

## COMMITTEE REPORT

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### APPLICATION DETAILS

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<b>APPLICATION No:</b>	DM/20/01710/FPA
<b>FULL APPLICATION DESCRIPTION:</b>	Conversion of existing garages to form 2 no. bungalows
<b>NAME OF APPLICANT:</b>	Believe Housing
<b>ADDRESS:</b>	Garage block to the west of 12 Severn Close, Peterlee, SR7 1JU
<b>ELECTORAL DIVISION:</b>	Passfield
<b>CASE OFFICER:</b>	Jennifer Jennings Planning Officer Telephone: 03000 261057 <a href="mailto:jennifer.jennings@durham.gov.uk">jennifer.jennings@durham.gov.uk</a>

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### DESCRIPTION OF THE SITE AND PROPOSALS

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#### The Site

1. The application site consists of two garage blocks within an established residential estate to the west of Peterlee, occupying a site area of approximately 310 square metres. Adjacent to the site to the west and north are 12 semi and detached dwellings, to the north east a parking courtyard, a further two residential properties to the east, and to the south, the access road with amenity grassed areas.
2. The garage blocks were designed to serve the surrounding dwellings in Severn Close and in appearance are rectangular, single storey flat roofed buildings in two terraces of six garages facing each other at a distance of 8.5 metres across a central hardstanding area that allows access to each unit.
3. The wider estate consists of a mix of private owned and social housing, with fenced rear gardens and a mix of fenced and open plan front gardens. The built residential environment is high density, but separated by large areas of grassed open space and small areas of tree planting

#### The Proposal

4. The application seeks permission to convert both blocks into residential bungalows for older residents on affordable rent basis. One of the garage units from the western end of each of the blocks would be removed, with the remaining five units retained for conversion, occupying the same footprint as the remaining garages. The roof would be altered to provide a mono pitched sloped roof finish along the length of the building, raised at one end to allow high level windows to provide additional light into the rooms. The properties would be finished in a mix of render and composite cladding weatherboard providing a contemporary appearance.

5. Each proposed unit would contain two bedrooms and living areas, served by fenestration facing across the central hardstanding area that is to provide a shared outdoor space, with bin store and two car parking spaces. A third visitor parking space would be provided at the gable end of the southern garage block.
6. The scheme is intended as an innovative re-use of brownfield sites that are considered underutilised, accrue maintenance costs and can become a blight in the area, attracting in some cases anti-social behaviour. Their redevelopment would provide an opportunity to provide affordable housing in the area.
7. The application is being reported to Planning Committee at the request of the local ward member, due to concerns over parking in the area.

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## **PLANNING HISTORY**

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8. Planning history:

No planning history exists at the site.

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## **PLANNING POLICY**

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### **NATIONAL POLICY**

9. 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.
10. 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.
11. *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.
12. *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.

13. *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.
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 14 – Meeting the challenge of climate change, flooding and coastal change* - The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.
19. *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.

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

20. The Government has consolidated a number of planning practice guidance notes, circulars and other guidance documents into a single Planning Practice Guidance Suite. This document provides planning guidance on a wide range of matters. Of particular relevance to this application is the practice guidance with regards to; air quality; historic environment; design process and tools; determining a planning application; flood risk; health and well-being; land stability; housing and economic development needs assessments; housing and economic land availability assessment; light pollution; natural environment; noise; open space, sports and recreation facilities, public rights of way and local green space; planning obligations; travel plans, transport assessments and statements; use of planning conditions and; water supply, wastewater and water quality.

## **LOCAL PLAN POLICY:**

### District of Easington Local Plan (2001)

21. *Policy 1- General Principles of Development:* Due regard will be given 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.
22. *Policy 18 – Species and habitat protection:* Development which adversely affects a protected species or its habitat will only be approved where the reasons for development outweigh the value of the species or its habitat.
23. *Policy 35 – Design and layout of development:* 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.
24. *Policy 36 – Design for access and the means of travel:* The design and layout of development should ensure good access and encourage alternative means of travel to the private car.
25. *Policy 37 – Design for Parking:* The design and layout of development should seek to minimise the level of parking provision (other than for cyclists and disabled people).
26. *Policy 67 – Windfall Housing sites:* Housing development will be approved on previously developed land within settlement boundaries of established towns or villages provided the proposal is of appropriate scale and character and does not conflict with other policies in the plan.
27. *Residential Amenity Design Standards SPD –* In advance of the emerging County Plan the County has adopted new residential amenity standards to inform residential development layouts.

## **EMERGING PLAN:**

### The County Durham Plan

28. 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. The Examination in Public (EiP) of the County Durham Plan (CDP) has now been completed following receipt of the Inspectors final report on 17<sup>th</sup> September 2020. This report confirms that the CDP is sound subject to Main Modifications being made and can progress to adoption. Therefore, as the CDP is at an advanced stage of preparation and will be adopted in due course, it is considered that it should be afforded significant weight in the decision-making process. Relevant policies include:

