



## Planning Services

# COMMITTEE REPORT

---

### APPLICATION DETAILS

---

Application No:	DM/25/00146/FPA
Full Application Description:	Demolition of existing rear additions, erection of two storey extension including raising roof height
Name of Applicant:	Mr & Mrs Ian & Emma Collinson
Address:	Cemetery House, Pelton, Chester-le-Street, DH2 1NQ
Electoral Division:	Pelton
Case Officer:	Jayne Pallas (Planning Officer) Tel: 03000 268 306 Email: jayne.pallas@durham.gov.uk

---

### DESCRIPTION OF THE SITE AND PROPOSAL

---

#### The Site

1. The application site relates to a detached, two storey dwelling on the western edge of Pelton Cemetery. The site is Council owned and was formerly occupied by the Grounds Keeper in association with the adjacent cemetery, however, the property is in the process of being disposed of by the Council's Corporate Property and Land Team. The dwelling is brick built with a slate roof and is served by a range of extensions to the rear and an enclosed garden to the front. Access is taken from Front Street to the south via an unadopted single width track.
2. In terms of the wider setting of the site, Holy Trinity Church (Grade II Listed Building) is located approximately 160m to the east and the churchyard and associated cemetery are identified in the Open Space Needs Assessment (OSNA). Residential bungalows are situated to the west with a modern housing estate to the north west. Directly to the north of the site is an enclosed parcel of grassed land, which is also Council owned.

3. With regard to constraints, the site lies within a Low-Risk Coalfield Development Area.

### The Proposal

4. The application seeks planning permission for the erection of a two-storey extension to the rear of the dwelling which would project 6.9m beyond the original northern wall of the house. The proposal would measure 9.15m in width, 5.4m in height to the eaves and 8.5m at the highest point. The proposed extension would be finished in matching brickwork walling under a slate roof. Windows and doors within the house would be of UPVC construction, shown on the submitted plans to be white in colour (with the exception of bifold doors on the front elevation, shown to be grey in colour).
5. As part of the scheme, the existing rear extensions would be demolished and the hipped roof of the original dwelling would be replaced with a dual pitched alternative. The replacement roof would be 8.75m in height to the ridge, which is approximately 1.35m higher than the existing roof.
6. A separate application is currently under consideration by the Local Planning Authority, reference DM/24/00694/FPA, for the change of use of the parcel of land to the north of the site from open space to garden, with the erection of a detached double garage and driveway to serve the dwelling.
7. The application is being reported to the North Area Planning Committee at the request of Cllr Danny Wood on the grounds that the visual amenity impacts of the proposals should be fully considered by elected members.
8. Pelton Parish Council has also requested that the application be reported to Committee on the grounds that local Councillors are in support of the proposal.

---

## **RELEVANT PLANNING HISTORY**

---

9. The following planning application is relevant to the current application:

DM/24/00694/FPA - Change of use of land to north from open space to garden and erection of detached garage with access/driveway – Pending Consideration.

---

## **PLANNING POLICY**

---

### **National Policy**

10. The following elements of the National Planning Policy Framework (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 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.
14. *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.
15. *NPPF Part 15 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.
16. *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.

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

#### **National Planning Practice Guidance:**

17. 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: design process and tools; determining a planning application; use of planning conditions.

## **Local Plan Policy:**

### The County Durham Plan (CDP)

18. *Policy 6 (Development on Unallocated Sites) supports 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, or heritage value; is appropriate in scale, design etc to character of the 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*
19. *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; 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 the vicinity of level crossings. Development should have regard to the Parking and Accessibility Supplementary Planning Document.*
20. *Policy 29 (Sustainable Design) requires all development proposals to achieve well designed buildings and places having regard to SPD advice and sets out 18 elements for development to be considered acceptable, including: making a positive contribution to an areas character, identity etc.; adaptable buildings; minimising greenhouse gas emissions and the 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 is expected to comply with the Nationally Described Space Standards.*
21. *Policy 31 (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 they 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 where light pollution is not suitably minimised. Permission will not be granted for sensitive land uses near to potentially polluting development.*
22. *Policy 41 (Biodiversity and Geodiversity) states that proposals for new development will not be permitted if significant harm to biodiversity or*

geodiversity resulting from the development cannot be avoided, or appropriately mitigated, or as a last resort, compensated for.

