

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION No:	CE/13/00792
FULL APPLICATION DESCRIPTION:	Construction of new extensions to the north and east sides of building to provide additional student accommodation.
NAME OF APPLICANT:	Mr Robert Fulton
ADDRESS:	Ruth First House, Claypath, Durham, DH1 1QS
ELECTORAL DIVISION:	Elvet and Gilesgate
CASE OFFICER:	Steven Pilkington Senior Planning Officer 03000 263964 steven.pilkington@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

1. The application site is located within the Durham City Conservation Area and relates to a large building wrapping around the street corner at the junction of Providence Row and Claypath. The locality is mixed in character with the upper part of Claypath predominantly Georgian, including a number of listed buildings, the upper part residential, the lower commercial. This is in contrast to Providence Row which includes Victorian terraced dwellings at the lower-end and larger modern developments within the upper-part. A significant level change exists on site, with the level falling away down Providence Row from Claypath, surrounding developments either follow this level change or are sited at a similar level to that of Claypath.
2. Planning permission is sought for the erection of extensions to the existing building, these would be in two separate elements. The first would be a 4 storey extension projecting off the existing northern elevation into an adjacent car parking/hard standing area. This extension would measure a maximum of 10.2m in length by 6.3m in width, while the pitched roof would have a maximum height of 13.2m from ground level. A smaller lean to extension would adjoin this larger extension measuring 6.6m in length by 2.4m in width, at a maximum height of 7m from ground level. Windows would be located on all three sides of the extension, while development would be constructed from brick with composite panel and bay window detailing.
3. The second element would be in the form of an extension to the east elevation on top of an existing flat roof part of the building. The extension would measure 6.8m in length by 7.2m in width and the pitched roof would have a height of 7.2m. Oriel windows would be located in the north and south elevation of this extension, restricting views to neighbouring properties. The proposed extensions would

increase the number of bedrooms across the building by 20, effectively creating a series of large HMO's within a Sui-Generis use class.

4. This application is being reported to committee on the request of Cllr Ormerod, the ward councillor for the area due to concerns regarding the proximity of the development to neighbouring residential properties, visual impact, amenity space provision, refuse provision, potential disruption during construction and lack of parking.

PLANNING HISTORY

5. Change of use from retail unit to form 1 no. three bedroom apartment within C4 (House in Multiple Occupation) use class with minor alterations to north and west elevations. Approved (10/00142/FPA)
6. Change of use of 2 no. office/retail units to 2 no. Houses of Multiple Occupation providing residential accommodation for students including external alterations to existing shop fronts. Approved (4/11/00474/FPA)

PLANNING POLICY

NATIONAL POLICY

7. 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.
8. 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'
9. *NPPF Part 1 (Building a strong, competitive economy)*. 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.
10. *NPPF Part 4 (Promoting sustainable transport)*. 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.
11. *NPPF Part 6 (Delivering a wide choice of high quality homes)*. To boost significantly the supply of housing, applications should be considered in the context of the presumption in favour of sustainable development.

12. *NPPF Part 7 (Requiring Good Design)*. 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.
13. *NPPF Part 12 (Conserving and enhancing the historic environment)*. Local planning authorities should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. In doing so, they should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance.

LOCAL PLAN POLICY:

