



## Planning Services

# COMMITTEE REPORT

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### APPLICATION DETAILS

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<b>APPLICATION No:</b>	DM/20/00165/FPA
<b>FULL APPLICATION DESCRIPTION:</b>	Proposed retention of 2 no. timber dugouts (shelters) erected to the north west of the existing artificial turf pitch.
<b>NAME OF APPLICANT:</b>	Mrs Kathryn Rochester
<b>ADDRESS:</b>	Durham School Quarryheads Lane Durham DH1 4SZ
<b>ELECTORAL DIVISION:</b>	Neville's Cross
<b>CASE OFFICER:</b>	Michelle Stephenson Planning Officer Telephone: 03000 263963 <a href="mailto:Michelle.Stephenson2@durham.gov.uk">Michelle.Stephenson2@durham.gov.uk</a>

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### DESCRIPTION OF THE SITE AND PROPOSALS

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#### The Site

1. The application site relates to the historical Durham School complex, located within Durham (City Centre) Conservation Area (CA), and specifically the all-weather sports pitch granted permission in 2002. The substantial school building occupies a prominent corner position at the junction of Quarryheads Lane and Grove Street / Margery Lane and standing on the outer ridge of the River Wear gorge.
2. The school complex comprises of various buildings, a few of which are listed including the main south building (Grade II 1843-44), the gateway (Grade II 1843), the porter's lodge, gymnasium and workshops (Grade II 1889-09), along with the unlisted chapel. To the south east and south west exist several sports pitches, which feature mature trees along the boundaries and small pockets of woodland.

#### The Proposal

3. This application seeks retrospective consent to regularise the erection of 2 no. timber dugouts (shelters) on the edge of the existing all-weather sports pitch at Durham School. The shelters are located on the north-western edge of the pitch and sit partially outside of the existing fence, at the top of the bank sloping down to Clay Lane to the north, a public right of way which runs parallel to the site.

4. The shelters are constructed of timber and measure approximately 3.1m in width by 2.4m in depth with a maximum overall height of 2.6m. The structures have a mono-pitch design and are enclosed on three sides with the front elevation, facing the pitch, being open. The shelters are approximately 6m apart and sited parallel to one another.
5. The application is referred to the Committee at the request of local member Councillor Liz Brown on grounds of visual impacts and loss of residential amenity, in breach of Saved Policy E22 and H13.

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## **PLANNING HISTORY**

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6. 4/02/00573/FPA Construction of all-weather sports pitch including earthworks, fencing, and woodland planting. Approved 23.10.2002.
7. DM/18/03745/FPA Demolition of existing cricket pavilion and construction of new multi-use sports pavilion including installation of new scoreboard. Approved 28.03.2019.

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## **PLANNING POLICY**

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### **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 most supporting Annexes to the planning policy statements are retained. The overriding message is that new development that is sustainable should go ahead without delay. It defines the role of planning in achieving sustainable development under three topic headings – economic, social and environmental, each mutually dependent.
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 of the NPPF are considered relevant to this proposal:
10. *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.
11. *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.
12. *NPPF Part 16 (Conserving and Enhancing the Historic Environment)* - Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can

be enjoyed for their contribution to the quality of life of existing and future generations.

### **Local Plan Policy:**

#### City of Durham Local Plan

13. Policy E3 (World Heritage Site – Protection) seeks to protect Durham Cathedral and Castle World Heritage Site by restricting development to safeguard local and long-distance views to and from the cathedral, castle and peninsula; and applying policies relating to conservation areas and listed buildings.
14. E5A (Open Spaces within Settlement Boundaries) states that development proposals within settlement boundaries that detract from open spaces which possess important functional, visual or environmental attributes, which contribute to the settlement's character or to the small scale character of an area, will not be permitted.
15. Policy E6 (Durham City Conservation Area) sets out the Council's aim to preserve the character, appearance and setting of the Durham City Conservation Area by ensuring high quality design.
16. Policy E14 (Protection of Existing Trees and Hedgerows) advises that 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.
17. Policy E22 (Conservation Areas) sets out that the authority seeks to preserve and enhance the character and appearance of the conservation area by ensuring that development proposal should be sensitive in terms of siting, scale, design and materials where appropriate reflecting existing architectural features
18. Policy E23 (Listed Buildings) seeks to safeguard listed buildings and their settings by not permitting development which detracts from the setting of a listed building.
19. Policy H13 (Residential Areas – Impact upon Character and Amenity) protects residential areas from development that would have a significant adverse effect on their character or appearance, or the amenities of residents within them.
20. Policy C8 (Provision of New Community Facilities) Planning permission will be granted for the provision of new community facilities (e.g. community centres, youth centres, village halls, libraries, post offices, public houses and places of worship) or for extensions to existing facilities.