23. *Policy 43 (Protected Species and Nationally and Locally Protected Sites)* advises that development proposals that would adversely impact upon nationally protected sites will only be permitted where the benefits clearly outweigh the impacts. Adverse impacts upon locally designated sites will only be permitted where the benefits outweigh the adverse impacts. 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.
24. *Policy 44 (Historic Environment)* requires developments to contribute positively to the built and historic environment and seek opportunities to enhance and, where appropriate, better reveal the significance and understanding of heritage assets. The policy advises on when harm or total loss of the significance of heritage assets can be accepted and the circumstances/levels of public benefit which must apply in those instances.

#### Supplementary Planning Documents (SPD)

25. Residential Amenity Standards SPD (2023) – Provides guidance on the space/amenity standards that would normally be expected where new residential development is proposed.
26. Parking and Accessibility SPD (2023) – Provides guidance on parking requirements and standards.
27. Design Code SPD (2024) – Provides guidance to help developers create well-designed schemes that fit in well with their context and setting.

<https://www.durham.gov.uk/cdp>

#### Neighbourhood Plan:

28. The application site is not located within an area where there is a Neighbourhood Plan to which regard is to be had.

*The above represents a summary of those policies considered relevant. The full text, criteria, and justifications can be accessed at: <http://www.durham.gov.uk/article/3266/Development-Plan-for-County-Durham>*

---

## **CONSULTATION AND PUBLICITY RESPONSES**

---

#### **Statutory Consultee Responses:**

29. Pelton Parish Council – Fully supports the application.

30. Highways Authority – No objections raised.

#### **Internal Consultee Responses:**

31. Design and Conservation Officer – Comments remain as submitted for planning application reference DM/24/00694/FPA. The development is unlikely to impact the setting of the Grade II Listed Church (Holy Trinity Church). Whilst the principle of an extension is not opposed, what is proposed is of significant scale and would result in the legibility of the existing building being lost. Consideration should be given to stepping the extension in from the side elevations of the building and it is recommended that a high-quality brick be used.
32. Ecology – No objections to the proposals subject to the conditioning of the Method Statement appended to the Bat Report.

#### **Public Responses:**

33. The application has been advertised by means of 12no. individual neighbour notification letters. No comments or objections have been received.

#### **Elected Members**

34. Councillor Wood supports the application and states that the visual amenity issues of the proposals should be fully considered by elected members at committee. Councillor Wood further notes that there is a delicate balance when considering the proposals given the site is located between the cemetery and a large development of new housing.

*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/search.do?action=simple&searchType=Application>*

#### **Applicants Statement:**

35. Cemetery House is a dwelling that has sat empty for too many years and has significantly declined in recent years. The property needs significant investment to bring the building back to a habitable state, and at the same time, requires extensive work to make the building functional as a family home.
36. The applicants are purchasing the building and land around it from the Council and as part of the purchase they have needed to secure planning permission for their proposed works and for the change of use of the land being sold with the property. The original application has now been running for over twelve months, with issues relating to Bat Surveys resolved during the summer of last year, however design issues were then brought to the attention of the applicants when this work had all been concluded to their disappointment. This now leads us to the current householder application which has been submitted so that the extension and alteration works to Cemetery House can be considered by the Planning Committee.