14. *Saved Policy E6 (Durham City Conservation Area)* Sets out the Council's aim to preserve the special character, appearance and setting of the Durham City Conservation Area by ensuring a high quality design
15. *Saved Policy E21 (Protection of the Historic Environment)* requires development proposals to minimise adverse impacts on significant features of historic interest.
16. *Saved Policy E22 (Conservation Areas)* Sets out that the Authority seeks to preserve and enhance the character and appearance of the conservation area by ensuring that development proposals should be sensitive in terms of siting, scale, design and materials, where appropriate reflecting existing Architectural features.
17. *Saved Policy CC1 (City Centre)* Seeks to promote a mixture of uses within the City.
18. *Saved Policy H2 (New Housing within Durham City)* Sets out that within the development limits, new housing development will be permitted providing the development is located on previously developed land.
19. *Saved Policy H9 (Multiple Occupation/ Student Households)* Sets out that the subdivision or conversion of houses to HMO's or proposals to extend or alter HMO's should provide adequate parking, protect the amenities of neighbouring residents, have an appropriate scale/character and will not result in concentrations of dwellings to the detriment of the range and variety of local housing stock.
20. *Saved Policy H13 (Residential Areas)* seeks to protect the character, appearance and amenity of residential areas.
21. *Saved Policy Q1 (Design)* Sets out that the layout and design of all new development should take into account the requirements of users including personal safety and crime prevention and the access needs of everybody including people with needs of disabilities.
22. *Saved Policy Q8 (Residential Development)* Sets out the standards that new residential developments should comply with.
23. *Saved Policy T1 (General Transport Policy)* Requires all developments to protect highway safety and/or have significant affect on the amenity of occupiers of neighbouring properties

24. *Saved Policy T10 (Parking Provision)* Seeks to limit the number of parking spaces as a property to encourage sustainable transport choices.

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://www.cartoplus.co.uk/durham/text/00cont.htm>

EMERGING POLICY:

25. The emerging County Durham Plan is now in Pre-Submission Draft form, having been the subject of a recent 8 week public consultation, and is due for submission in Spring 2014, ahead of Examination in Public. In accordance with paragraph 216 of the NPPF, 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. To this end, the following policies contained in the Pre-Submission Draft are considered relevant to the determination of the application:
26. *Policy 18 (Local Amenity)* Seeks to resist developments that will have a significant adverse impact on amenity as by way of noise: vibration, odour, light pollution, overlooking, visual intrusion, loss of light or loss of privacy.
27. *Policy 32 (Houses in Multiple Occupation and Student Accommodation)* sets out that in order to support a mixed and balanced community and maintain an appropriate housing mix, applications for new build houses in Multiple Occupation will not be permitted if the application site is located in or within 50m of a postcode area where more than 10% of the total number of properties is already in use as a licensed HMO or student accommodation.
28. *Policy 44 (Historic Environment)* sets out that development which would lead to total loss of significance of a designated heritage asset will not be permitted unless the substantial harm or loss is proven to be necessary to achieve substantial overriding public benefits, or all of the following apply: the nature of the heritage asset prevents all reasonable uses of the site; no viable use of the heritage asset itself can be found in the medium term that will enable its conservation; conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and, the harm or loss is outweighed by the benefit of bringing the site back into use.

The above represents a summary of those policies considered most relevant in the County Durham Plan the full text, criteria, and justifications of each may be accessed at:
<http://durhamcc-consult.limehouse.co.uk/portal/planning/ps/>

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

29. *Highways Authority* – Highlight that although no parking provision would be made for the development, given its location within Durham City controlled parking zone and its likely use, this is considered acceptable. However it is advised that any increase in occupancy would not be supported with an increase in parking permits.
30. *Northumbrian Water* – Offer no objections.

INTERNAL CONSULTEE RESPONSES:

31. *Environmental Health Section* – No response received.
32. *Design and Conservation Section* – Overall considers that the development offers the opportunity to improve the very prominent poor quality side elevation and yard area of Ruth First House which would therefore enhance the appearance of this part of the Conservation Area. The development is considered appropriate in terms of size, scale, form and design in relation to the host building and the modern character of this part of Claypath/Providence Row.
33. *Archaeology Section* – Advise that a condition requiring a written scheme of investigation should be submitted prior to work commencing.
34. *Ecology Section* – Advise that given the areas in front of the buildings consists of hardstandings, with limited foraging habitat and no direct habitat connectivity to river or woodland there is a minimal risk that bats would be affected, it is however recommended to attach an informative reminding the developer of their obligations under habitat legislation.

