

# COMMITTEE REPORT

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### APPLICATION DETAILS

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<b>APPLICATION NO:</b>	4/13/01578/FPA
<b>FULL APPLICATION DESCRIPTION:</b>	Conversion of communal hall into residential bungalow
<b>NAME OF APPLICANT:</b>	Durham City Homes Communal Hall 63 Marlene Avenue
<b>ADDRESS:</b>	Bowburn Durham DH6 5ER
<b>ELECTORAL DIVISION:</b>	Coxhoe
<b>CASE OFFICER:</b>	Tim Burnham, Planning Officer, 03000 263963 tim.burnham@durham.gov.uk

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### DESCRIPTION OF THE SITE AND PROPOSALS

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#### SITE

1. Bowburn communal hall is a single storey building that sits in a residential area in the north of Bowburn. The building is semi detached in nature. Vehicular access is taken from Marlene Avenue that runs along the north eastern side of the site. Open ground lies to the rear elevation of the premises. The building matches the appearance of those in the surrounding area and is built on a similar footprint to other residential bungalows in the immediate area.

#### PROPOSAL

2. The application seeks planning approval to change the use of the premises from communal hall to a three bedroom residential bungalow. This would be carried out by converting existing store room and office space to bedroom accommodation and by subdividing the main hall into a bedroom and lounge. The kitchen area existing would be utilised for the same purpose. External changes to the building required to facilitate the changes would mainly be limited to the insertion of double doors into a window to the rear of the building.

3. In association with the proposed conversion an enclosed garden area is planned to the rear of the premises which would involve the erection of a 0.9mtr high close boarded fence. Also proposed to the rear of the premises is a modest concrete ramped access with galvanised handrails. To the front of the premises an area of hardstanding suitable for the parking of a motor vehicle would be created.

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## **PLANNING HISTORY**

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4. There is no recent relevant planning history relating to the site.

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## **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'

The following elements are considered relevant to this proposal:

7. *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.

8. *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.

9. *NPPF Part 10 – Meeting the Challenge of Climate Change, Flooding and Coastal Change.* Planning plays a key role in helping shape places to secure Local Planning Authorities should adopt proactive strategies to mitigate and adapt to climate change. Local Planning Authorities should have a positive strategy to promote energy from renewable and low carbon sources. Inappropriate development in areas at risk of flooding should be avoided.

### **LOCAL PLAN POLICY:**

10. *Policy H3 - New Housing Development within the villages* – This Policy supports the provision of new housing consisting of windfall development of previously developed land and conversions.

11. *Policy H13 - Residential Areas – Impact upon Character and Amenity* states that planning permission will not be granted for new development or changes of use which have a significant adverse effect on the character or appearance of residential areas, or the amenities of residents within them.

12. *Policy T1 - Traffic – General* - states that the Council will not grant planning permission for development that would generate traffic likely to be detrimental to highway safety and / or have a significant effect on the amenity of occupiers of neighbouring property

13. *Policy T10 - Parking – General Provision* - states that vehicle parking should be limited in amount, so as to promote sustainable transport choices and reduce the land-take of development.

14. *Policy C9 - Loss of an existing community facility* - This policy states that planning permission will not be granted for a proposal which would result on the loss of an existing community facility unless it can be demonstrated that the facility is no longer financially viable, or there is no significant demand within the locality or where an equivalent alternative facility is available to satisfy the needs of the local community nearby.

15. *Policies Q1 and Q2 - General Principles Designing for People and Accessibility* - states that the layout and design of all new development should take into account the requirements of all users.

16. *Policy Q8 - Layout and Design – Residential Development* - sets out the Council's standards for the layout of new residential development. Amongst other things, new dwellings must be appropriate in scale, form, density and materials to the character of their surroundings. The impact on the occupants of existing nearby properties should be minimised.

17. *Policy U8A - Disposal of Foul and Surface Water* - requires that development proposals include satisfactory arrangements for disposing foul and surface water discharges.

#### EMERGING POLICY:

18. 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.

19. Policy 15 is particularly relevant, relating to development on unallocated sites. It states

20. All development on sites that are not allocated in the County Durham Plan or in a Neighbourhood Plan, will be permitted provided the development:

- a. Is appropriate in scale, design and location to the character and function of the settlement;
- b. Does not result in the loss of a settlement's last community building or facility (of the type which is the subject of the proposal) unless it can be demonstrated that it is no longer viable or has not been purchased by the community following the procedures set out in the Community Right to Bid;
- c. Is compatible with and does not prejudice any intended use of adjacent sites and land uses; and would not involve development in the countryside that does not meet the criteria defined in Policy 35 (Development in the Countryside).

*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.cartoplus.co.uk/durham/text/00cont.htm> in relation to the City of Durham Local Plan and <http://durhamcc-consult.limehouse.co.uk/portal/planning/ps/> in relation to the County Durham Plan.*

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## **CONSULTATION AND PUBLICITY RESPONSES**

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### **CONSULTEE RESPONSES:**

21. Highways Development Management has offered no objections to the application.

## **PUBLIC RESPONSES:**

22. Councillors Williams and Blakey have raised concerns over the loss of the community facility and have requested the application be determined by the committee for this reason.

