

# Planning Services

## COMMITTEE REPORT

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### APPLICATION DETAILS

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APPLICATION NO:	PL/5/2013/0302
FULL APPLICATION DESCRIPTION	CONSTRUCTION OF CAR PARK & ASSOCIATED WORKS
NAME OF APPLICANT	DURHAM COUNTY COUNCIL
SITE ADDRESS	ST JOHNS SQUARE, SEAHAM
ELECTORAL DIVISION	Dawdon
CASE OFFICER	Laura Martin 03000261960 dmcentraleast@durham.gov.uk

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### DESCRIPTION OF THE SITE AND PROPOSAL

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#### The Site

1. The application relates to a cleared site following the demolition of Caroline House and Seaham Library. The works form part of the wider regeneration of the St John's Square area, which has included the new Durham County Council Customer Access Point and Primary Care Centre.

#### The Proposal

2. Full planning permission is sought for the formation of a car parking area, associated lighting and landscaping. The proposal would consist of approximately 1950m<sup>2</sup> of new tarmac area, including the proposed access via the existing entrance on Shelley Street and would provide a total of 95 car parking spaces, 6 of which would be classified as disabled and 2 of which would be electric car charging points.
3. The existing informal car park has around 28 car parking bays, none of which are designated as disabled.
4. The application is brought before members of the Planning Committee as the development falls within the major development category.

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### PLANNING HISTORY

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PLAN/2007/0479 Redevelopment and erection of a multi-use public service building  
Approved 8 Oct 2007

PLAN/2008/0487 Multi Use building for library, café and office Approved 2 Sept 2008

PL/5/2009/0137 Demolition of clinic and magistrate court and erection of a Primary care centre Approved 23 June 2009.

## **PLANNING POLICY**

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### **NATIONAL POLICY:**

5. The Government has consolidated all planning policy statements, guidance notes and many circulars into a single policy statement, the National Planning Policy Framework (NPPF), although the majority of supporting Annexes to the planning policy statements are retained. The overriding message is that new development that is sustainable should go ahead without delay. It defines the role of planning in achieving sustainable development under three topic headings – economic, social and environmental, each mutually dependant.
6. The presumption in favour of sustainable development set out in the NPPF requires local planning authorities to approach development management decisions positively, utilising twelve ‘core planning principles’
7. The following elements are considered relevant to this proposal:
8. Part 1 - The Government is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future.
9. Part 4 - Transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. Smarter use of technologies can reduce the need to travel. The transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel. However, the Government recognises that different policies and measures will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas.
10. Part 7 - 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.

*The above represents a summary of those policies considered most relevant. The full text can be accessed at: <http://www.communities.gov.uk/planningandbuilding/planning/planningpolicyguidance/planningpolicystatements>*

### **LOCAL PLAN POLICY:**

#### District of Easington Local Plan

11. Policy 1- Due regard will be had 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.
12. Policy 35 - 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.

13. Policy 36 - The design and layout of development should ensure good access and encourage alternative means of travel to the private car.
14. Policy 37 - The design and layout of development should seek to minimise the level of parking provision (other than for cyclists and disabled people).
15. Policy 101 - Peterlee and Seaham town centres will be protected and promoted as the main retailing centres. Permission will be granted for further town centre uses and the improvement of the town centre through redevelopment and environmental and transport infrastructure improvements.

*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/Pages/Service.aspx?ServiceId=7534>*

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## **CONSULTATION AND PUBLICITY RESPONSES**

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### **STATUTORY RESPONSES:**

16. Parish Council- No response

### **INTERNAL CONSULTEE RESPONSES:**

17. Design and Landscape section- request conditions relating to surface treatment, landscaping and street furniture. No objections are raised.
18. Highways Authority- Welcome the application and raise no objections.
19. Environment Agency- No response at time of report completion- members will be updated accordingly.
20. Northumbria Water- No response at time of report completion- members will be updated accordingly.

### **PUBLIC RESPONSES:**

21. The application was advertised by means of Press and Site notice, and a further 40 letters of notification were sent to neighbouring properties within the area. No letters of representation have been received in respect of the above development.

### **APPLICANTS STATEMENT:**

22. Regeneration & Economic Development support the proposed planning application for the re-use of the former Caroline House site and creation of additional car parking at St John's Square, Seaham.
23. In recent months within the direct vicinity of the Square, there have been significant congestion issues in and around the residential streets of Caroline, Sophia and Shelley St respectively. This has resulted in a number of conflicts with residents and users/employees of the Job Centre and Seaham Contact Centre.

24. Mitigation through a parking solution will not only alleviate the above concerns but also provide an accessible western route into the primary retail area of the Town Centre through a series of short and long stay parking facilities.
25. The construction will bring forward the final phase of redevelopment of St Johns Square and provide Seaham and East Durham with a critically important public service hub.