PUBLIC RESPONSES:

35. The development has been advertised by means of individual notification letters, site notice and press notice. In total 4 objections have been received in relation to the application, including from St Nicolas Community Forum and the City of Durham Trust as summarised below:-
 - Noise and disturbance generated by students
 - Reduction in amenity experienced by surrounding properties, including light loss and overbearing impact,
 - Noise pollution during construction,
 - Congestion during delivery of materials,
 - Over development of the site,
 - Lack of parking.

APPLICANTS STATEMENT:

36. The proposed development will utilise an unattractive hard standing area and will mask the existing development on site which is of poor quality when viewed from Providence Row. The scheme has been carefully designed to compliment the surrounding area and would result in a visual improvement in this part of the Conservation Area.
37. The accommodation would compliment the existing student accommodation provided on site, which is comprehensively managed. Additional provision would be made for bin stores to the rear of the site which would clear the frontage of the clutter associated with the storage and collection of waste.

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://publicaccess.durhamcity.gov.uk/publicaccess/tdc/DcApplication/application_detailview.aspx?caseno=MRGMA2BN5B000

PLANNING CONSIDERATIONS AND ASSESSMENT

38. Having regard to the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the relevant Development Plan policies, relevant guidance and all other material planning considerations, including representations received, it is considered that the principal material planning considerations relate to the principle of development, visual amenity of surrounding area, amenity of adjacent land uses and highway safety. These issues are addressed in turn below.

Principle of development

39. The National Planning Policy Framework seeks to promote sustainable development and communities by concentrating development in urban locations, thereby reducing the need to travel due to proximity of infrastructure, employment sites and community facilities. This is also recognised more specifically at a local level in policy H9 of the Local Plan which sets out that the subdivision, conversion and extension of buildings to serve as HMO's or student accommodation will be considered acceptable in principle within Durham City.
40. In assessing the sustainability of the location of this proposed residential accommodation against the above policy context, it is considered that the site performs well. This is because the application site is located in a sustainable location, within a mixed use area and in close proximity to the centre of Durham City. Within the vicinity of the application site commercial properties, public buildings and amenities are located, future residents would therefore have ready access to these facilities without the need to utilise the private motor car.
41. In addition to sustainability objectives, the NPPF sets out that development should provide a range of housing types and sizes responding to the needs of all members of the community, including ensuring that there is a mix and range of housing available for different members of the community. Objections around this issue have been raised from St Nicolas Community Forum, who consider that there is an oversupply of student accommodation in the area which has an adverse impact.
42. Saved Policy H9 of the Local Plan seeks address this aiming to restrict concentrations of HMOs to preserve the range and variety of local housing stock and to ensure that a particular type of housing is not reduced to an unacceptable extent, while policy H13 also seeks to protect the character of residential areas. In appraising the application against this policy, it is recognised that there are significant concentrations of student populations in the immediate area. However the proposed development is for a new build/extension to an existing development occupied by students. It is also considered that this development is unlikely to be occupied by the wider community members due to the limited market demand of apartments, limited amenity space and lack of car parking.
43. This wider matter is also addressed in the emerging County Durham Plan, through policy 32. This policy sets out that in order to support a mixed and balanced community and maintain an appropriate housing mix, applications for new build houses in Multiple Occupation will not be permitted if the application site is located in or within 50m of a postcode area where more than 10% of the total number of properties is already in use as a licensed HMO or student accommodation.

44. In considering this matter, it is noted that in the proximity of the application site there is a significant number of properties occupied by students, likely over the 10% threshold advocated within the policy. However in accordance with paragraph 216 of the NPPF, it is considered that only limited weight can be given to this policy given outstanding objections and the limited consultation held to date (policy 32 emerged in the latest draft of the local plan) and that the Pre-Submission Draft may be subject to change. It is therefore not considered sound to resist the application solely on the basis this policy, particularly as the proposals when assessed against saved policies of the Local Plan would be considered acceptable and are consistent with the NPPF. In this instance it is considered that relevant policies of the Local Plan still carry more weight than the County Durham Plan at this time.
45. Overall it is considered that the proposed development is located in a sustainable location and would not impact on the range of housing available within the wider area. Therefore in principle the development is considered acceptable subject to further detailed analysis of its impacts.