### **Relevant Emerging Policy:**

#### The County Durham Plan

21. The County Durham Plan (CDP) which in time will replace the existing saved Local Plans in County Durham commenced its Examination in Public (EiP) in Winter 2019. The programmed hearing sessions subsequently closed on 6th February 2020, and the Inspector's issued his post hearing advice on 20th February 2020. An amended CDP has been prepared to take account of the specific instructions from the Inspector, and all the minor/main modifications which the Council proposed following the hearing sessions and in response to the action points issued by the Inspector. Consultation on the CDP (Main Modifications) commenced on Tuesday 26<sup>th</sup> May and will last until 21<sup>st</sup> July 2020 (an eight-week period). All comments that are received

during this consultation period will be sent to the Inspector to inform his final report. 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. Although the CDP is now at an advanced stage of preparation, it is considered that it should not be afforded any weight in the decision-making process until the Inspector's final report has been received.

## Durham City Neighbourhood Plan

22. 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.
23. Following consultation with the community at 'Pre-Submission Draft' stage, the submission draft of the Durham City Neighbourhood Plan (DCNP) was approved by an Inspector on 17th July 2020, who considered that the plan satisfied the Basic Conditions and that, subject to some recommended modifications, the plan should proceed to referendum. Therefore, weight can start to be attributed to the plan, although where the Inspector has recommended changes to policies less weight should be given.
24. Policy S1 (Sustainable Development Requirements of all Development and Re-development Sites Including all New Building, Renovations and Extensions) - All development proposals must, where relevant, demonstrate the following principles:
  1. Promotion of economic well-being
  2. Conservation, preservation and enhancement of Our Neighbourhood
  3. The responsible use of resources and increase in resilience to climate change
  4. Securing equity and benefit to the local community
25. Policy H1 (Protection and Enhancement of the World Heritage Site) - Development proposals within the Durham Cathedral and Castle World Heritage Site are required to sustain, conserve, and enhance its Outstanding Universal Value and to support the current adopted management plan.
26. Policy H2 (The Conservation Areas) – Durham City Conservation Area - Development proposals within or affecting the setting of the Durham City Conservation Area should sustain and enhance its special interest and significance as identified within the Conservation Area Appraisals.
27. Policy G2 (Designation of Local Green Spaces) - Certain Areas are designated as Local Green Space where inappropriate development should not be approved except in very special circumstances.

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## **CONSULTATION AND PUBLICITY RESPONSES**

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### **Statutory Responses:**

28. The City of Durham Parish Council – objects on the grounds that the structures are 2.5m high and clearly visible from Clay Lane and residential properties in Archery Rise. The structures are visible from Clay Lane which is an important pedestrian route and attractive green area of biodiversity. The PC regard Clay Lane as a non-

designated Heritage Asset and the development is considered to have an unacceptable adverse impact upon the views from important sites within the Conservation Area. The proposals are therefore considered contrary to Paragraphs 197 and 127 of the NPPF and Policy E22 of the Local Plan. It is also not considered that a sufficient level of detail has been submitted to assess the impact of the development on the Conservation Area contrary to section 4 of Policy E22. It was also noted that there was no heritage statement submitted with the application and it is not considered that the description of the structures as 'dugouts' is accurate. Based on the above, the PC therefore conclude that the application should be refused, and the structures re-positioned.