*The above 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 <http://planning.easington.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=124762>*

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## **PLANNING CONSIDERATION AND ASSESSMENT**

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26. As identified in Section 38(6) of the Planning and Compulsory Purchase Act 2004 the key consideration in the determination of a planning application is the development plan. Applications should be determined in accordance with the development plan unless material considerations indicate otherwise.
27. The main considerations in regard to this application are impact upon the highway network and impact upon residential and visual amenity.

### **Impact upon the Highway network**

28. There has been a very large amount of re-development within the direct vicinity of the proposed car parking area with very limited new car parking. It has now become apparent that the existing car parking in the area is unable to cope with the current demand and this has led to congested car parking areas, which often cause disruption to the adjacent residential properties on Sophia Street and Shelley Street.
29. Whilst it is acknowledged that Policy 37 of the Easington Local Plan states that design and layout of development should seek to minimise car parking it is considered that in order to ease congestion in and around the town centre and to avoid any further impact upon residential amenity that an increase in parking provision would be acceptable upon this occasion. Policy 101 does make provision for this in relation to town centre uses and improvements to transport infrastructure. Furthermore, the Highway Authority have been consulted upon the application and welcome the increase in provision due to the issues outlined above. Therefore it is considered that there would be no adverse impact upon the existing highway network.

### **Impact upon residential and visual amenity**

30. As previously noted the adjacent residential streets due to the increase in development surrounding the site have suffered significant disruption from additional on-street parking and traffic utilising the area. It is considered that the designated car parking areas would help to resolve such issues and help to improve the current level of residential amenity at the site.
31. In respect of visual amenity, the area is currently in a very poor state and no works have been carried out since the demolition of the library and Caroline House. Hoarding fencing currently surrounds the site and the area is generally visually unattractive. It is considered that the creation of the car parking with associated landscaping would tidy the area up and would create a more attractive public realm

for shoppers and users of the Contact Centre. As part of any approval at the site any street furniture, lighting and surface treatments would be conditioned to ensure a high quality development and to enhance the visual amenity of the area.

32. It is therefore considered that the increase in car parking provision at the site would not only assist with the regeneration of the area but would enhance the overall shopping and employment provision in the area and would help to retain/attract further redevelopment to the area.

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## **CONCLUSION**

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33. In conclusion it is therefore considered that the proposed development would have positive impacts upon the current levels of visual and residential amenity and upon the highway network at the site, given the proposed location of the works and the current levels of car parking provision. Therefore as a result it is considered that the proposed development would be in accordance with the intentions of the District of Easington Local Plan and in particular policies 1, 35, 36, 37 and 101 as well as Parts 1, 4 and 7 of the NPPF.

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## **RECOMMENDATION**

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That the application be **APPROVED** 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 References; No. Wider location plan, Design and Access statement and Drawing No. MHD611\_01 Proposed site layout all received 30 July 2013.  
Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with saved policies 1 & 35 of the District of Easington Local Plan.
3. No development shall commence until a detailed landscaping scheme has been submitted to, and approved in writing by, the Local Planning Authority. No tree shall be felled or hedge removed until the landscape scheme, including any replacement tree and hedge planting, is approved as above. Any submitted scheme must be shown to comply with legislation protecting nesting birds and roosting bats. The landscape scheme shall include accurate plan based details of the following: Trees, hedges and shrubs scheduled for retention. Details of hard and soft landscaping including planting species, sizes, layout, densities, numbers. Details of planting procedures or specification. Finished topsoil levels and depths. Details of temporary topsoil and subsoil storage provision. Seeded or turf areas, habitat creation areas and details etc. Details of land and surface drainage. The establishment maintenance regime, including watering, rabbit protection, tree stakes, guards etc. The local planning authority shall be notified in advance of the start on site date and the completion date of all external works. Trees, hedges and shrubs shall not be removed without agreement within five years.

Reason: In the interests of the visual amenity of the area and to comply with saved policies 1 and 35 of the District of Easington Local Plan.

4. All planting, seeding or turfing and habitat creation in the approved details of the landscaping scheme shall be carried out in the first available planting season following the practical completion of the development. No tree shall be felled or hedge removed until the removal/felling is shown to comply with legislation protecting nesting birds and roosting bats. Any approved replacement tree or hedge planting shall be carried out within 12 months of felling and removals of existing trees and hedges. Any trees or plants which die, fail to flourish or are removed within a period of 5 years from the substantial completion of the development shall be replaced in the next planting season with others of similar size and species. Replacements will be subject to the same conditions.

Reason: In the interests of the visual amenity of the area and to comply with saved policies 1 and 35 of the District of Easington Local Plan.