37. It is proposed to extend and undertake external/internal alteration works to the dwelling. This includes a rear two storey extension which would consolidate a series of unsympathetic extensions added to the rear of the house over the years and provide a more comprehensive design approach to the rear. The extension would not project any further past the furthest part of the existing built footprint of the dwelling to the rear and would be set in from the side elevation at the request of the planning officers.
38. The roof to the property would be altered as part of the consolidation works to the rear with a ridge height increase of 1.4m; however, the eaves height stays unchanged. The design of the roof has been altered since the initial submission to provide a hipped design to the rear to maintain this feature from the host property and help reduce the massing of the roof to the rear which is also set down in height from the front to provide a subservient design as requested by the planning officers. The loft space of the roof would then be used as habitable space as bedrooms reducing the demand for further external extensions footprint. The level of bedroom accommodation is reflective of the applicant's family who require such space. It also allows for a ground floor accessible bedroom and wet room for the applicant who has an elderly relative with mobility restrictions to accommodate them for overnight stays. Overall, the level of habitable space within the dwelling is not excessive and is a reasonable provision of a dwelling having five bedrooms as a family home.
39. The issue with the planning officers comes down to the depth of the extension to the rear. When you look at the external gross footprint, the increase in building footprint is 32m<sup>2</sup>; this does increase to 46m<sup>2</sup> at first floor. The existing ground floor footprint is 72m<sup>2</sup> and would increase to 104m<sup>2</sup> and the first floor is currently 55m<sup>2</sup> and would increase to 101m<sup>2</sup>. These figures are not significant increases and show the extension work is in proportion to the size of the existing dwelling. The curtilage to the dwelling is large, especially in comparison to surrounding dwellings and would not lead to a loss of quality external amenity space nor would it be an overdevelopment of the plot. The extension covers an existing courtyard and would be visually the most appropriate location to extend the property confined within existing constraints of existing outbuildings, extensions, and boundary walls. The proposed extension will be finished with matching materials, bringing in features from the existing building.
40. The extension would not lead to any amenity issues to surrounding properties and this would be concluded given the proposed design; and that no objections have been received from neighbours. Local support from the Parish Council is acknowledged too. The dwelling given its relationship with the surrounding area and location of the garden, does not have a typical 'principal elevation.' As part of the design, a provision of providing that sense of a 'front of the house has been designed in, again an element requested to be looked at by the planning officers.
41. The proposed size of the property would be reflective of other five-bedroom properties in the local area, especially when glancing across to the northwest where there has been significant amount of new house building recently. The footprint and height of the building would be no different to that of a new build

five-bedroom home on the adjacent new estate. The proposed works to redevelop an existing empty dwelling in Pelton and transform this into a fit for purpose family home where the applicants, their children and on occasions elderly relatives can live in harmony will provide an uplift to the condition of the property; and also the area by providing that active social interaction where at present, neighbouring dwellings are left with an empty property that has attracted recent antisocial behaviour and fly tipping.

42. The dwelling has been left empty for too long and it a property which can provide the shell for a renovated family home in Pelton which would align with the Councils own 'Bringing Empty Homes Back Into Use' initiative. Where the applicants and planning officers have disagreed with the size of the proposed works, we have worked proactively over the application process and made compromises during the application process to refine the design to include elements which have been requested. It is wholly believed that the design put forward in this application is more than appropriate and fully complies with the requirements of Policy 29 of the County Durham Plan and also the Residential Amenity Standards SPD and it is hoped that members of the planning committee can provide their support and get this property utilised as a family home.

---

## **PLANNING CONSIDERATION AND ASSESSMENT**

---

43. Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out that regard is to be had to the development plan and decisions should be made in accordance with the development plan, unless material considerations indicate otherwise.
44. 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, along with advice set out in the Planning Practice Guidance notes. Other material considerations include representations received.
45. The County Durham Plan (CDP) is the statutory development plan and the starting point for determining applications as set out in the Planning Act and reinforced at NPPF Paragraph 12. The CDP was adopted in October 2020 and provides the policy framework for the County up until 2035 and is therefore considered up to date.
46. NPPF Paragraph 11c requires applications for development proposals that accord with an up-to-date development plan to be approved without delay. NPPF Paragraph 12 states that where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.



47. In this context, it is considered that the main planning issues in this instance relate to the principle of development, impact of the scheme upon the character and appearance of the host building/area, residential amenity, highway safety and ecological issues.

Principle of Development

48. The application site is located within the existing built environment of Pelton, and as such Policy 6 of the County Durham Plan is relevant in the consideration of the principle of development. Policy 6 supports development on allocated sites, within built-up areas or well related to settlements provided it meets the criteria set out within that policy
49. In this regard it is considered that the proposal can draw in principle support from this policy given that it is within the existing built-up area and would not be prejudicial to any existing or permitted adjacent uses (criteria a), it is within the existing built framework of Pelton, and would not lead to coalescence with neighbouring settlements (criteria b), would not result in a loss of open land that has any recreational, ecological or heritage value (criteria c) and has easy access to sustainable transport and local facilities (criteria f). The site makes best use of previously developed land (criteria i). Consideration of criteria d, e & h of policy 6 is contained elsewhere within this report. It is not considered that criteria g and j are appropriate in relation to this proposal.
50. It is therefore considered that the principle of residential use in this location is acceptable subject to the relevant material considerations as set out below.