### **Internal Consultee Responses:**

29. Design and Conservation – The proposal would have a neutral visual impact.
30. Tree Officer – No objection on the retrospective application, these do not conflict with any tree cover surrounding the site.

### **Public Responses:**

31. The application has been advertised by means of site notice, press notice and by individual notification letters sent to neighbouring residents. To date, five letters of objection have been received including from Councillor Liz Brown.
32. The main concerns are summarised as follows:

- The structures cannot be considered low at 2.5m high
- The structures show above the skyline at the top of the bank, within the conservation area, and opposite properties in Archery Rise.
- The shelters are not typical 'dugouts' and therefore the description is not considered to be accurate.
- The two structures could be re-located at the opposite side of the pitches and serve an equal purpose with no noticeable intrusion into the landscape.
- They are visible from both Clay Lane and from the rear of the properties in Archery Rise.
- Clay Lane is regarded as a non-designated Heritage Asset and the application adversely impacts upon this area.
- Clay Lane is a key part of one of Durham City's green corridors and used as a primary walking and scenic recreational route.
- It is not considered that the structures will be hidden, even in high summer with full leaf cover.
- The original planning application relating to this pitch promised to retain an open aspect between the playing field next to the woodland and green space.
- The shelters dominate at 10 metres higher than the nearby site boundary.
- The shelters have been located within the landscape at one of the most visually intrusive locations.
- Clay Lane has been included within the current draft Durham City Neighbourhood Plan as part of an important Local Green Space.
- No Heritage Statement has been included with this retrospective application.
- The development breaches Saved Policy E22 parts 1, 3 and part 4.
- It has resulted in the loss of residents' amenity in breach of Saved Policy H13.
- The adverse impacts of the development are considered to "significantly and demonstrably outweigh the benefits" contrary to NPPF Paragraph 11b ii).
- The structures have resulted in an unacceptable adverse impact on the views from important sites within the Conservation Area.

33. Following submission of a Heritage Statement an additional consultation was carried out and one further letter was received which raised the following additional concerns:

- The objections to these twin developments do not relate to views of the World Heritage Site, but to the intrusion into the “Green Open Space”.
- The structures are out of character with the surrounding natural woodland and particularly from October until April, dominate the skyline, in what is otherwise a “green corridor” into the City Centre.
- The two shelters have been erected within a few metres of each other, consequently their presence on the skyline and dominance are compounded and substantially multiplied.

#### **Applicant’s Statement:**

34. Our first choice of location for the dug-outs was originally on the other side of the pitch however when the artificial turf pitch was built, a considerable amount of drainage was built into the far bank and our School Estates Manager did not feel it appropriate to disturb this, as it would result in drainage and possibly flooding problems on the pitch. Also, to house the dug outs on the other side required ground works to be carried out with a large amount of digging out, whereas the current location has required no ground works so the habitats present have been preserved and it has caused no damage to the environment. The dug-outs cannot be housed at the end of the pitch as this is a danger area in terms of the sports being played.

35. The dug-outs are located fully on the land owned by the School and this was checked previously to building them. As they are a temporary structure, we can lift them and put them on wheels or sliders so they can be moved forwards and backwards if needed.

36. We have developed the need for dug-outs on the pitch as we have been working in partnership with Durham City Hockey Club, Durham City Rugby Club, Brandon United Football Club and Durham City Cricket Club. They all use our artificial turf pitch for their Junior sections, especially the activities and coaching they deliver for the 5 to 12 age group and as a charity we feel it important to support our local sports clubs enabling these young children to learn their sport. Senior teams from Durham City Hockey Club also play matches at weekends on this pitch. Local based Durham Coaching business, One-Hockey also use the pitch and once sport started to re-open in June, this business had a lifeline to start and deliver coaching once again, as local authority and the University pitches have not yet re-opened.

37. The dug-outs have proved essential for both the operation of these clubs and our own sport at Durham School as we need to provide a safe and effective shelter for a number of young people. A whole team can fit in. We are fully committed to safeguarding and the welfare of the children who use our facilities and it is only right that they are offered shelter in inclement weather and a safe, dry place to store their bags and to sit if they are not playing at the time.