29. Policy 6 – Development on unallocated sites - development on sites not allocated in the Plan or Neighbourhood Plan but which are either within the built-up area or outside the built up area but well related to a settlement will be permitted provided it: is compatible with use on adjacent land; does not result in coalescence with neighbouring settlements; does not result in loss of land of recreational, ecological etc. value; is appropriate in scale, design etc to character of settlement; it is not prejudicial to highway safety; provides access to sustainable modes of transport; retains the settlement's valued facilities; considers climate change implications; makes use of previously developed land and reflects priorities for urban regeneration
30. Policy 21 (formerly pre-submission draft policy 22) Delivering Sustainable Transport - – requires all development to deliver sustainable transport by: delivering, accommodating and facilitating investment in sustainable modes of transport; providing appropriate, well designed, permeable and direct routes for all modes of transport; ensuring that any vehicular traffic generated by new development can be safely accommodated; creating new or improvements to existing routes and assessing potential increase in risk resulting from new development in vicinity of level crossings. Development to have regard to Parking and Accessibility Supplementary Planning Document.
31. Policy 29 (formerly pre-submission draft policy 30) Sustainable Design – requires all development proposals to achieve well designed buildings and places having regard to SPD and sets out 18 elements for development to be considered acceptable, including: positive contribution to areas character, identity etc.; adaptable buildings; minimising greenhouse gas emissions and use of non renewable resources; providing high standards of amenity and privacy; contributing to healthy neighbourhoods; and suitable landscape proposals. Provision for all new residential development to comply with Nationally Described Space Standards, subject to transition period.
32. Policy 31 (formerly pre-submission draft policy 32) Amenity and Pollution - sets out that development will be permitted where it can be demonstrated that there will be no unacceptable impact, either individually or cumulatively, on health, living or working conditions or the natural environment and that can be integrated effectively with any existing business and community facilities. Development will not be permitted where inappropriate odours, noise, vibration and other sources of pollution cannot be suitably mitigated against, as well as ensuring light pollution is minimised. Permission will not be granted for locating of sensitive land uses near to potentially polluting development. Similarly, potentially polluting development will not be permitted near sensitive uses unless the effects can be mitigated.
33. Policy 43 (formerly pre-submission draft policy 44) Protected Species and Nationally and Locally Protected Sites - development proposals that would adversely impact upon nationally and locally protected sites will only be permitted where the benefits clearly outweigh the impacts on the interest features of the site and any wider impacts on network of sites. Appropriate mitigation or, as a last resort, compensation must be provided where adverse impacts are expected. In relation to protected species and their habitats, all development likely to have an adverse impact on the species' abilities to survive and maintain their distribution will not be permitted unless appropriate mitigation is provided or the proposal meets licensing criteria in relation to European protected species.

*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/article/3269/Easington-Local-Plan>

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## CONSULTATION AND PUBLICITY RESPONSES

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### STATUTORY RESPONSES:

34. *Highway Authority* – comments that three parking spaces would be provided to cater for future occupiers and include a single space for visitors. The turning head at the site has been extended to provide space for a refuse truck to turn, which are all acceptable.
35. As the proposal would provide new driveways at the site, it would mean parking within the turning head would be taken away from all highway users, which would benefit highway safety. The layout would displace 4 to 5 parking spaces into the surrounding streets, due to loss of garage leases which may be less convenient, but highways consider there is capacity in the nearby surrounding streets to park if needed. Highways section do not consider that they could uphold an objection on this basis.
36. No highways objections raised subject to a condition and informative to meet highways requirements.
37. *Northumbrian Water* – Notify that a public sewer crosses the site and may be affected by the proposed development. NWL confirm that they will work with the developer to establish the exact location and ensure any necessary diversion, relocation or protection measures required are undertaken prior to commencement. The applicant will be advised through an informative included on the decision certificate if approval is granted.

### INTERNAL CONSULTEE RESPONSES:

38. *Ecology* – confirm the financial contribution for this development is £756.61 per dwelling and should be secured through a Section 106 Agreement or Unilateral Undertaking.
39. *Environment, Health and Consumer Protection (Contaminated Land)* – No requirement for a contaminated land condition, although an informative should be applied in the event of unexpected contamination being encountered during course of development.
40. *Environment, Health and Consumer Protection (Nuisance Action Team)* – raise no concerns regarding the development but recommend control be applied to any permission granted in relation to construction hours and any dust generating activities.
41. *Affordable Housing* – comment that affordable housing provision should reflect the requirements of local residents in respect of property type, size and location. The Housing Development Team are committed to continuous partnership working with Registered Providers and maximise the affordable housing offer of the county. We are happy that these proposals meet the affordable needs of the area.

### PUBLIC RESPONSES:

42. The application has been advertised by way of a site notice and individual notification letters to neighbouring residents. 6 letters of objection and one letter of support have been received, commenting as follows:
  - Concerns regarding inadequate waste water systems and whether proposals have taken this into account
  - Properties would look onto a public access path