Impact on character and appearance of conservation area

46. The National Planning Policy Framework seeks to conserve or enhance heritage assets in a manner appropriate to their significance. In this instance the heritage asset can be identified as the Durham City Conservation Area, which saved policies E6, E21 and E22 of the Local Plan seek to preserve the setting, appearance and character of Conservation Areas. Special attention is also required to be given under S72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to the desirability of preserving or enhancing the character or appearance of Conservation Areas.
47. In appraising the impact of the development on the character of the Conservation Area the advice of the Council's Design and Conservation Section has been sought. It is advised that Ruth First House is a large building visually dominant due to its siting and form, wrapping around the street corner at the junction of Providence Row and Claypath. The building is of 1960s construction, heavily altered mainly when it changed use from retail and offices to accommodation, on the northern side (rear) of the building an unattractive hard standing area is located bordered by brick walls with a retaining wall to the rear. This area is currently used for car parking and bin storage with stairs providing fire escape access to Ruth First House. Overall the Design and Conservation Section consider that this building is of little historic or architectural merit and makes a neutral impact on the significance of this part of the Conservation Area.
48. In terms of the visual impact of the development, it is considered that it would be viewed as part of the transition point at the top-end of the street where larger modern buildings, such as the BT Exchange, Claypath Court and Finney Court are sited. The Conservation Officer advises that the proposed development would be in keeping with the scale and character of these surroundings buildings, while also being viewed as an appropriate subservient extension to the main building. The development would also have the added benefit of masking the poor quality north facing elevation of Ruth First House and result in the loss of the unattractive hard standing area/bin store, providing a positive enhancement of the street scene.
49. The development also has no impact upon the character or setting of any of the historic/listed buildings within Claypath/Providence Row and it would not affect any views of the World Heritage Site. Although it would be visible from some public

vantage points along the street frontage of Claypath it would be stepped in from the existing building line which would lessen its visual impact while the linear form of the street would be continued by the proposed front wall and railings which is appropriate.

50. With regards to the scale and design, the proposed extension, although large, is considered a subservient addition to the existing building. Its visual massing is also successfully broken up with the front elevation stepping down from the existing building and by the stair tower and main accommodation block being subservient to each other. The rear extension also steps in from the side building line and from the side they read as two separate elements with the gable dominant in views looking up the street. The proposed bay windows with infill centre panels, the window proportions matching the existing building, the cladding wall panels, artstone string course and timber barge boards are all appropriate detailing within the conservation area.
51. Overall it is considered that the proposed development will have a positive impact on the conservation area in this location in accordance with policies E6, E21 and E22 of the Durham City Local Plan. It is however considered appropriate to attach conditions requiring details of materials to be used and full window details on any approval.

Residential Amenity

52. Policy H9 of the Local Plan sets out that conversion or extension of properties for student accommodation/HMO's will only be permitted where they protect the amenity of neighbouring residents and there is adequate amenity areas provided at the property. The policy clarifies this by stating that adverse effects on the amenities of other occupants include noise disturbance and infringement of privacy. In addition to this policy Q8 of the Local Plan requires new residential developments to protect the amenities of adjacent land users by setting out a number of guideline separation distances for new developments. This includes a 21m buffer between windows of habitable rooms, 13m between a habitable room window and a two storey gable and 6m between a window and a single storey gable. Although these separation distances are aimed at new build housing developments, they are considered appropriate in this instance to act as a guideline.
53. In appraising the impact of the development against the above policy context it is considered that there are a number of neighbouring developments that would be impacted upon to varying degrees by different parts of the development, including Finney Court, Claypath Court and the rear of 38-40 Claypath. The impact on these different developments is assessed below in turn.