38. The dug-outs have been built by volunteers of the School including several hockey playing pupils. The cost of the wood used was paid for by the Friends of the School, Committee. Very careful consideration was placed into the design and use of materials of the dug-outs well before they were built. Durham School is working very hard to become a Greener School in line with Durham County’s commitment to reduce the carbon footprint and emissions within Durham City and within our whole School community. By building the dug-outs using natural wood and minimising the

impact on the environment we feel we are contributing to the wider aim of the County. Durham City Hockey Club who also play at Maiden Castle advised us that the wooden dug-outs on the University pitches were excellent and were perfect for use by junior and senior players. We have tried to replicate their design but not as large.

39. We sincerely hope that we will be able to retain our dug-outs as they really help all our users of the pitch to have a better and safer experience using the pitch. If you require any further information or would like to visit the pitch and dug-outs, please let me know.

40. I did consult all the planning documents on the Durham County Council website and as our dug-outs are a temporary structure I did think that planning was not required. I offer my full apologies for this oversight; I am a PE Teacher looking after our Hockey and liaisons with community clubs not our Estates Manager or anyone with experience of planning matters. I have been tasked with this development purely from a sport point of view.

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## **PLANNING CONSIDERATIONS AND ASSESSMENT**

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41. Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out that if regard is to be had to the development plan, decisions should be made in accordance with the development plan unless material considerations indicate otherwise. In accordance with Paragraph 212 of the National Planning Policy Framework (NPPF), the policies contained therein are material considerations that should be taken into account in decision-making. Other material considerations include representations received. It is considered that the main planning issues in this instance relate to the principle of development, impact on the visual amenity of the area including: setting of the historic buildings forming the school, the surrounding conservation area and the wider landscape setting of the WHS; residential amenity and trees.

### Principle of Development

42. The City of Durham Local Plan remains the statutory development plan and the starting point for determining applications as set out in the Planning Act and reinforced at Paragraph 12 of the NPPF. The NPPF Paragraph 213 advises that Local Plan policies should not be considered out-of-date simply because they were adopted prior to the publication of the NPPF. However, the NPPF advises at Paragraph 213 that weight to be afforded existing Local Plan policies depends upon their degree of consistency with the NPPF.

43. The school is a well-established educational centre of local importance and as such policy C8 of the City of Durham Local Plan is considered to be relevant in this case. This states that planning permission will be granted for the provision of new or extended community facilities where these are well related to residential areas and local facilities, are of flexible design which could serve more than one use, would not affect the amenity of nearby or adjacent land or property, allows access by people with disabilities, does not create or contribute to traffic hazard and is accessible to users of all modes of travel including public transport, cycling and walking.

44. Similarly, paragraph 92 of the NPPF states that in order to provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues,

open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments. Policy C8 of the Local Plan is therefore considered to be in compliance with the NPPF, and paragraph 11 of the NPPF is not engaged.

45. The development is considered to improve and extend the existing facilities on this site and are used by the school and wider community in conjunction with the existing sports pitch. As such, the proposals are considered to accord with the aims of paragraph 92 of the NPPF and Policy C8 of the Local Plan. The principle of development is therefore considered to be acceptable in this regard.