23. No letters of public objection have been received in relation to the proposals.

## **APPLICANTS STATEMENT:**

24. Durham City Homes have continually monitored usage within the communal rooms owned and managed by Durham City Homes. Marlene Avenue is used around 7 times per calendar year. Generated income from bookings is £30 per year. Detailed breakdown of the usage shows that the room is not used by local residents, but from external groups requiring a base to host occasional meetings.

25. The proposed conversion of the hall to a 3 bedroom partially adapted bungalow would allow Durham City Homes to re-house a client / tenant with complex needs into suitable accommodation. The affected groups and their meetings would be transferred to another hall in Bowburn.

*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://fred:8080/IDOXSoftware/IG\\_search?app\\_id=1002&menu=1&FormParameter1=CE1301578FPA&FormParameter2=100110741166&code=QVGKPHUGJX](http://fred:8080/IDOXSoftware/IG_search?app_id=1002&menu=1&FormParameter1=CE1301578FPA&FormParameter2=100110741166&code=QVGKPHUGJX)*

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## **PLANNING CONSIDERATIONS AND ASSESSMENT**

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26. 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 main planning issues in this instance relate to the principle of the development at the site, the layout and design of the development, impact upon character and amenity and highways issues

### **The Principle of the development of the site**

27. The building is located in a sustainable location within the Bowburn settlement boundary and would involve the conversion of an existing building. The application therefore fully accords with the aims of the National Planning Policy Framework and Policy H3 of the City of Durham Local Plan in this respect. The proposal also accords with emerging policy in the County Durham Plan, although the policies in this plan can only be given limited weight at present.

28. Policy C9 relates to the loss of community facilities. This policy states that planning permission will not be granted for a proposal which would result in the loss of an existing community facility unless it can be demonstrated that the facility is no longer financially viable, or where there is no significant demand within the locality or where an equivalent alternative facility is available to satisfy the needs of the local community nearby.

29. In this instance Durham City Homes have provided justification to address the matters raised above. It has been stated that the generated income per year for the hall is £30. Officers have concerns that this level of income is not realistic to support the provision of such a facility and consider it likely that the facility has limited financial viability.

30. It has been stated that on average the facility has only been used on 7 occasions per year. These bookings according to records supplied by Durham City Homes have included use for county and parish elections, use by Bowburn and Parkhill partnership, use for a flu clinic and use for a councillor surgery. Officers do consider 7 bookings per year limited and on the basis of the amount of use that has been evidenced; Officers consider it likely that there is not significant demand within the locality for the facility.

31. Officers also consider that an equivalent alternative facility is available nearby. Bowburn community centre is situated approximately 1 mile away to the south on Durham Road and is likely to be able to offer the same facilities that the communal hall offers. Officers understand this facility is well supported and has recently undergone partial refurbishments to improve facilities on offer at the premises.

32. Policy C9 requires that one of the above requirements must be met. Given the situation at the site Officers consider that all three points are met and that the application therefore accords with Policy C9 of the City of Durham Local Plan.

### **Layout and Design of the Development**

33. Policy Q8 of the City of Durham Local Plan seeks to ensure that the layout and design of any new development is appropriate. It requires that development is appropriate in scale, form, density and materials to the character of its surroundings. It requires that adequate privacy and amenity is provided to each dwelling. Given that the bungalow would utilise the existing building on the site, which is of the same appearance, the scale of the development is considered appropriate. The form and density of the proposed bungalow would also be appropriate. The dwelling would utilise the existing window arrangement that is considered acceptable. This would mean that all separation distances in terms of facing windows to surrounding properties would be acceptable. Officers consider that adequate internal amenity space would be provided while fencing proposed to the rear would enable the provision of a garden area which would be very much similar in characteristics to those already serving residential properties in the area.

### **Impact upon character and amenity**

34. Policy H13 of the City of Durham Local Plan 2004 states that planning permission will not be granted for new development or changes of use which have a significant adverse effect on the character or appearance of residential areas, or the amenities of residents within them. Given the area is predominantly residential in nature; Officers consider that the use of the building as a residential bungalow would be acceptable. Such a use is unlikely to cause significant additional activity over and above that already noticeable in the locality and given that this is considered to be the case no significant adverse impacts are anticipated. Indeed, use of the premises as a residential property is more in keeping with the surrounding area, and likely to be less disruptive to neighbours than a communal facility.

### **Highways Issues**

35. Highways Development management has offered no objections from a highways aspect and it is considered that the proposed development would be acceptable in relation to highway safety. A hardstanding area drawing access from Marlene Avenue would be provided with the development.

## Other issues

36. The bungalow would provide appropriate access for those with a disability and therefore is considered acceptable in relation to general and accessible design principles. The existing service connections could be used at the premises in respect of any conversion of the property.