Finney Court

54. To the north west the existing modern development of Finney Court is located, this 3 to 4 storey development was constructed in 2007 and directly abuts the application site at its most southern point. A number of habitable room windows serving different apartments overlook the existing hardstanding area to the rear of Ruth First House.
55. The proposal would be in close proximity to the development of Finney Court, at it's closest approximately 8.5m. However there is a significant level change between the two sites, with the ground floor of Finney Court being elevated approximately 5m above the lower ground floor of the proposal at its most extreme point. This means that the ground floor of Finney Court would look out onto the roof plane of the closest

element of the scheme at a distance of 8.5m, representative of looking out onto a single storey extension. The next block of development, the main body of the extension, would be sited approximately 11m from the habitable room windows of Finney Court, again given the level changes on site, this would be representative of a window looking out onto a 2 ½ storey elevation. Although the level changes reduce the impact of the development, a loss of amenity would arise for residents of the ground floor apartment of Finney Court overlooking the application site in terms of an overbearing effect, loss of outlook and daylight.

56. In appraising this impact in more detail, the development site has been viewed from inside this ground floor apartment which is split over two levels. The bedroom and bathroom of the unit are situated at a higher level, directly overlooking the application site and a living area and second bedroom at a lower level, overlooking an amenity strip. The principal impact of the development would therefore be on the higher level bedroom, however this room already experiences a limited outlook due to vegetation growing in a buffer strip between the two developments and the proximity of the rear service yard. The room also currently experiences a loss of privacy due to the location of an external stair access on Ruth First House. This results in requiring either the blinds or curtains drawn on a regular basis to preserve levels of privacy. On balance, it is therefore considered that given the existing situation and the layout of the apartment a reduction in the level of amenity would not be significant and would not justify refusal of the application solely on this basis, giving weight to the benefits of removing the unsightly bin storage and hardstanding area..
57. Views could be achievable back towards the development of Finney Court from the extension above the flat roofed element. However in order to mitigate this it is proposed that the windows would have angled frames, directed away from Finney Court to prevent views, this approach is considered acceptable and would protect the amenity of neighbours in this respect.

Claypath Court

58. To the west (front) of the proposal, the residential development of Claypath Court is located, this comprises a 4 and 5 storey building containing a number of apartments occupied as either sheltered accommodation or retirement housing for older persons. The proposed development would be located a minimum of 14m away from Claypath Court, below the 21m guideline for main facing elevations in the local plan. Objections have been raised regarding this separation distance and the potential impact on existing occupants.
59. However Claypath Court and the development site do not lie parallel to each other, while the facing elevation of Claypath Court is irregular with a number of set backs and recesses breaking up the building. This means that the 14m separation distance is only evident between certain elements of the scheme while also being similar to the existing relationship between the existing development of Ruth First House and Claypath Court. The scheme also proposes to insert a composite panel in the front portion of the bay detailing on the front elevation, this would have the effect of restricting forward views to Claypath Court, reducing any potential loss of privacy. Providence Row is also a busy thoroughfare with ready views into some of the apartments of Claypath Court.
60. While there would be a loss of outlook experienced from the apartments of Claypath Court, this needs to be balanced against the improvements to the existing situation, removing the unsightly bin storage and hardstanding area.