## Visual Impact of the Development

46. The Planning (Listed Buildings and Conservation Areas) Act 1990 provides specific protection for buildings and areas of special architectural or historic interest. In particular, sections 66 and 72 require the local planning authority to have special regard to the desirability of preserving listed buildings or its setting, or any features of special architectural or historic interest which it possesses, and with respect to any buildings or other land in a conservation area special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
47. In line with the legislative background, Part 16 of the NPPF relates to conserving and enhancing the historic environment is of direct relevance to this proposal and states that when considering the impact of a proposed development on the significance of a designated heritage asset great weight should be given to the asset's conservation. Part 12 of the NPPF deals with good design generally advising that it is a key aspect of sustainable development, indivisible from good planning that can lead to making places better for people.
48. At a local level Policy E3, E6, E22 and E23 of the City of Durham Local Plan are also considered to be relevant. Policy E3 seeks to protect the Cathedral and Castle World Heritage Site and Policy E23 seeks to safeguard listed buildings and their settings. Policy E6 and E22 seek to preserve and enhance the character, appearance and setting of the Conservation Area by ensuring development is of high-quality design which is sensitive in terms of siting, scale, design and materials.
49. The Council's Design and Conservation team were consulted on the proposals and raised no objection to the retrospective application from a heritage or design perspective. They suggest that the shelters are simple small scaled structures made from timber to reflect their natural wooded surrounding which relate to the well-established sports facility, allow the sports pitch to be more usable and constitute easily reversible development.
50. Design and Conservation suggest that the artificial sports pitch sits quietly within a cut-back in the landscape where they note that its surroundings have re-generated well. In this location the effects of geography, intervening tree coverage and vegetation means that the sports pitch has an overall neutral visual impact in the context of the setting of the historic buildings forming the school, the surrounding conservation area and the wider landscape setting of the WHS. They conclude that the same factors negate the visual impact of the shelters that have been installed.
51. The structures erected are not clearly visible along much of the public footpath, Clay Lane, in both directions, due to the intervening geography and tree coverage. They are slightly more visible from the area around the steps on the west side of the lane, that provide pedestrian access into Archery Rise, due to a gap in the tree/vegetation coverage. However, although they sit on the upper edge of the embankment and break



the ridge line, this is not a key skyline position in the conservation area. In views along the lane they do not draw significant attention and are not so visually prominent and do not stand out as being particularly unsightly or incongruous in their natural surroundings. There are no longer distance views of the structures, other than from within the school grounds, or from other public vantage points.

52. They do not appear too excessive in scale/size and are of low mass, constructed from vertically boarded timber with a natural unfinish treatment that makes them more visually recessive. The view in which they feature is not a key view in terms of the conservation areas special architectural or historic interest and is not identified as such in the Councils appraisal. The structures sitting within a steeply rising area of unmanaged woodland, seen amongst the trees and vegetation that drops down to footpath level, the visual impact would be reduced even further in the summer months. The appraisal only acknowledges the view down Clay Lane from Observatory Hill as being unfolding and interesting, this has not been harmed by the development's presence.
53. The open green spaces in this part of the city contribute positively to the character and appearance of the conservation area, the scenic rural character in stark contrast with the dense urban townscape. The key spaces in this respect are Observatory Hill and the fields in the south, Bellasis and the flat open Durham School playing fields. By virtue of the developments location it has not intruded or visually harmed the openness or the visual amenity qualities of these important open green spaces.
54. Clay Lane may have historical interest as a pilgrimage route, and such routes are part of the outstanding universal values attributed to the WHS. Clay Lane is shown on historic map regression c.1856-60, so will pre date this time period, and is an important historic routeway forming part of a series of connectional paths and roads between the WHS, Darlington Road and beyond. However, by virtue of the structures location they do not harm the accessibility or permeability of the route. They do not affect its plan form or legibility, harm its rural character or its intangible qualities i.e. sense of seclusion, quietness and natural "wilderness" quality.
55. Based on the above, the Design and Conservation section consider that the minor visual impact of the structures from one specific point is not harmful and does not devalue the historic interest of, the distinctive character or experience within, or the setting of Clay Lane, and that they cause no adverse harm to the special character and appearance of the surrounding conservation area. However, they do suggest that there appears to be an opportunity to eliminate the objectors concerns by relocating the two structure somewhere else around the sports pitch.
56. The developments presence on the ridge line does not block or intrude in any public views towards Durham WHS and it does not impact upon its outstanding universal value of the visual drama of the Cathedral and Castle on the peninsula.
57. The development does not feature within any public view that draws in any listed building within the Durham School complex and does not affect the visual appreciation or experience of any listed heritage assets. The impact on setting being neutral.
58. Based on the above, it is therefore considered that the development does not cause any adverse visual harm to the setting of nearby heritage assets, the surrounding conservation area or setting of the WHS. Accordingly, it is considered to comply with the principles of Section 16 of the NPPF and Policy E3, E6, E22 and E23 of the Local Plan. In relation to Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the proposal is considered overall to have a neutral impact on the Conservation Area.