- Most properties have more than one car and the street is already at maximum capacity with no on street parking available. Loss of garages will make this worse
- The building is not of the same style and materials as original houses
- Impact of construction work on the vicinity – building work nearby has resulted in problems of dust and mud in the area.
- Concerns over vandalism and thieves during this phase as construction sites often attracts this and puts neighbouring residents at risk
- Queries over where existing parking will move to during construction and where will the construction workers park.
- Concerns over asbestos.
- Consider the conversion may look good on paper but little consideration given to parking for local residents – note that there are 8 dwellings in area, with no more than four parking spaces. Residents often have to double park and there is no capacity for visitors.
- Request that more parking should be provided, as well as charging points in parking bays.
- Parking already overflows onto road leading to the garages causing the road to be very narrow and resulting in risk to damage to cars.
- Double parking regularly takes place in the area
- New occupants will also have visitors coming to the site and they will take up scarce parking in area
- One objector uses garage and requires it as they are disabled and need it close to their home.
- Concerns that there is severe congestion due to poor parking facilities which causes highway safety issues especially for young children in the area
- Concerns that there are only three parking bays for the nine three bed homes immediately adjacent to the garages. This means about 13 cars are trying to parking in 3 bays. This is made worse when visitors attend
- Residents having to park on landscaped areas
- Impossible for large delivery trucks to turn resulting in large vehicles reversing in a very confined area. -severe pedestrian risk
- Prefer to see garages demolished and turned into a decent parking area for the residents.
- Nearby resident uses the garages and holds significant purpose for these residents they have two cars for medical reasons – advised previously that garages would be demolished for creation of parking not for more housing
- Housing would benefit just two families, but would have negative impact on 12 families living in vicinity.
- Advised that alternative garages would be offered but none are available close by. The people who rent garages need them to be close to their home.

Letter of support comments:

- Garages are an eyesore and kids often climb on them
- Only two garages used by two people who don't live in area
- Proposals provide essential housing for community

*The above is not intended to repeat every point made and 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: <https://publicaccess.durham.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>*

## **APPLICANTS STATEMENT:**

The proposed scheme provides two much needed affordable bungalows through the re-use of the brownfield site. The existing garages, currently 40% occupied, offer little benefit to the surrounding area and were earmarked to be demolished. Through the innovative solution offered, we are able to convert them into contemporary Homes England compliant bungalows that will not only offer a positive regeneration in the area, but will resolve an issue of anti-social behaviour that can often be present on these garage sites due to the lack of passive surveillance and offer a method of designing out crime.

The conversions will at the same time address the appearance of existing garage blocks which are often a blight to housing estates whilst introducing contemporary materials and finishes that will introduce modern contemporary buildings as a design feature and new design standard in existing, established estates.

It can be very difficult for existing residents to remain in their locality if their needs change and they require a bungalow, The provision of bungalows, especially for older residents is often a shortfall of housing demand and this scheme aims to address that.

Peterlee is one of the highest demand areas that Believe Homes operate in and there's a real shortage, specifically of 2 bed bungalows in the area. As the main Registered Provider operating in the town Believe own just 90 x 2 bed bungalows in the area so there is a big shortfall when compared with the demand.

64 bids were recorded for no 18 Teign Close, Peterlee a newbuild 2bed3person bungalow. Application bids were made via Durham Key Options Choice based lettings system managed by Durham County Council.

Through the design process we have listened to the comments received and have altered the highways proposals to ensure that sufficient turning space is retained for delivery and emergency vehicles within our restricted site boundary. We have worked closely with the highway authority in designing the carparking and infrastructure for this small scheme.

We have assessed that 40% of the garages are occupied, with only 25% (3 No) occupied by residents in the immediate locality. The existing dimensions of the garages make it difficult to store a car, therefore there may only be 1 car stored in the existing garages. To ensure that the parking is not affected in any way, the applicant will offer alternative garages in the locality should an existing garage tenant choose to relocate.

We believe this scheme on balance will offer much needed affordable bungalows through the re-use of brownfield land utilising innovative methods to create a fully sustainable scheme.

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## **PLANNING CONSIDERATIONS AND ASSESSMENT**

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43. Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out that regard is to be given to the development plan and 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.

44. The main planning issues for determining the acceptability of the proposal relate to: the principle of the development, impact on the character and appearance of the area, residential amenity, highway safety and parking, and ecology issues.

#### The Principle of the Development

45. 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 Easington Local Plan (ELP) remains the statutory development plan and the starting point for determining applications as set out at Paragraph 12 of the NPPF. However it should be noted that the emerging County Durham Plan (CDP) is at an advanced stage of preparation and can now be afforded significant weight but is not adopted at this stage and therefore not the statutory development plan.
46. The ELP was adopted in 2001 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. Paragraph 213 also sets out that due weight should be given to existing policies, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).
47. On this basis, given the age of the local plan and the housing supply figures that informed it, the housing supply policies therein do not reflect an up-to-date objective assessment of need, and must now be considered out-of-date, and the weight to be afforded to the policies reduced as a result. However, this does not make out-of-date policies irrelevant in the determination of a planning application. Nor do they prescribe how much weight should be given to such policies in the decision, this being a matter for the decision maker, having regard to advice at paragraph 213 of the NPPF.
48. Saved policy 67 of the local plan relates to windfall housing sites and seeks to direct such housing development within existing settlement limits, however, this does not fully align with the NPPF which is silent with regards settlement boundaries. In this regard this policy is considered to not fully accord with the NPPF and can only be attributed limited weight.
49. The housing policies in the emerging County Durham Plan are based on an up to date objectively assessed need that aligns with the Government's standard methodology as prescribed in paragraphs 73 of the NPPF and national planning guidance. The policies therefore carry significant weight in the consideration of this application. The site is identified as being located within the built up area of Peterlee and would therefore be considered against policy 6, as this policy relates to development of sites not allocated in the Plan but located within the built-up area or outside the built up area but well related to a settlement. Significant weight can be applied to this policy as part of the decision making process, but it must be noted that it is still not formally adopted.
50. Consequently, as noted within Paragraph 11c of the NPPF, there is no adopted up to date plan, meaning the development must be determined against Paragraph 11d. This states:
  - 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.