Impact upon Character and Appearance of Host Building/Area

51. Policy 29 (Sustainable Design) requires all development proposals to achieve well designed buildings and places having regard to SPD advice and sets out 18 elements for development to be considered acceptable. In terms of alterations and extensions to residential properties, CDP Policy 29 requires development to be sympathetic to the existing building and the character and appearance of the area.
52. Policy 44 of the CDP states that development will be expected to sustain the significance of designated and non-designated heritage assets, including any contribution made by their setting. Development proposals should contribute positively to the built and historic environment and should seek opportunities to enhance and, where appropriate, better reveal the significance and understanding of heritage assets whilst improving access where appropriate.
53. NPPF Part 12 seeks to secure well-designed places, which will function well and add to the overall quality of the area. New development should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping and should be sympathetic to local character and history, including the surrounding built environment and landscape setting.

54. NPPF Part 16 recognises heritage assets as an irreplaceable resource that 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.
55. A Residential Amenity Standards Supplementary Planning Document (SPD) has been adopted by the Council. This provides guidance for all residential development across County Durham and forms a material planning consideration in the determination of appropriate planning applications. The general design principles contained within the SPD advise that, amongst other criteria, new development should be consistent with the design of the existing property, should be subservient and of a scale that is appropriate to the existing building and should not have an overbearing appearance or nature. Furthermore, the SPD clarifies that oversized extensions can completely change the character of an area and should be avoided.
56. The County Durham Design Code SPD has also been adopted by the Council. This provides local guidance to help developers create well-designed schemes that fit in well with their context and setting. With regard to extensions for all settlement type typologies, the SPD advises that, amongst other criteria, development should respond positively to the original architectural character of the individual host building, should play a subordinate role and not dominate the original building in terms of size, scale, siting and massing, should provide a complementary addition by taking design cues from the original building and should use external materials, finishes and detailing to match the existing, or provide an aesthetically suitable contrast appropriate to the context.
57. As detailed above, the application site is a detached, two storey dwelling in the village of Pelton, positioned on the western edge of the cemetery. The property dates back to the early 1900s and is of traditional appearance, however, has been unsympathetically altered to the rear over time. The demolition of the existing additions to the north of the dwelling is therefore not opposed by the Local Planning Authority.
58. Although the site is located close to larger housing developments to the west, the property is isolated on the western edge of the cemetery, accessed via an unadopted track from Front Street to the south. Cemetery House is set back from Front Street by approximately 86m and the presence of established intervening trees filter views of the site from the main highway through the village. However, the site is highly visible from the two entrances to the cemetery on the western boundary (located directly to the north and south of the site), from the unadopted road to the west and from within the cemetery grounds.
59. The proposed development lies approximately 160m to the west of Holy Trinity Church, which is a Grade II Listed Building. The Council's Design and Conservation Officer advises that due to existing trees and landscaping, intervisibility between the site and the Church is limited. As such, any extension to Cemetery House is unlikely to impact the setting of the designated heritage asset.

60. Turning to the proposed development, the application seeks to make sizeable alterations to the property via the introduction of a large, full width, two storey rear extension, along with amendments to the form and height of the original roof of the dwelling. The resulting development would substantially increase the mass of the existing building in terms of footprint and height and would increase the floorspace within the dwelling from approximately 104m<sup>2</sup> to 228m<sup>2</sup> (taking into consideration any floorspace with a height of 1.5m or more).
61. The Design and Conservation Officer has viewed the application documentation and notes that whilst the principle of an extension is not opposed, and the removal of the existing extensions to the rear could result in an improvement in design terms, the proposed development is of significant scale and would result in the legibility of the existing building being lost.
62. To reduce the impact of the scheme, the Design and Conservation Officer has recommended that the extension be stepped in from the side elevations of the existing building and that an appropriate high-quality brick be utilised in the construction of any extension to the property.
63. The suggestions made by the Design and Conservation Team have been relayed to the agent and applicant, with protracted discussions taking place over the assessment period for the corresponding application (DM/24/00694/FPA), which initially included the proposed alterations and extensions to the dwelling. Whilst minor amendments have been made to the originally submitted scheme to step the proposal in 0.25m from the west elevation of the host building and to include a hipped roof, the proposed alterations are not considered to sufficiently address the concerns raised by the Local Planning Authority in terms of scale, mass and design.
64. By virtue of the alterations proposed, the Local Planning Authority is of the opinion that the development would dominate the original property and would create a building of excessive height and scale in a prominent position on the entrance to Pelton Cemetery. The scheme is not deemed to be sympathetic to the modest scale, character or appearance of the host property and whilst the use of matching materials is acknowledged, the proposed extension and associated works to the roof would be overly bulky in design and mass and would represent a visually intrusive addition within the street scene.
65. Furthermore, the development is considered to be of poor design and would not respond positively to the original architectural character of the host building. Given the overbearing mass and scale of the proposed development, the legibility of the original building would be lost and as such, the scheme is considered to adversely impact the character and appearance of the dwelling and its wider setting on the entrance to the cemetery. Whilst it is appreciated that a large modern housing development is situated to the northwest, Cemetery House is a traditional property viewed in the context of the adjacent cemetery which it was previously used in connection with. The presence of larger dwellings on the adjacent modern housing estate would therefore not justify the significant and unsympathetic alterations proposed to the host building.

