



## Planning Services

### COMMITTEE REPORT

#### APPEAL UPDATE

##### DECISIONS RECEIVED:

APPEAL REF: APP/X1355/A/12/2180068

LPA REF: 3/2012/0101

#### APPEAL AGAINST THE REFUSAL OF PLANNING PERMISSION FOR THE ERECTION OF 2no. DETACHED BUNGALPWS

1. This appeal relates to an application for planning permission for the erection of 2no. detached bungalows at Land South of High Queen Street, Witton Park. The application was refused by planning committee on 19 April 2012 for the following reasons:

*The Local Planning Authority considers that the application site, being located outside of settlement limits of Witton Park would harm the character of the settlement and are without any special justification, contrary to Policy H3 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007 and provisions of the National Planning Policy Framework.*

*The Local Planning Authority considers that the vehicular access to the site is not adequate to serve 2no. dwellings and it is not currently possible to upgrade the access to a suitable standard. This is contrary to the requirements of Policies GD1 and T1 of the Wear Valley District Local Plan as amended by the Saved and Expired Policies September 2007.*

*The Local Planning Authority considers that as result of the intensification of the use of the access track across the Village Green that the use of the Village Green as a high quality recreational public open space would be compromised due to an increased safety risk to users contrary to para.73 of the National Planning Policy Framework.*

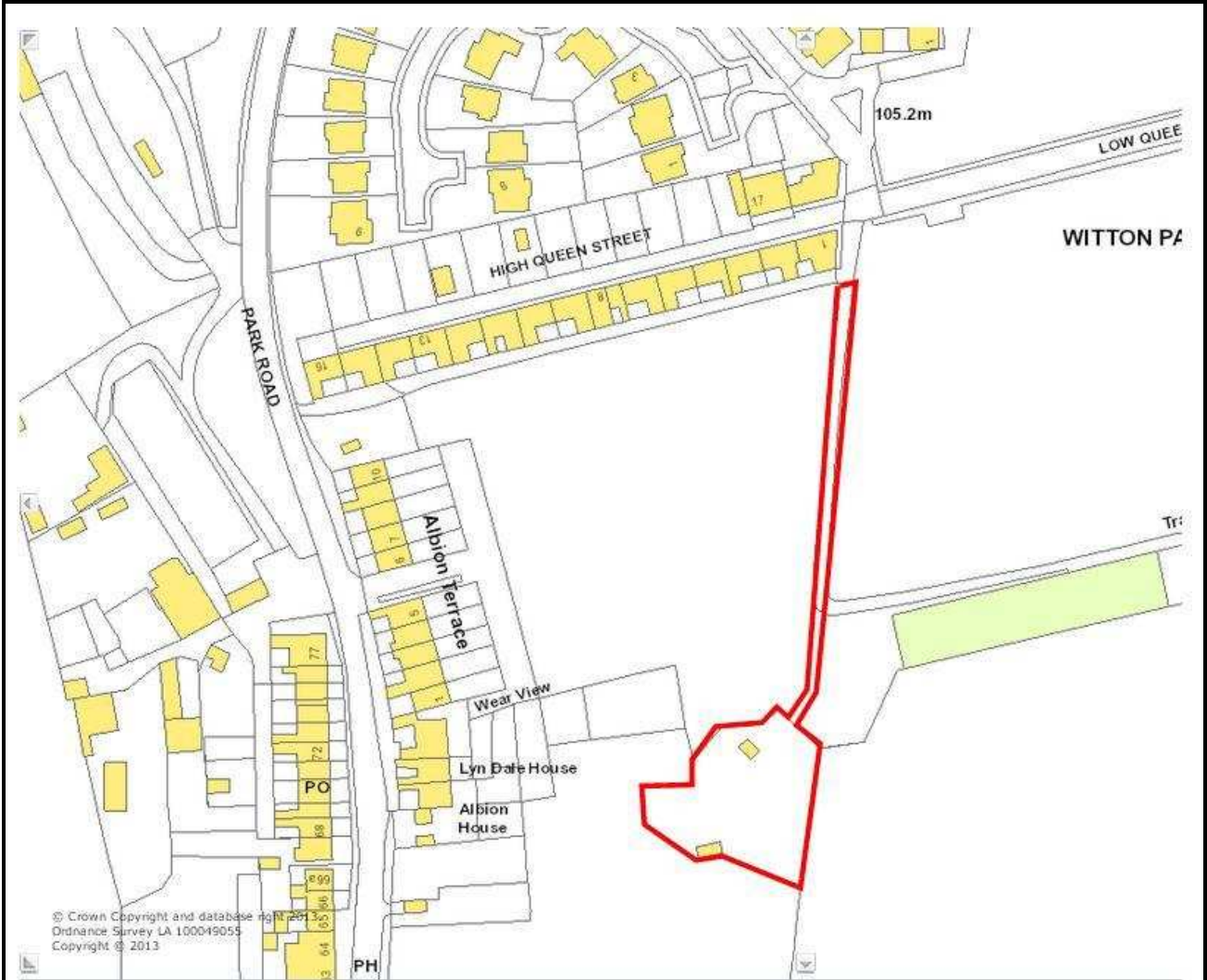
2. The appeal was **dismissed**. In arriving at the decision the Inspector considered the following main issues.
3. The erection of two detached bungalows on this site would be at odds with both the existing character and the appearance of the surrounding area as it would introduce a new residential use into open land unrelated to any similar development. Consequently, the proposal would conflict with Policy GD1 of the Local Plan it that it would not be in keeping with the character and appearance of the area.
4. Although an unsurfaced track is visible across the Green leading to the appeal site, indicating a degree of usage, it does not appear to be suitable as a permanent access to two houses without additional surfacing and/or upgrading. Moreover, access is restricted to smaller vehicles by posts and a crossbar, and


large stones, sited to prevent unauthorised access to the Green by larger vehicles and caravan.

5. No alterations could be made to the surface of the track across the Village Green without further formal consent, and there is no indication that this would be forthcoming and as a result, that increased usage of the existing track, even for two dwellings, would result in a deterioration in its present condition, and this would be detrimental to the appearance of the Green itself.
6. Access to the appeal site by larger vehicles would not be possible without removal, even on a temporary basis, of the posts and crossbar. No information was been provided about how this could be achieved. Service vehicles such as refuse collection vehicles and larger delivery vans would therefore be unable to drive up to the proposed dwellings. It follows that satisfactory access has not been shown to be available, thus the proposal would conflict with the provisions of Policy T1 of the Local Plan.
7. That additional usage of a track across an area used for recreational purposes is likely to create danger for users of that area, despite the lack of any impediment to forward visibility for drivers of vehicles. Even informal activities such as dog walking or general play would be less safe than at present if regular use of a track across a central part of the area were to be sanctioned, notwithstanding the care that would need to be taken by drivers and the likelihood that traffic speed would be low.
8. No costs were awarded to either the appellant or the Local Authority.

#### **RECOMMENDATION**

9. That the decision is noted.



 <p><b>Durham County Council</b> Planning Services</p>	<p>Erection of 2no. detached bungalows on land South of High Queen Street, Witton Park (3/2012/0101)</p>	
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	<p><b>Date</b> 21 February 2013</p>	<p><b>Scale</b></p>