51. Having regard to the above, the adopted local plan is out of date and the emerging County Durham Plan is not sufficiently far advanced to remove the need to apply paragraph 11 in this case. However the relevant policies will carry material weight as part of the overall planning balance.

#### Five year Housing Land Supply

52. Paragraph 73 of the updated NPPF maintains the requirement for Local Planning Authorities (LPAs) to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old.
53. Within County Durham all of the extant development plans are more than five years old and their housing figures need revising so the starting point for calculating land supply will be local housing need using the Government's standard methodology. The 'Preferred Options' (June 2018) stage of the emerging County Durham Plan (CDP) is aligned with the standardised methodology and identifies a housing need figure of 1,368 dwellings per annum (dpa). The Council is able to demonstrate in excess of 6 years supply of deliverable housing land against this figure.
54. On this basis, the addition of 2 new dwellings to meet housing needs would not be considered a significant benefit weighing in favour of the proposal. However the affordability status of the two dwellings would be a considerable benefit.

#### Locational Sustainability

55. Paragraph 103 of the NPPF states that the planning system should actively manage patterns of growth in support of focussing significant development on locations which are or can be made sustainable through limiting the need to travel and offering a genuine choice of transport modes. Emerging policies 6 and 10 reflects this also, stating that new development in the countryside must not be solely reliant upon unsustainable modes of transport.
56. The application site is located within the established settlement of Peterlee, which benefits from a full range of services necessary to meet day to day needs, including a range of shops, doctors' surgeries, schools as well as ready access to public bus services.
57. Overall, the site is considered to be located in a highly sustainable location, which will provide significant weight in the planning balance as part of the paragraph 11 assessment of the NPPF.

#### Accordance with Emerging Local Plan Policies

58. Emerging policies in the County Durham Plan must now be given significant weight in the decision making process. As they are not formally adopted, consideration of these policies forms part of the planning balance assessment associated with paragraph 11 of the NPPF.

59. As already noted, emerging Policy 6 is of relevance. This policy relates to development of sites not allocated in the Plan which can be either within the built-up area or outside the built up area but well related to a settlement. Development under this policy will be permitted provided it is compatible with any existing use on adjacent land, is not inappropriate backland development, does not result in the loss of open land of value, is appropriate in terms of scale, design, layout and location to the character, function, form and setting of the settlement, would not be prejudicial to highway safety or have a severe residual cumulative impact on network capacity, does not result in the loss of a neighbourhood's valued facilities unless shown to be unviable, and where relevant makes as much use as possible of previously developed (brownfield) land and where appropriate it reflects priorities for urban regeneration.
60. Assessed against this policy, the proposed conversion of the garages to residential dwellings is considered to largely comply with the set criteria. The proposed new use would be compatible with adjacent residential uses and is suitably located to be in keeping with the form and function of the settlement, with easy ready access available to the site. Further discussion on the scale and design, residential and highway impacts are provided in sections below.
61. As previously developed land, the development of the site meets with these policy aspirations and would help secure an element of urban regeneration in the area, as a small number of the garages appear to be unused and in a state of disrepair. That said, however, 5 of the 12 garages still had tenancies from adjacent residents at the time of the application and the loss of these garage facilities would be a negative outcome for them. In discussion with the applicant, however, it has been confirmed that alternative tenancies have been offered to these residents at another set of garages 33 metres further east of the site, within the Severn Close area.
62. Overall, the proposed development of the site is compliant with emerging policy 6 of the CDP and this is a significant benefit to the scheme as part of the paragraph 11 planning balance assessment.

#### Impact on character and appearance of surrounding area

63. Policy 35 of the ELP requires that development should reflect the scale and character of adjacent buildings and the area generally, particularly in terms of site coverage, height, roof style and detailed design and materials. In addition development should provide adequate open space, appropriate landscape features and screening where required. Part 12 of the NPPF also seeks to promote good design, while protecting and enhancing local environments. Paragraph 127 of the NPPF states that planning decisions should aim to ensure developments function well and add to the overall quality of the area and establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit. Local plan policy 35 is considered to comply with NPPF requirements and as such significant weight can be afforded to this policy.
64. Emerging CDP Policy 6 for development on unallocated sites requires development to be appropriate in terms of scale, design, layout and location to the character, function, form and setting of the settlement. Emerging Policy 29 Sustainable Design requires all development proposals to achieve well designed buildings and places and contribute positively to an area's character, identity, townscape and landscape features, helping to create and reinforce locally distinctive and sustainable communities.