66. To conclude, the scheme is considered to adversely impact the character and appearance of the host dwelling and its wider setting in conflict with the provisions of CDP Policy 29, NPPF Part 12, the Residential Amenity Standards SPD and the County Durham Design Code SPD.

#### Residential Amenity

67. CDP Policy 29 requires developments to provide high standards of amenity and privacy and minimise the impact of development upon the occupants of existing adjacent and nearby properties.
68. CDP Policy 31 (Amenity and Pollution) states 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. The proposal will also need to demonstrate that future occupiers of the proposed development will have acceptable living and/or working conditions. Proposals which will have an unacceptable impact such as through overlooking, visual intrusion, visual dominance or loss of light, noise or privacy will not be permitted unless satisfactory mitigation measures can be demonstrated whilst ensuring that any existing business and/or community facilities do not have any unreasonable restrictions placed upon them as a result.
69. Part 12 of the NPPF promotes a high standard of amenity for existing and future users.
70. Part 15 of the NPPF seeks to prevent new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by, unacceptable levels of air and noise pollution.
71. The Council's Residential Amenity Standards SPD provides advice regarding amenity and privacy, including minimum separation distances and garden sizes.
72. The proposed development would be situated approximately 16m from the rear elevations of residential bungalows to the west. The Council's Residential Amenity Standards SPD advises that where a main facing elevation containing a habitable room window is adjacent to a gable wall which does not contain a habitable room window, a minimum distance of 13m should be provided where either building exceeds single storey in height. In this respect, the proposed extension would be served by 2 No. ground floor living room windows on the side elevation. Given the height of the existing boundary treatments and the single storey nature of the dwellings to the west, it is considered that the scheme would not adversely impact privacy in terms of overlooking. At first floor level, a dressing room window is shown on the side elevation. This would not serve a habitable room, however given the proximity of the neighbouring dwellings, it would be considered appropriate to secure an obscure glazed, fixed window in this opening to adequately protect residential amenity. Subject to a condition to secure the above in perpetuity, the scheme is considered to accord with the requirements of the SPD in terms of separation distances/privacy.

73. Although the proposed extension would represent a large addition to the house, due to the relationship with the neighbouring properties, the scheme would not result in an unacceptable loss of daylight or have an unreasonable overbearing impact upon the surrounding residents in terms of scale or mass.
74. Whilst the proposed extension would result in the loss of most of the rear yard of the property, the existing garden to the front would be retained and would provide sufficient external amenity space for future residents in accordance with the requirements of the SPD.
75. In terms of the amenity of future occupiers, the Governments Technical Housing Standards set out the requirements of internal space within new dwellings (NDSS). Whilst the proposal relates to an extension of an existing dwelling, the NDSS forms part of the assessment to ensure a sufficient standard of amenity would be achieved for future residents. For a 6 bedroom dwelling over three storeys, a minimum internal floorspace of 138m<sup>2</sup> should be achieved. This would be adequately met and it is noted that all bedrooms would meet the minimum floorspace and width requirements outlined in the NDSS. Each room would be served by a window or rooflight opening providing natural daylight and outlook and as such, it is considered that the proposed alterations to the dwelling would provide a suitable level of amenity for future residents.
76. Overall, subject to a condition to control the glazing in the first-floor dressing room window on the west elevation of the proposal, the scheme is deemed to adequately preserve the amenity of existing and future residents in accordance with CDP Policies 29 and 31 and NPPF Parts 12 and 15.