## Residential amenity

59. 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.
60. To the north west of the application site are residential dwellings located within Archery Rise. The structures are located approximately 16m from the rear boundaries with nos. 74 and 76 Archery Rise and the dwellings themselves are sited in excess of 25m away from the development. Clay Lane and a wooded area, comprising of mature trees and vegetation, lies between the two.
61. Concerns have been raised regarding the visibility of the structures from the rear of those properties and their position on a higher ground level, due to the topography of land. Glimpses of the structures can be seen from Clay Lane; however, the intervening mature trees are considered to screen the development. It is acknowledged that leaf cover will be reduced in the winter months, but it is not considered that this would result in any significant additional impact.
62. The structures are also constructed of timber with a natural unfinish treatment which makes them more visually recessive and helps them to harmonise with the surrounding trees and setting, and therefore further reduce their visual prominence from Clay Lane and the properties in Archery Rise.
63. As such, given the separation distances to the neighbouring dwellings, together with the intervening public footpath and mature trees, it is not considered that the development will have a significant adverse impact on residential amenity that would warrant refusal of the application in this instance. As such, the development is considered to accord with Policy H13 of the City of Durham Local Plan.

## Tree/Ecology Issues

64. Policy E14 relates to the protection of existing trees. There are mature trees located to the north of the application site on the bank sloping downwards to Clay Lane and are protected given their siting within the conservation area.
65. The Council's Landscape section were consulted on the proposals and raised no objection to the development, advising that the structures do not conflict with any tree cover surrounding the site.
66. The development is, therefore, considered acceptable in respect of the impact on existing trees within the vicinity of the site in accordance with Policy E14 of the City of Durham Local Plan.

## Other Issues

67. One letter of objection noted that Clay Lane had been included within the current draft Durham City Neighbourhood Plan as part of an important Local Green Space which is set out in Policy G2. Although the draft plan was approved by the Inspector on 17th July 2020, in light of the Inspector's comments and recommended modifications, less weight can be afforded to Policy G2. Nonetheless, due to the scale and siting of the shelters, on the edge of the sports pitch against the backdrop of mature trees, the development is not considered to be inappropriate development or to have a harmful impact on Clay Lane.

68. The Parish Council consider that the application is limited in detail and retrospective therefore contrary to Section 4 of Policy E22. Concern was initially raised as no heritage statement was submitted with the application which is required to assess the impacts of the development on the designated and non-designated heritage assets. A Heritage Statement was subsequently submitted, and re-consultation was carried out, which is considered to address this concern.

69. The Parish Council also note that early engagement between the applicant, local planning authority and local community is important for proposals and is recommended at paragraph 39 of the NPPF, however, noted that this has not been carried out. While pre-application advice is available, should applicants wish to engage in this process, it is not mandatory.

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## **CONCLUSION**

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70. The development is not considered to cause any adverse harm to the historic character and appearance of the setting of nearby heritage assets, the surrounding conservation area or setting of the WHS. The development is also not considered to result in any significant adverse impacts on residential amenity.

71. Accordingly, the development is considered to comply with the principles of the NPPF, Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policy E3, E6, E14, E22, E23 and H13 of the Local Plan.

72. The objections and concerns raised have been considered and addressed within the report. On balance, the concerns raised are not considered to be of sufficient weight to justify refusal of this application in this instance.

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## **RECOMMENDATION**

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

1. The development hereby approved shall be carried out in strict accordance with the approved plans listed in Part 3 - Approved Plans.

Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with Policy E3, E6, E21 and H13 of the City of Durham Local Plan.