65. The application proposes conversion of garages, making use of the existing structures on site. Apart from a minor increase in roof height to create a sloped roof finish, the scale of the buildings would remain the same and would not be perceived as an increased concentration of development in the area. Whilst some of the garages are in use, a small number have become dilapidated with broken garage doors, and ultimately, detract from the quality of the area. The conversion works would see the site uplifted through use of render and weatherboarding materials, that would enhance the visual amenities of the site. Although dark coloured brick and roof tiles are characteristic within the immediate area, and one objection notes the proposals would not be in keeping, there are examples of this proposed wider range of materials elsewhere in the estate and it is considered that the introduction of this variation in materials palette would provide an element of interest in the area, and highlight the new residential use, as opposed to the previous utilitarian appearance of the garages.
66. The internal courtyard between the garages would be hardsurfaced, providing a bin store and parking bays. Whilst introduction of some planting would help to soften the appearance of the development, it would not be reasonable to require landscaping given the size of the courtyard but there would be options for planters at the landlord and tenants discretion. Overall the proposals would improve the amenities of the area, are of an appropriate scale, design, in keeping with the form and layout of the settlement in accordance with saved policy 35, emerging policies 6 and 29 and paragraph 127 of the NPPF in this regard.

#### Residential Amenity

67. ELP Policy 35 states that development will be required to have no serious adverse effect on the amenity of people living and working in the vicinity of the development site and the existing use of adjacent land or buildings in terms of privacy, visual intrusion, noise, other pollutants and traffic generation. This policy is considered consistent with Parts 12 and 15 of the NPPF, which require that a high standard of amenity for existing and future users be ensured. In addition the Council has also adopted the Residential Amenity Standards supplementary planning document (SPD) providing guidelines on amenity distance standards. Accordingly, full weight is to be afforded to these policies.
68. Emerging policy 29 relating to Sustainable Design requires development to provide high standards of amenity and privacy and minimise the impact of development upon the occupants of existing adjacent and nearby properties. Emerging policy 31 relating to Amenity and Pollution sets out that development will be permitted where it can be demonstrated that there will be no unacceptable impact, either individually or cumulatively, on health, living or working conditions or the natural environment and that can be integrated effectively with any existing business and community facilities. In addition development needs to demonstrate that future occupiers of the proposed development will have acceptable living conditions.
69. The proposals are a conversion of existing garage blocks, and apart from minor remodelling of the roof, raising one end of each of the structures by 1.5 metres, the impact on nearest residents east of the site would be limited, as the basic relationship is already established. In addition, some concern has been raised that the buildings have attracted antisocial behaviour particularly due to lack of surveillance. It is expected that conversion to residential would likely reduce such incidents and provide some level of improvement of public safety to nearest residents. In this regard the reuse of the buildings for residential purposes would be considered acceptable against policy requirements.

70. In terms of living conditions for new residents, internal space standards are shown to be broadly in line with Nationally Described Space Standards and are acceptable in this regard. Externally, the two proposed dwellings will face each other at close distance, although they are handed rather than mirrored so the living rooms do not face each other. The facing distance is 8 metres, which is a significant shortfall from the SPD requirements of 18 metres between facing windows in bungalows. The individual circumstances in this case, however, provide an opportunity to make good low quality building blocks, by improving the appearance and maximising their use for affordable residential purposes. The intention to rent to older residents also usefully takes advantage of, what would normally be regarded as, a substandard residential relationship and allow passive security at the site to the benefit of future residents. It would be for future occupiers to decide whether the benefits of a close neighbour, mutual support and good passive security outweigh the closeness of a separate dwelling and a shared curtilage. It is considered that the proposal represents another alternative for personal preference, there being traditional semi-detached bungalows and an apartment block for older residents both close at hand on the estate, with the proposals adding to variety and choice.
71. A number of objections to the scheme raised concern with regards the impact of construction works in terms of noise and dust. Environmental Health assessed the details of the proposals and recommended that a condition be applied relating to construction working hours and methods to reduce dust as part of the construction programme. A condition can be applied to that effect.
72. Further objections have been raised regarding the impact on existing residents through loss of parking resulting from the development. This aspect is discussed in detail in the following section.
73. Overall the arrangements with regard to privacy, residential amenity and amenity space are in some conflict with saved policy 35 of the local plan and the SPD and present as a negative impact for consideration as part of the planning balance, mindful that the particular circumstances associated with the current development provide some benefit to the current substandard arrangement.

#### Highway Safety and Parking

74. Policy 36 of the ELP requires that new development provide safe and adequate access capable of serving the amount and nature of traffic to be generated and is considered consistent with paragraph 108 of the NPPF in respect of achieving safe and suitable site access. Therefore, significant weight can be afforded to it.
75. Emerging Policy 21 (Delivering Sustainable Transport) requires all development to deliver sustainable transport by: delivering, accommodating and facilitating investment in sustainable modes of transport; providing appropriate, well designed, permeable and direct routes for all modes of transport; and ensuring that any vehicular traffic generated by new development can be safely accommodated. Development is to have regard to Parking and Accessibility Supplementary Planning Document.
76. The application proposes two parking spaces be provided within the central shared courtyard area along with an additional space at the proposed western gable end of the southern dwelling. Amendments have also been made to the vehicular turning head to allow a suitable length for safe turning of refuse trucks and for manoeuvring of vehicles exiting the new parking spaces associated with the development.