#### Highway Safety

77. CDP Policy 21 (Delivering Sustainable Transport) promotes the use of sustainable modes of transport and ensures that sufficient car parking at developments is provided whilst also limiting the amount to encourage the use of sustainable transport modes, having regard to the accessibility of the development by walking, cycling, and public transport.
78. NPPF Part 9 advises that safe and suitable access to a site should be achieved for all users. Paragraph 116 outlines that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe.
79. The Council's Parking and Accessibility Standards SPD (2023) provides advice regarding residential parking, including for residential extensions.
80. The existing dwelling is not served by in-curtilage parking and therefore residents are presently required to park on street. It is noted that a separate application is currently under consideration by the Local Planning Authority to change the use of the parcel of open space to the north of the site to create onsite parking via a double garage and driveway.

81. The Highways Authority have viewed the current arrangement and have raised no objections to the application in highway safety or visibility terms. The scheme is therefore deemed to accord with the provisions of CDP Policy 21, NPPF Part 9 and the Parking and Accessibility Standards SPD.

## Ecological Issues

82. Policy 41 (Biodiversity and Geodiversity) restricts development that would result in significant harm to biodiversity or geodiversity which cannot be mitigated or compensated. The retention and enhancement of existing biodiversity assets and features is required as are biodiversity net gains. Development proposals which are likely to result in the loss or deterioration of irreplaceable habitats will not be permitted unless there are wholly exceptional reasons and a suitable compensation strategy exists.
83. Policy 43 (Protected Species and Nationally and Locally Protected Sites) advises that development proposals that would adversely impact upon nationally protected sites will only be permitted where the benefits clearly outweigh the impacts. Adverse impacts upon locally designated sites will only be permitted where the benefits outweigh the adverse impacts. 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.
84. Part 15 of the NPPF seeks to ensure that developments protect and mitigate harm to biodiversity interests, and where possible, improve them.
85. The application has been supported by a Bat Survey Report by RH Ecological Services (received on the 20th January 2025).
86. This has been reviewed by the Council's Ecologist who has raised no objections to the application on the basis of the information submitted. This is however subject to a condition to ensure the development is undertaken in accordance with the Method Statement appended to the Bat Report. The proposed elevation plans demonstrate the position of 1 No. bat box and 1 No. swift brick on the side elevations of the building, which are to be secured by condition for the lifetime of the development.
87. From the 2<sup>nd</sup> of April 2024, the requirements of Schedule 14 of the Environment Act 2021, as inserted into Schedule 7A of the Town and Country Planning Act 1990, apply to all planning applications for minor development unless falling under one of the listed exemptions. In this respect, the scheme is not required to provide 10% biodiversity net gain as the development meets the householder exemption. Biodiversity enhancements are to be secured via the installation of bird and bat boxes on the building in line with the requirements of CDP Policy 41.

88. The scheme is therefore considered to adequately preserve protected species and their habitats and would enhance the biodiversity of the site in accordance with CDP Policies 41 and 43 and NPPF Part 15. This is subject to the inclusion of the relevant conditions outlined above.

---

## **CONCLUSION**

---

89. Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise.
90. In this instance, the proposal is considered to adequately preserve residential amenity, highway safety and ecological issues, in accordance with Policies 21, 29, 31, 41 and 44 of the County Durham Plan and Parts 9, 12 and 15 of the National Planning Policy Framework. This is subject to the inclusion of the relevant conditions and informatives.
91. However, in the opinion of the Local Planning Authority, the proposed scheme by virtue of its scale, mass and design would have an overbearing and visually intrusive impact upon the character and appearance of the host property and its setting within the street scene. This is in conflict with Policy 29 of the County Durham Plan, Part 12 of the National Planning Policy Framework, the Residential Amenity Standards Supplementary Planning Document and the County Durham Design Code Supplementary Planning Document. The application is therefore recommended for refusal.