5. Prior to the commencement of the development details of any proposed street furniture shall be submitted to and approved in writing by the Local planning authority. Thereafter the street furniture shall be laid out and available for use in accordance with the submitted and approved plans.

Reason: In the interests of the visual amenity of the area and to comply with saved policies 1 and 35 of the District of Easington Local Plan.

6. Details of the height, type, position and angle of external lighting shall be submitted to and approved in writing by the Local Planning Authority prior to the development hereby permitted being brought into use. The lighting shall be erected and maintained in accordance with the approved details.

Reason: In the interests of the amenity of nearby residents and the appearance of the area in accordance with Policy 35 of the Easington Local Plan.

7. Prior to the commencement of the development details of the surface treatment and construction of all hardsurfaced areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken 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.

8. Prior to being discharged into any watercourse, surface water or soakaway system, all surface water drainage from parking areas and hardstandings shall pass through an oil interceptor designed and constructed in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure proper drainage of the site in accordance with Policy 1 and 35 of the Easington Local Plan.

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## **STATEMENT OF PROACTIVE ENGAGEMENT**

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The Local Planning Authority in arriving at its decision to support this application have, without prejudice to a fair and objective assessment of the proposals, issues raised, and representations received, sought to work with the applicant in a positive and proactive manner with the objective of delivering high quality sustainable development to improve the economic, social and environmental conditions of the area in accordance with the NPPF.

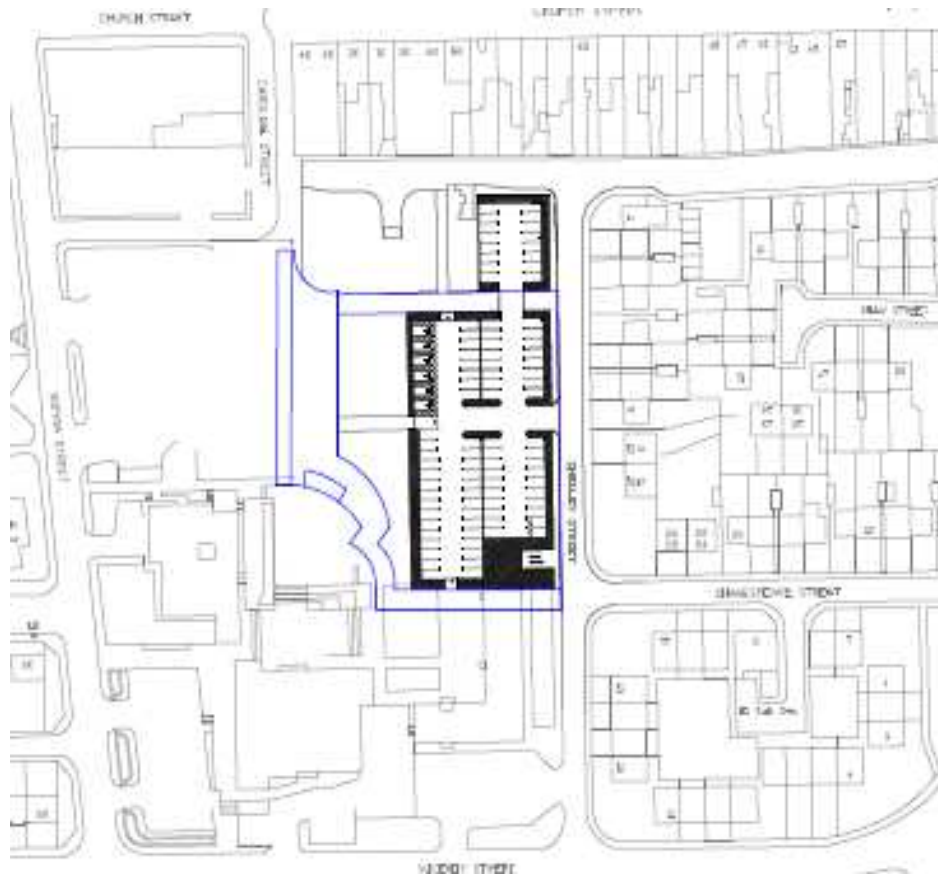
(Statement in accordance with Article 31(1) (CC) of the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.)

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## **BACKGROUND PAPERS**

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- Submitted Application Forms and Plans.
- Design and Access Statement
- North East of England Plan Regional Spatial Strategy to 2021 (RSS) July 2008
- District of Easington Local Plan 2001
- National Planning Policy Framework
- Consultation Responses



**Planning Services**

**Proposed CONSTRUCTION OF CAR PARK & ASSOCIATED WORKS at ST JOHNS SQUARE, SEAHAM PL/5/2013/0302**

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**Comments**

**Date** 10 September 2013

**Scale** 1:1250