77. Highways Engineers have assessed the details and are satisfied that it meets with DCC Parking standards and requirements. They further comment that the amendment to the turning head would remove the availability of parking in this area from all highway users, and although identified as an inconvenience to those using the site for parking, it would be to the benefit of highway safety. The Highways Engineers consider that the lost parking spaces could be displaced to surrounding streets and that there is capacity in these areas to cater for this. Overall, they do not consider that a highways objection could be substantiated in this case due to the development not causing a significant highways impact. They further note that any approval would need to apply a condition for construction of an appropriate highway access crossing prior to occupation of the dwelling.
78. Notwithstanding the highway's support for the proposal, the issues surrounding the loss of existing parking have been the source of all objections received. Residents have clarified at length their experience of an already difficult parking situation at the site, which would now be further exacerbated by the proposed loss of these spaces, in order to provide dedicated parking for the new incoming residents, to the detriment of existing long term residents at the site. Reference is made to the expectation that the garage buildings were intended for demolition to provide parking for adjacent properties and concern is raised that this is now not intended but rather the buildings are to be converted and existing parking removed.
79. Reviewing existing areas for parking in the vicinity it is noted that a reasonable sized open parking court exists to the south of the site and is surrounded by 16 dwellings, nos. 23-38 Severn Close. This area measures 380 sqm and it is anticipated that it could possibly cater for on street parking for 16 cars. To the north east of the site another 455 sqm open parking court exists surrounded by some 13 properties, nos. 1-13 Severn Close. It is estimated that a maximum of 14 cars could park on street in this area. By comparison the parking area available adjacent to the application site measures 135 sqm and this is surrounded by 9 dwellings (nos. 14-22 Severn Close). It is anticipated that parking in this area could take a maximum of 5 cars. In total this equates to 38 dwellings with an estimated 35 parking spaces within the open parking court areas. It should be noted that the parking areas referred to are all adopted highway, providing informal parking, with no marked bays or designated spots for any residents. Parking along the arterial access road has not been included in this estimate of parking spaces in the area.
80. A total of 33 garages are dispersed around these three parking areas discussed above, 12 of which form part of this application and would be lost to conversion, and a further 9 in separate private ownership. The remaining 12 garages are in the ownership of the applicant and it is unclear if all are in use, although it has been stated that the 5 existing tenancies at the application site would be offered a new tenancy within these garages. That aside, it is not clear or presumed that the garages are used for parking purposes.
81. This assessment highlights that the residents adjacent to the application site already have a shortfall of available on street parking close to them. Officers consider that approving this development and allowing for the loss of 5 parking spaces for residents of the surrounding 9 properties raises amenity concerns, particularly as it is clear that alternative sites in adjacent parking courts are already heavily used. Whilst it is accepted that the development meets its own parking requirements, this is to the detriment of the existing limited parking available to adjacent long term residents. In this respect there is some conflict with emerging policy 29e) which states that development proposals should minimise the impact of development upon the occupants of existing adjacent and nearby properties.

82. It is notable that although residents have free access to park in these areas, they have no rights or ownership of them, and the ability to park in these areas could be removed at any time, as highlighted in the current application. The comments from the Highways Engineers also highlights an important point. In their view there is capacity on the surrounding streets to cater for the displacement of parking resulting from the development and they are clear that the development raises no concern in highway safety terms. It would therefore be untenable to uphold a refusal on highway safety grounds against the advice of the County Council Highways Engineers.
83. Nonetheless, there have been discussions with the applicant to consider options to address the parking issues that would arise as a result of the development. However upon further investigation into these options, it is clear that any such proposals would be cost prohibitive, and not commensurate with the size of the scheme proposed, and would render it unviable. Given that there are no highways objections to the scheme, there would be no justifiable grounds to insist on alternative parking provision in this case.
84. Despite concerns raised regarding impacts on existing residents through loss of parking resulting from the development, it is considered that in highway terms, the proposals accord with saved policy 36 of the local plan and emerging policy 21 of the CDP in this regard.

#### Ecology

85. As the application site is in close proximity to the Durham Coast Site of Special Scientific Interest (SSSI), and Special Area of Conservation (SAC) Natura 2000 site and the Northumbria Coast SSSI, Special Protection Area, the applicant is required to provide a financial contribution towards the upkeep and management of these designations of significant importance. The applicant has agreed to provide the contribution of £756.61 per dwelling in line with the Council's 'Habitat Regulations Assessment: Developer Guidance and Requirements in County Durham. This contribution would be secured through a section 106 agreement.

#### Other issues

86. Northumbrian Water have commented that they have assets in the area but would liaise and work directly with the developer in this regard. They raised no objection to the development in relation to drainage issues and capacity. Whilst some existing residents complain of existing wastewater drainage problems, it is not for the proposed development to address these problems.
87. Contaminated land section assessed the details submitted in support of the application. They considered that there is a potential for made ground and contamination and given the proposal is a change of use to a more sensitive receptor a full pre commencement condition in relation to land contamination should apply should planning permission be granted.

#### Planning Balance

88. As the relevant policies of the Easington Local Plan relating to housing development are considered to be out of date, the presumption in favour of sustainable development as contained in paragraph 11 of the NPPF is engaged. As part of the assessment, substantial weight must also be applied to the relevant emerging policies in the County Durham Plan and the extent to which the proposal aligns or conflicts with these policies. A summary of the benefits and adverse impacts of the proposal are considered below:

## Benefits

89. The development would provide benefits in terms of a boost to housing supply, in particular, affordable rented housing accommodation to meet housing requirements for older residents.
90. The development would see the reuse and upgrade of an underutilised garage site to provide dwellings in a highly sustainable location, improving the visual appearance of the area.
91. The development aligns with the aspirations and intentions of policies within the emerging County Durham Plan, through, amongst other things, use of a brownfield site, and enabling urban regeneration in the area.
92. The conversion works have the potential to reduce concerns regarding anti social behaviour associated with the site as well as provide future passive security benefits for future occupiers associated with the existing close building relationship.
93. To a limited degree the development would provide direct and indirect economic benefits within the locality and from further afield in the form of expenditure in the local economy. This would include the creation of construction jobs, as well as further indirect jobs over the lifetime of the development. A temporary minor economic uplift would be expected to result from the development and expenditure benefits to the area. Such benefits can be afforded some very limited weight in the context of two dwellings.