### Public Sector Equality Duty

92. Section 149 of the Equality Act 2010 requires public authorities when exercising their functions to have due regard to the need to i) the need to eliminate discrimination, harassment, victimisation and any other prohibited conduct, ii) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and iii) foster good relations between persons who share a relevant protected characteristic and persons who do not share that characteristic.
93. In this instance, officers have assessed all relevant factors and do not consider that there are any equality impacts identified.

---

## **RECOMMENDATION**

---

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

1. The proposed development, by virtue of its scale, mass and design, would represent an overly prominent and insensitive addition to the host property and would create unacceptable harm to the character and appearance of the existing dwelling and its setting within the wider street scene. The application is considered to conflict with Policy 29 of the County Durham Plan, Part 12 of the National Planning Policy Framework, the Residential Amenity Standards

Supplementary Planning Document and the County Durham Design Code  
Supplementary Planning Document.

---

## **BACKGROUND PAPERS**

---

Submitted Application Forms, Plans and supporting documents

National Planning Policy Framework

National Planning Practice Guidance Notes

County Durham Plan (2020)

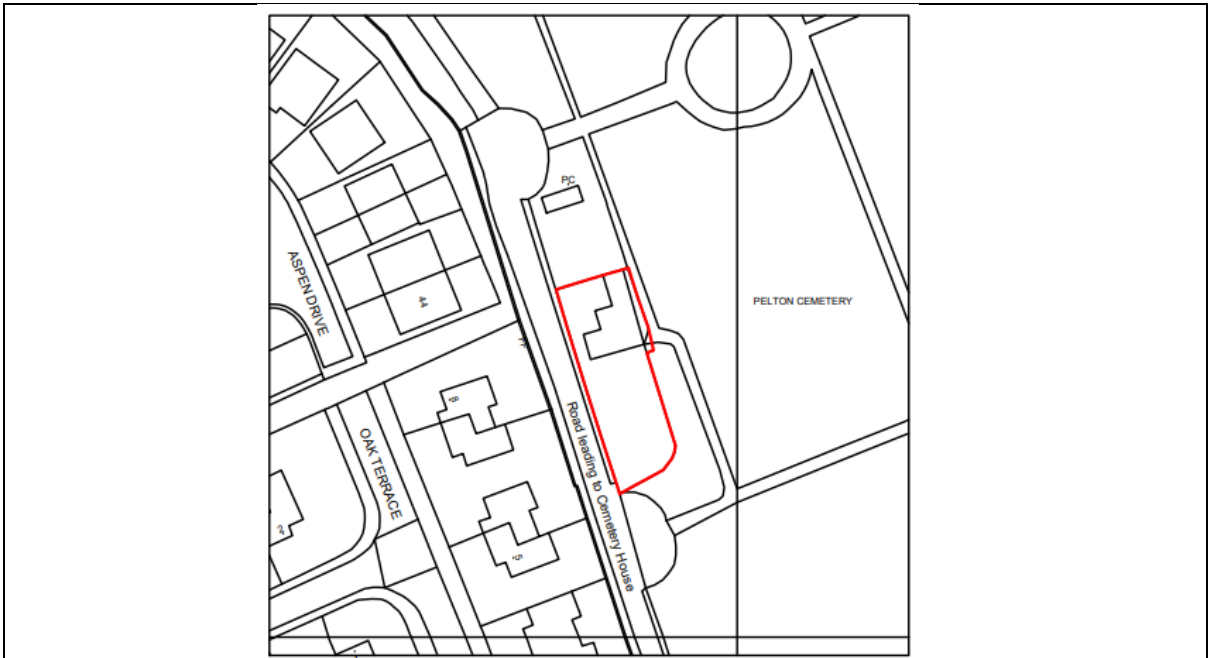
- Residential Amenity Standards SPD (2023)
- Parking and Accessibility SPD (2023)
- County Durham Design Code SPD (2024)

Statutory consultation responses

Internal consultation responses

Public consultation responses





<p><b>Planning Services</b></p>	<p>DM/25/00146/FPA</p> <p>Demolition of existing rear additions, erection of two storey extension including raising roof height</p>	
<p>This map is based upon Ordnance Survey material with the permission of Ordnance Survey on behalf of Her Majesty's Stationary Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceeding. Durham County Council Licence No. 100022202 2024</p>	<p>Comments</p>	
	<p>Date:</p>	<p>Scale: NTS</p>