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## CONCLUSION

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37. Officers consider that the principle of the development is acceptable as it would appear that the facility is no longer financially viable, that there is no significant demand within the locality and consider the application acceptable because an equivalent alternative facility is available to satisfy the needs of the local community nearby. The layout and design of the development is considered appropriate, while no significant adverse impacts upon the character or amenity of the area have been identified. The development is considered appropriate in relation to highways safety.

38. Taking all relevant planning considerations into account, Officers consider the application to meet the requirements of the National Planning Policy Framework Parts 6 and 7 and Policies H3, H13, T1, T10, C9, Q1, Q2, Q8 and U8A of the City of Durham Local Plan 2004.

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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 and documents.

Proposed Plans received 05<sup>th</sup> December 2013.

Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with saved Policies H3, H13, T1, T10, C9, Q1, Q2, Q8 and U8A of the City of Durham Local Plan 2004.

3. Prior to the commencement of development full details of the proposed hard standing area to the front of the building shall be submitted to and approved in writing by the Local Planning Authority. The hard standing area shall be implemented in accordance with the approved plan and maintained as such for the lifetime of the development.

Reason: In the interests of the character and appearance of the area and to ensure proper drainage of the site in accordance with Part 10 of the NPPF and Policies H13 and Q8 of the City of Durham Local Plan.

4. Prior to the commencement of development full details of the proposed fencing to the rear of the building shall be submitted to and approved in writing by the Local Planning Authority. The fencing shall be implemented in accordance with the approved plan.

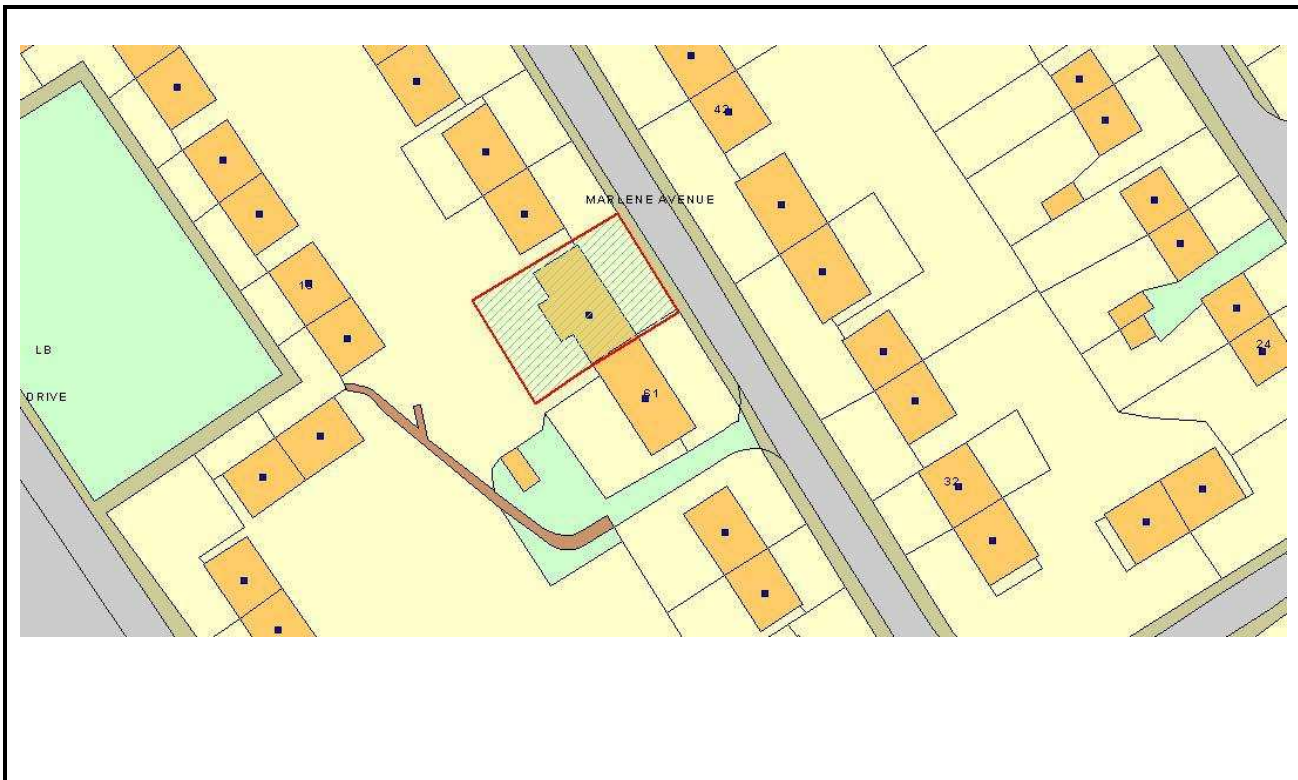
Reason: In the interests of the character and appearance of the area and in accordance with Policies H13 and Q8 of the City of Durham Local Plan.


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**BACKGROUND PAPERS**

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Submitted Application Forms, Plans and supporting documents  
 National Planning Policy Framework  
 City of Durham Local Plan 2004  
 Response from Councillors Williams and Blakey  
 Consultation response



 <p><b>Planning Services</b></p>	Conversion of communal hall into residential bungalow	
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