## Adverse Impacts

94. The development would remove garage facilities for a number of local residents, although alternative provision has been offered to these residents within other garage blocks in close proximity.
95. The conversion of the buildings to create two dwellings and associated parking would remove existing parking available to surrounding residents, creating long term negative impacts on these nearest residents.
96. The conversion of the existing garages to create two dwellings would mean that they would not be capable of achieving adequate distancing standards, resulting in substandard levels of amenity for future occupiers, in direct conflict with policy 35 of the local plan, the Residential Amenity Standards document and NPPF policy in this regard.

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## **CONCLUSION**

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97. On balance, in applying the requirements of paragraph 11 of the NPPF it is considered that the benefits associated with the creation of two affordable dwellings in a highly sustainable location of innovative design, improving the visual amenities of the area are deemed to weigh significantly in favour of the proposal.
98. The adverse impacts of the proposal relating to loss of garage facilities, loss of parking for nearest residents and substandard levels of amenity for future residents provide weight against the proposals. However, some mitigation for these impacts has been offered, through provision of alternative garages. The amenity standards however cannot be improved given the site characteristics and nature of the proposals to convert existing builds. Given that the overall aim is to bring existing buildings back into a beneficial use, meeting with national and local planning aspirations for affordable housing in sustainable locations, the adverse impacts identified would not significantly or demonstrably outweigh the benefits. The proposal is recommended for approval, subject to conditions and completion of a Section 106 agreement.

99. The proposal has generated public interest with six letters of objection received and one in support. The objections and concerns raised have been taken into account and addressed within the report. On balance the concerns raised were not felt to be of sufficient weight to justify refusal of this application in light of the benefits of the scheme and the ability to impose conditions and secure a planning obligation under S106 of The Town and Country Planning Act 1990 (as amended).

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## **RECOMMENDATION**

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That the application be APPROVED, subject to the completion of a Section 106 Legal Agreement to secure the following:

- Financial contribution of £1513.22 towards Coastal Habitats sites.

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	Drawing No.	Date Received
Location plan	0005 (Rev P02)	01/07/20
Stopping up plan	0006 (Rev P01)	01/07/20
Proposed elevations	0300 (Rev P01)	01/07/20
Proposed site plan	0110 (Rev P02)	11/08/20

*Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with Policy 1 and 35 of the Easington Local Plan and Emerging Policies 6 and 29 of the County Durham Plan.*

3. No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include as a minimum but not necessarily be restricted to the following:
  - A Dust Action Plan including measures to control the emission of dust and dirt during construction and demolition.
  - Details of methods and means of noise reduction/suppression.
  - Details of measures to prevent mud and other such material migrating onto the highway from all vehicles entering and leaving the site.
  - Designation, layout and design of construction access and egress points.
  - Details of contractors' compounds, materials storage and other storage arrangements, including cranes and plant, equipment and related temporary infrastructure.

- Details of provision for all site operatives for the loading and unloading of plant, machinery and materials.
- Details of provision for all site operatives, including visitors and construction vehicles for parking and turning within the site during the construction period.
- Details of the erection and maintenance of security fencing.
- Waste audit and scheme for waste minimisation and recycling/disposing of waste resulting from demolition and construction works.
- Management measures for the control of pest species as a result of demolition and/or construction works.
- Detail of measures for liaison with the local community and procedures to deal with any complaints received.

The management strategy shall have regard to BS 5228 "Noise and Vibration Control on Construction and Open Sites" during the planning and implementation of site activities and operations.

The approved Construction Management Plan shall also be adhered to throughout the construction period and the approved measures shall be retained for the duration of the construction works.

*Reason: To protect the residential amenity of existing and future residents from the development in accordance with Policy 1 and 35 of the Easington Local Plan and Emerging Policies 6, 29 and 31 of the County Durham Plan and Part 15 of the National Planning Policy Framework. Required to be pre commencement to ensure that the whole construction phase is undertaken in an acceptable way.*

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 1 and 35 of the Easington Local Plan and Emerging Policies 6 and 29 of the County Durham Plan.*

5. Before the dwellings hereby approved are occupied the domestic highway access crossing shall be constructed to highways standards in accordance with the approved plans and details, and thereafter they shall be used and maintained in such a manner as to ensure their availability at all times.

*Reason: In the interests of highway safety in accordance with Policy 1 and 35 of the Easington Local Plan, Emerging Policy 6 and 21 of the County Durham Plan and Part 9 of the National Planning Policy Framework.*

6. Prior to the first occupation of the development hereby approved, details of bin stores shall be submitted to and approved in writing by the Local Planning Authority. The bin stores shall be constructed in accordance with the approved details and be made available prior to the occupation of the development to which they relate.

