not mean it should be disregarded, or be given no weight, the weight that can be afforded to the policy is reduced.
39. The development would result in the loss of a retail unit, however there are no policies with in the WVDLP or NPPF which seek to protect retail units outside of designated centres or shopping areas.
40. Paragraph 11 of the NPPF establishes a presumption in favour of sustainable development. For decision taking this means (unless material considerations indicate otherwise):
- c) approving development proposals that accord with an up-to-date development plan without delay; or
 - d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless:
 - i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or
 - ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the Policies in this Framework taken as a whole
41. As set out above although in principle the development would conform to policies H3 and H18 of the WVDLP, these policies are considered out of date by virtue of the evidence which informed them, Therefore, the acceptability of the development must be considered in the context of Paragraph 11(d) of the NPPF.

Housing land supply

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

43. Within County Durham all the extant development plans are more than five years old and their housing figures need revising so the starting point for calculating land supply will be local housing need using the Government's standard methodology. The County Durham Plan (CDP) is aligned with the standardised methodology and identifies a housing need figure of 1,368 dwellings per annum (dpa). At this time, the Council is able to demonstrate 6.37 years supply of deliverable housing land against this figure.
44. Accordingly, the weight to be afforded to the boost to housing supply as a benefit of the development is clearly less than in instances where such a healthy land supply position could not be demonstrated.
45. The Government has also recently published its Housing Delivery Test (HDT) results in February 2019. The HDT outcome for the Council indicates that housing delivery has been above the requirement over the last three years, which is evidence that delivery of housing on the ground is on track and exceeding our housing targets.

Locational Sustainability

46. Policies GD1, H24 and T1 of the WVDLP jointly seek to promote that adequate and safe pedestrian and cycle routes are provided to facilitate access to services and amenities, prioritising pedestrian and cycle links. The policies also seek to ensure that adequate links and access to public transport are incorporated within the layout of the site.
47. These policies are considered consistent with the NPPF in this respect with paragraph 103 of the NPPF which sets out that the planning system should actively manage patterns of growth including to promote walking, cycling and public transport use. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. Paragraph 110 of the NPPF also sets out that applications for development should give priority of priority to pedestrian and cycle movements, facilitate access to high quality public transport, address the connections between people and places and the integration of new development into the natural and built environment. Due to their consistency Policies GD1, H24 and T1 of the WVDLP should be afforded full weight in the decision-making process.
48. In terms of distances to services and amenities, consideration is given to a range of distances that are generally considered acceptable set out in the Chartered Institute of Highways and Transportation (CIHT) documents including 'Guidelines for Providing for Journeys on Foot' and 'Planning for Walking', The Department for Transport's 'Manual for Streets', along with work undertaken by independent consultants. In general, it is considered that a walking distance of 1650-2000m or a 20-minute walk is considered at the upper end of what future residents could be expected to walk, taking into account topography and desirability of routes.
49. In this respect Crook has a wide range of services, facilities and employment sites, capable of servicing a development of this nature. Bus stops linking the site to Durham and Bishop Auckland are within 150 metres of the application site, and the

site is approximately a 500 metre walk into facilities contained within the centre of Crook, well within the 20 minute walking time. Future residents would therefore have ready access to services and amenities without the reliance on the private motor car.

50. Accordingly, the development is considered to comply with Policies GD1, H24 and T1 of the WVDLP and the locational aims of the NPPF to secure sustainable patterns of development.

Residential amenity

51. Saved Policies GD1 and H18 of the WVDLP seek to ensure that new development does not disturb or conflict with adjoining uses, while seeking to safeguard the amenity of adjoining residents. Policies H18 and H24 of the WVDLP also seek to ensure that sufficient garden and/or private amenity space to meet the needs of future residents. These policies are considered consistent with Parts 12 and 15 of the NPPF in this respect which also seeks to ensure a high standard of amenity for existing and future uses whilst ensuring new development can integrate effectively with existing businesses. Full weight should be afforded to Policies GD1 and H18 of the WVDLP in the decision-making process in this respect.
52. In conjunction with the retail use of the site, the existing development comprises a residential property adjoining an existing Public House. Concerns have been raised regarding the relationship of the development with the existing Public House, specifically in relation to potential noise transfer.
53. Paragraph 182 of the NPPF requires that new development should be integrated effectively with existing businesses (including pubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established (such as through statutory nuisance legislation). Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant should be required to provide suitable mitigation before the development has been completed.
54. The Environmental, Health and Consumer Protection (Pollution Control) Officer (EHO) has given consideration to this matter and relationship with the proposed development and the adjoining Public House particularly from internal noise transfer, and noise from people coming and going. It is also advised the development would not introduce a sensitive receptor over and above the existing situation as the existing residential use of the building and surrounding properties provide a degree of limitation of the use of the Public House and noise generated
55. Furthermore, it is advised that due to the a 200mm thick internal wall at first floor and an internal passageway to the ground floor between the buildings noise transfer from the public house to the application site would not be significant. In order to address comings and goings, and road noise, a scheme of replacement glazing and mechanical ventilation for openings to the front elevation has been detailed. It is advised that with these measures' future occupiers will be protected from the existing adjoining commercial use, and a statutory nuisance is unlikely to arise. A condition is recommended to ensure these mitigation measures are installed before the use is commenced.