38-40 Claypath

61. To the north of the application site the rear of 38-40 Claypath is located, this consists of a number of two and three storey terraced properties which look back over the development of Ruth First House. The proposed extension above the existing flat roof development would be visible from these properties at a minimum separation distance of approximately 10.3m.
62. However the bulk of the proposal would be offset from the direct view of no.38 Claypath due to the orientation of the building and the incorporation of a lean-to style roof. An existing large conifer hedge would also largely screen the development, while the existing building of Ruth First House also has an established impact. It is also proposed that oriel windows that would face back into Ruth First House protecting the privacy of these adjacent residents.
63. Objections have been received regarding potential noise generated from the development as it would likely be occupied by students. However this use has been established in the premises, while the development is also sited in a town centre location with established noise and disturbance, a significant loss of amenity is therefore not expected to arise in this respect. The potential does exist for a degree of disturbance to be created during the construction phase, given the proximity of residential properties. It is therefore recommended that a condition be attached to any approval limiting hours of construction and controlling construction methods and noisy operations.
64. Limited amenity space would be provided for future residents of the units, similar to the existing situation. This however is also considered acceptable given the town centre location and availability of public amenity areas in the vicinity of the site. Provision would also be provided for cycle and bin storage within the development.
65. Overall it is considered that the proposed development would have an impact on the levels of privacy and amenity experienced by neighbouring developments. However on balance any reduction is not considered to adversely affect the amenity of neighbouring residents to a degree that should lead to refusal of planning permission, partially considering the benefits of removing the unsightly bin storage and hardstanding area. It is therefore considered that the proposal complies with policies H9, H13 and Q8 of the Durham City Local Plan in this respect.

Highway Safety

66. Saved policies H9 and T1 of the Durham City Local Plan require that all developments protect highway safety and provide sufficient off street car parking, particularly in relation to HMO's.
67. As part of the consideration of this application, a consultation exercise has been held with the council's highway officer, who offers no objections to the scheme, despite the lack of car parking. This is because the building is located within Durham City controlled parking zone where car parking is restricted to metered bays or permits. It is however advised that any increase in occupancy of the building would not be supported with an increase in parking permits. The property is also located in an accessible location while it is highly likely that the building would be occupied by students, who generally have a lower car ownership than general households. The scheme is therefore considered to comply with policies T1 and H9 of the Local Plan.

68. Concerns have been raised regarding the storage and location of building materials given the constraints of the site. However officers consider that it would be technically feasible to store materials on site, while it would be an offence to store building materials on the adjacent highway. Basically, this is a matter for the developer to resolve.

Other Issues

69. Paragraph 11 of the NPPF and policy E16 of the Local Plan requires Local Planning Authorities to take into account, protect and mitigate the effects of development on Biodiversity Interests. In this instance given the good condition of the building, the limited alteration to roof voids and the urban environment with limited connectivity links to the river or woodlands, it is considered unlikely that the granting of Planning Permission would constitute a breach of the Conservation Habitats, & Species Regulations 2010 (as amended) as advised by the Ecology Section. It is however recommended to attach an informative reminding the developer of their obligations under habitat legislation.
70. Limited information has been submitted in relation to the drainage from the development site, however it is indicated that the development would use existing connections to Northumbria Water infrastructure, who raise no objection to this. Given that this matter will be picked up through the Building regulations regime, it is not considered necessary in this instance to further control this matter.
71. Given the site's location within the Conservation Area and proximity to historic streets the Council's Archaeology Section recommend that a condition requiring a scheme of archaeology recording and monitoring be submitted before development commences.

CONCLUSION

72. The proposed scheme has been considered against the policy documents identified above. The principle of the development is considered acceptable being located within the settlement limits of the City of Durham, in a sustainable location, commensurate with existing student developments in this location
73. The scheme is considered appropriate in terms of impact upon the Durham City Centre Conservation Area as the development would improve the prominent poor quality side elevation of the existing building, appropriate in size, scale, form and design
74. Although the development would have an impact on the amenity and privacy of surrounding developments, on balance this impact is not considered to be significant in this instance to warrant refusal of the scheme, particularly considering the enhancement of Durham City Conservation Area in this location.
75. The development would not have an adverse impact on highway safety or any ecology interests. There are no material planning considerations which indicate a decision should be otherwise, and therefore the application is recommended for approval