*Reason: In the interests of visual amenity and highway safety in accordance with Policy 1 and 35 of the Easington Local Plan, Emerging Policy 6 and 29 of the County Durham Plan and Parts 9 and 15 of the National Planning Policy Framework.*

7. Notwithstanding the submitted information, the hardstanding areas shown within the red line boundary on Proposed Site Plan 0110 (Rev P02) received 11 August 2020 shall not consist of any loose gravel aggregate.

*Reason: In the interests of highway safety and in accordance with Policy 1 and 36 of the District of Easington Local Plan and emerging Policy 6 and 29 of the County Durham Plan.*

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## **STATEMENT OF PROACTIVE ENGAGEMENT**

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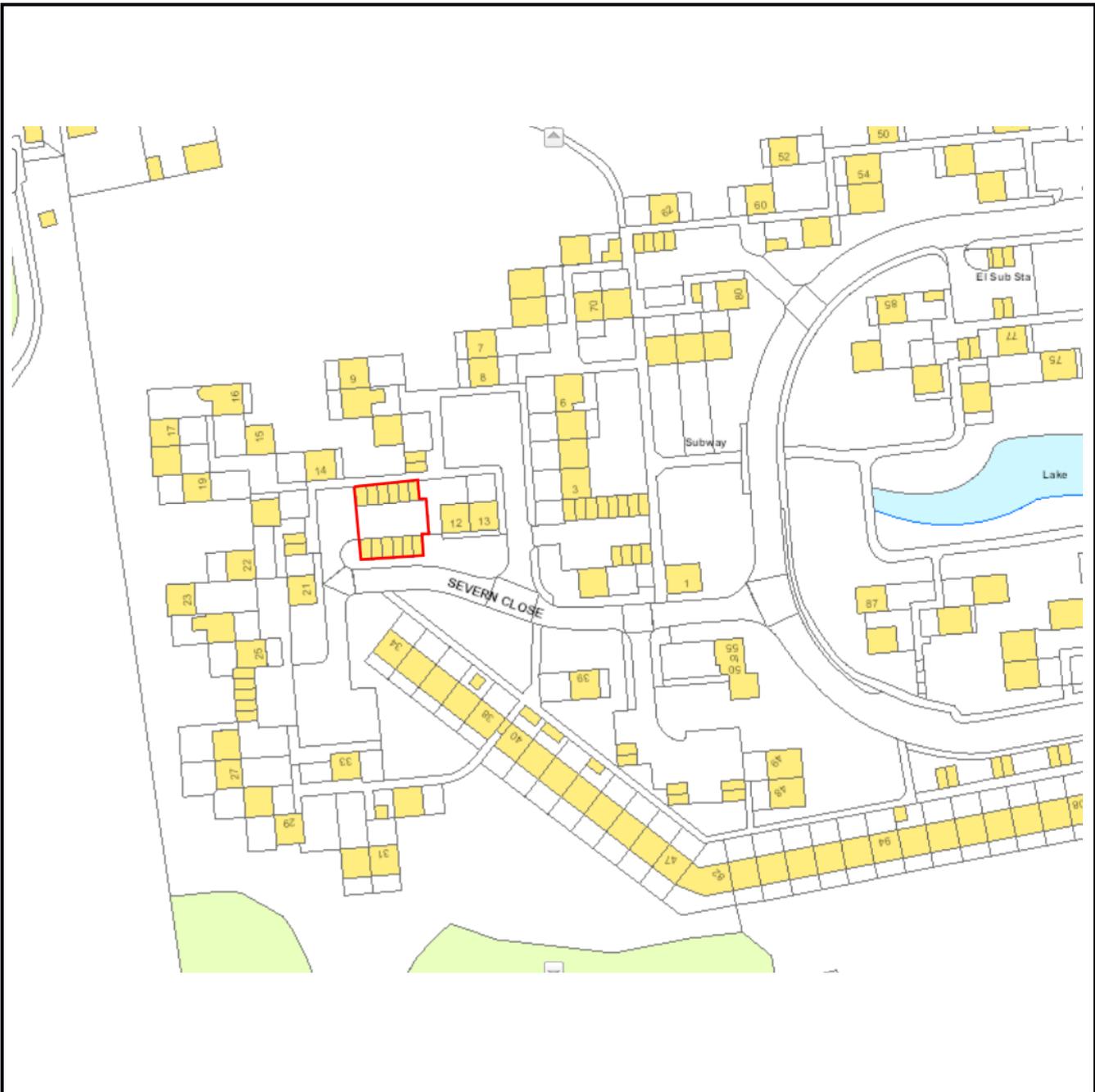
In accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has, without prejudice to a fair and objective assessment of the proposals, issues raised and representations received, sought to work with the applicant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

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## **BACKGROUND PAPERS**

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- Submitted application form, plans supporting documents and subsequent information provided by the applicant.
- The National Planning Policy Framework (2019)
- National Planning Practice Guidance notes.
- Easington Local Plan
- County Durham Plan
- Residential Amenity Standards 2020
- Statutory, internal and public consultation response



**Planning Services**

Conversion of existing garages to form 2 no. bungalows

Garage Block To The West Of 12  
 Severn Close  
 Peterlee  
 SR8 1JU

Ref: DM/20/01710/FPA

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**Comments**

**Date** 13 October 2020

**Scale** Not to Scale