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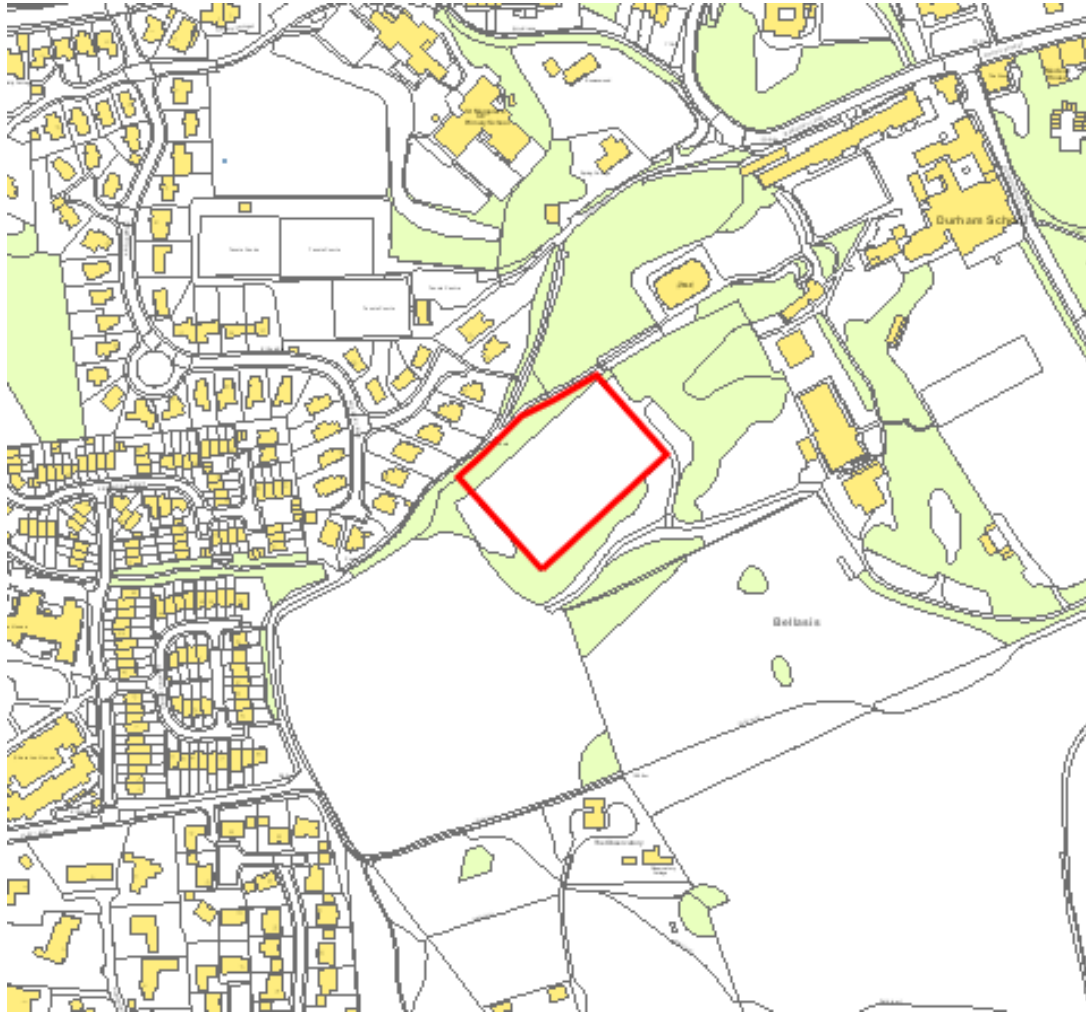
## **STATEMENT OF PROACTIVE ENGAGEMENT**

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

# BACKGROUND PAPERS

Submitted application form, plans, supporting documents and subsequent information provided by the applicant  
 The National Planning Policy Framework (2018)  
 National Planning Practice Guidance Notes  
 City of Durham Local Plan  
 Statutory, internal and public consultation responses



**Planning Services**

Proposed retention of 2 no. timber dugouts (shelters) erected to the north west of the existing artificial turf pitch at Durham School, Quarryheads Lane, Durham, DH1 4SZ.

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**Comments**

**Date. 08 September 2020**

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