RECOMMENDATION

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

Proposed Ground Floor Plans, Ref 12057 P-11, Rev C, Received 7th November 2013
Proposed 1st and 2nd Floor Plans, Ref 12057 P-12, Rev C, Received 7th November 2013

Proposed Elevations, Ref 12057 P-13, Rev C, Received 7th November 2013

Reason – To define the consent and ensure that a satisfactory form of development is obtained in accordance with policies E6, E21, E22, CC1, H2, H9, Q1, Q8, T1, T10 of the Durham City Local Plan

3. Notwithstanding any details of materials submitted with the application, no development shall commence until details of all materials to be used externally 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: To ensure that a satisfactory form of development is obtained in the interests of visual amenity of the Durham City Conservation Area accordance with the provisions of policies E6, E21, E22 and Q8 of the Durham City Local Plan.

4. Notwithstanding the submitted information, details (including cross-sections), materials and colour of all windows, (including bay and oriel windows) shall be submitted to and approved in writing by the Local Planning Authority before the development hereby approved commences. The development shall be carried out in accordance with the approved details.

Reason: To ensure that a satisfactory form of development is obtained in accordance with policies E6, E21, E22 and Q8 of the Durham City Local Plan.

5. No operations associated with the construction phase of the development hereby approved shall be carried out outside the hours of;

Monday to Friday - 08:00 to 1800

Saturdays - 0800 to 1300

Reason: In the interests of residential amenity and the avoidance of any potential disturbance or disruption to adjoining residents which may have arisen though working outside these hours, in order to protect the amenities of local residents and to accord with the aims of Policy Q8 of the Durham City Local Plan

6. Prior to works commencing a construction methodology to include all potentially noisy operations and details of plant and heavy equipment and a scheme of dust suppression shall be submitted to and agreed in writing with the Local Planning Authority and implemented on site in accordance with this agreement for the duration of the building works.

Reason: In order to protect the amenities of local residents and to accord with the aims of Policy Q8 of the Durham City Local Plan

7. No development shall take place until a programme of archaeological work in accordance with a written scheme of investigation and monitoring has been submitted to and approved in writing by the Local Planning Authority to detail:
- i) Measures to ensure the preservation in situ, or the preservation by record, of archaeological features of identified importance.
 - ii) Methodologies for the recording and recovery of archaeological remains including artefacts and ecofacts.
 - iii) Post-fieldwork methodologies for assessment and analyses.
 - iv) Methodologies for a programme of building record, to be compliant with EH standards and guidance and to be carried out prior to any demolition or conversion works, or any stripping out of fixtures and fittings.
 - v) Report content and arrangements for dissemination, and publication proposals.
 - vi) Archive preparation and deposition with recognised repositories.
 - vii) A timetable of works in relation to the proposed development, including sufficient notification and allowance of time to ensure that the site work is undertaken and completed in accordance with the strategy.
 - viii) Monitoring arrangements, for the implementation of the strategy, including sub-contractors and specialists, their responsibilities and qualifications.

The development shall then be carried out in full accordance with the approved details.

Prior to first occupation of any property a copy of any analysis, reporting, publication or archiving required as part of the mitigation strategy shall be deposited with the Local Planning Authority.

Reason: To comply with Policy E24 of the former Durham City Local Plan to safeguard any archaeological interest of the site and ensure that the information gathered is publically available, in accordance with paragraph 141 of the National Planning Policy Framework

STATEMENT OF PROACTIVE ENGAGEMENT

76. In dealing with the application, the local planning authority has taken a pragmatic approach in appraising the suitability of the scheme seeking to offer solutions to potential problems and concerns in compliance with the requirement in the National Planning Policy Framework to promote the delivery of sustainable development.

BACKGROUND PAPERS

Application file, including historic applications,
Consultation responses,
Objections Received,
The City of Durham Local Plan 2004,
The National Planning Policy Framework (NPPF)
The County Durham Plan, Pre Submission Version



Application Site



Planning Services

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Comments

Date 12th December 2013

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