56. Subject to the above-mentioned conditions it is considered that the noise effects associated with adjacent development, would be appropriately mitigated in accordance with Policies GD1 and H18 of the WVDLP and Parts 12 and 15 of the NPPF in this respect.
57. In terms of proposed amenity space, both units would have rear doors accessing the existing rear garden which measures over 37 metres in length resulting in a large shared amenity area in excess of the standard set out in policy H24 of the WVDLP.
58. The relationship of the building with the residential properties to the rear on Ravensworth Court would remain as existing, and as there is existing residential uses to the rear of the host building, there would be no significant impacts over or above the existing situation.
59. Overall it is considered that the development would comply with saved policies GD1, H18 and H24 of the WVDLP and Parts 12 and 15 of the NPPF in this respect.

Highways Safety

60. Policy T1 of the WVDLP seeks to ensure that new development provides adequate access and does not exceed the road capacity of the local road network. Policy H18 of the WVDLP supports the creation of flats where the access and parking arrangements are in line with the County Council's parking standards set out in further planning note 2. Policy T1 of the WVDLP is considered consistent with the NPPF in this respect which seeks to protect highway safety. Whilst the principle of setting out appropriate car parking standards is consistent with the NPPF, the standard referred to in the WVDLP have since been superseded and are therefore considered out of date, reduced weight should be afforded to Policy H18 in this respect.
61. Concerns have been made in respect of the lack of off-street parking proposed by the development, and that future occupiers of the flats may park on land to the west currently used by the public house for customer parking. This land is DCC freehold, and while parking has historically been able to take place here without apparent restriction, it is third party land and cannot be used exclusively available for the benefit of the applicant or the public house. This land could be sold to another party or enclosed without planning permission meaning it could be no longer used to provide parking. Whilst the public house may have a right of access across this land, matters relating to private access rights are not a matter to be dealt with under the planning process.
62. The Highways Authority advise that whilst the lack of any potential on-site parking provision is disappointing, given the availability of existing on street parking provision close by, no objections are raised to the proposals. It is also highlighted that at present 5 bedrooms and a retail unit are located within the property, while the proposed development would consist of 2 bedrooms each, the parking demand for the property is therefore not considered to be significantly greater. It is also considered that those who choose to occupy these flats will do so in the full knowledge of parking limitations in the area. Given the edge of centre setting

however, these flats would also appeal to non-car users who would make use of the good public transport linkages.

63. In view of the foregoing, whilst the proposals cannot provide additional car parking provision, the site has adequate on-street parking to facilitate the development. The proposals are not considered to cause an unacceptable impact in terms of highway safety as advised by the Highway Authority, and therefore it is considered that the proposal would comply with the aims of policies T1 and H18 of the WVDLP and Part 9 of the NPPF in this respect.

Impact on character and appearance of the surrounding area

64. Policies GD1 and H18 of the of the WVDLP seeks to ensure good design in new developments setting out that new developments should be in keeping with the character and appearance of the area and designed to be appropriate in terms of form, mass, scale, layout, density and materials to be used. Saved policy H24 of the Local Plan similarly seeks to ensure good design standards, ensuring new developments are in keeping with their surroundings reflecting the density and character of the locality. These policies are considered consistent with the NPPF in this respect which at Part 12 seeks to promote good design and developments which are visually attractive and sympathetic to the local character.
65. In this respect the site lies within a predominantly residential area, with a mix of housing types and ages surrounding, while noting the adjoining the building to the north west is a public house (The Travellers Rest). The existing building is rendered in finish with a relatively traditional shop front to the ground floor and a central bay window to the 1st floor roadside elevation. However, the current shop front has fallen in a state of disrepair, and in itself has no significant historical interest or architectural merit.
66. The scheme proposes to remove the shopfront and replace it with a central door and a new sash style window to match the existing while a secondary window would be created in the front elevation. The bay window to the 1st floor is proposed to be repaired and retained. To the rear, an existing lean to extension is proposed to be replaced with a door to serve the first-floor accommodation, and the replacement of an existing door with a window. The scheme also involves the insertion of a ground window on the side elevation of the property which would look onto the area of public open space on the junction with Wheatbottom and Ennerdale Drive.
67. Overall, it is considered that the removal of the current decaying shopfront and its replacement with a new façade would tidy up the main roadside elevation of the building resulting in a visual improvement. A conditional approach to secure the detailing of the design and appearance of the windows is recommended. Subject to this condition it is considered that the development would accord with policies GD1, H18 and H24 of the WVDLP and the Part 12 of the NPPF in this respect.

Other matters

68. Issues relating to compliance of works undertaken with building regulations is not a planning consideration. It is acknowledged that internal works have been undertaken to the building, however internal alterations do not require planning permission.

CONCLUSION

69. The change of use for a retail unit and the formation of 2no. residential flats would in this location would comply with the locational strategy of Policies H3 and H18 of the WVDLP. The development would also comply with the criteria set out in Policies GDP1, H18, H24 and T1 of the WVDLP in terms of residential amenity, highway safety and impact on the character and appearance of the surrounding area.
70. However, it is identified that the most important policies for determining the application (Policies H3 and H18) are considered out of date and as there are no policies within the framework that protect assets of importance, consideration should therefore be given to Paragraph 11 d) (ii.) of the NPPF. This sets out that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole
71. The development would provide some limited benefit in terms of a boost to housing supply, although it is noted that this could be considered limited as one additional dwelling in the context that the Council's ability to demonstrate a 6.37 year supply of housing land. Less weight should therefore be afforded to the benefits of delivering new housing in this regard as such than would otherwise be the case if any shortfall in supply existed.
72. The site occupies a sustainable location in Crook which itself is served a good range of shops, services, employment and education opportunities. The introduction of additional residential development in this location would help support these facilities while residents would not be wholly reliant on the private motor car to access services and amenities.
73. The development would result in the removal of the current decaying shopfront and its replacement with a new façade would tidy up and improve the appearance the main roadside elevation of the building resulting in a visual improvement.
74. The lack of off-street parking is regrettable; however, occupants of these flats will do so in the full knowledge of parking limitations in the area and on the advice of the Highways Authority a loss of highway safety would not arise. An adverse impact is not considered to arise in this respect.
75. The development would result in the loss of a retail unit; however, the site is located outside of the defined town centre and protected street frontages, and therefore not afforded protection through the WVDLP policies or the NPPF. It is also noted that the retail unit has been out of a productive use for some time. An adverse impact is not considered to arise in this respect.

76. On balance, in this instance it is considered that there are no adverse impacts which would significantly and demonstrably outweigh the benefits associated with the development. There are no material considerations which indicate otherwise, and the application is recommended for approval.
77. The proposal has generated some public interest, with a number of letters of objection/concern having been received. The objections and concerns raised have been taken account and addressed within the report.

RECOMMENDATION AND CONDITIONS

That members Approve 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 in shall be carried out in strict accordance with the following approved plans and documents:

Site Location Plan received 02.05.2019

Dwg. No. 19 06 03A Existing and Proposed Elevations received 16.07.2019

Dwg. No. 19 06 04 Proposed site Plan received 02.05.2019

Dwg. No. 19 06 02 Proposed Floor Plans received 02.05.2019

Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with Policies GD1, H3, H24 and T1 of the Wear Valley District Local Plan.

3. Prior to their installation, full details of the proposed windows and doors to the front elevation, including plans at a scale of 1:20, their colour treatment, and glazing specification and shall be submitted to and approved in writing by the local planning authority. The windows and doors shall be installed and retained in accordance with the approved details thereafter.

Reason: In the interests of visual and residential amenity in accordance with policies GD1 and H24 of the Wear Valley District Local Plan.

STATEMENT OF PROACTIVE ENGAGEMENT

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

BACKGROUND PAPERS

Submitted Application Forms, Plans and supporting documentation
Wear Valley District Local Plan
National Planning Policy Framework
Internal consultee responses
Public responses
Responses from statutory and other consultees
National Planning Policy Guidance



Planning Services

96 Wheatbottom
Crook
DL15 9HB

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Date
August 2019

