

# Planning Services

## COMMITTEE REPORT

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### APPLICATION DETAILS

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APPLICATION NO:	DM/15/01280/FPA
FULL APPLICATION DESCRIPTION:	Demolition of existing building and construction of new pitched roof building
NAME OF APPLICANT:	Sedgefield Out of School Fun Club,
ADDRESS:	Sedgefield Out of School Fun Club, Sedgefield Primary School, Rectory Row, Sedgefield
ELECTORAL DIVISION:	Sedgefield
CASE OFFICER:	Hilary Sperring, Planning Officer, 03000 263947, <a href="mailto:hilary.sperring@durham.gov.uk">hilary.sperring@durham.gov.uk</a>

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### DESCRIPTION OF THE SITE AND PROPOSALS

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1. The application relates to the Sedgefield Out of School Fun Club. The Club provides child care facilities for 3 to 14 year olds. A maximum of 34 children may attend at any one time. The club currently operates from an existing single storey pitched roof building located in the south west corner of Sedgefield Primary School site. The site is positioned centrally within Sedgefield just outside the Sedgefield Conservation Area. Residential dwellings are situated to the north and west, with a footpath and field to the south and the main school buildings and grounds to the east. The school site includes vehicle access from the north via Burton Mews. The site slopes west to east and also in a north south direction and there is an approximate level change of approximately 0.5 metres across the site.
2. The proposal involves the demolition of the existing demountable building used by the Club and its replacement with a new pitched roof building. The existing structure measures approximately 9.4 metres in width (not including the access ramp) by 19 metres in length and has a maximum roof height of 4.8 m from ground level (3.9m to eaves).
3. The proposed building measures approximately 7.8 metres in width, 21.6 metres in length and would extend to a maximum ridge height of 6.2 metres and 2.6 metres to eaves level (taking account of level differences on the site). The building would incorporate a central double entrance door and windows on the front elevation facing east into the school site. Additional doors and windows on the side elevations are

also proposed together with high level windows on the rear elevation (serving toilet areas). Six roof lights three on each elevation would be inserted within the roof.

4. The building would provide two levels of accommodation. An infant, junior and craft area along with toilets, stores and kitchen would be situated on the ground floor. First floor level space within the roof would be utilised to provide a junior area and office. The external walls of the new building would be constructed of thermo wood and the roof would be slate. The doors and windows would be timber with a painted finish.
5. This application is being reported to Planning Committee following a request from Councillor Robinson due to the impact of the proposed building upon the view and outlook of Pinfold Cottage (a grade II listed building), the nearest property to the building. Residents query why the building cannot be built on the site of the former demountable classroom so not to affect any other property.

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## **PLANNING HISTORY**

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6. There is no planning record of the existing demountable. However it has been in situ for a considerable period and appears on the 1980's map base.
7. In 2013 an application was submitted for demolition of a detached classroom block on the site boundary just to the north of the Fun Club. It was determined that prior approval of the details was not required and this has now been removed.

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## **PLANNING POLICY**

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### **NATIONAL POLICY**

8. 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.
9. 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 of the NPPF are considered relevant to this proposal.
10. *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.
11. *Part 8 – Promoting Healthy Communities.* The planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Developments should be safe and accessible; Local Planning Authorities should plan positively for the provision and use of shared space and community facilities. An integrated approach to considering the location of housing, economic uses and services should be adopted.

12. *Part 10 – Climate Change.* Meeting the challenge of climate change, flooding and coastal change. Planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development.
13. *Part 11 – 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 and soils; recognising the wider benefits of ecosystem services; minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government’s commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures; preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability; and remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.
14. *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.

#### **NATIONAL PLANNING PRACTICE GUIDANCE:**

15. The newly introduced National Planning Practice Guidance (NPPG) both supports the core government guidance set out in the NPPF, and represents detailed advice, both technical and procedural, having material weight in its own right. The advice is set out in a number of topic headings and is subject to change to reflect the up to date advice of Ministers and Government and is referenced where necessary within the report.

#### **LOCAL PLAN POLICY:**

16. In accordance with paragraph 215 of the National Planning Policy Framework, the weight to be attached to relevant saved local plan policies will depend upon the degree of consistency with the NPPF. The greater the consistency, the greater the weight. The relevance of this issue is discussed, where appropriate, in the assessment section of the report, however, the following policies of the Sedgfield Borough Local Plan are considered relevant.
17. *Saved Policy D1 – General Principles for the layout and design of new developments* – Sets out that all new development and redevelopment within the District should be designed and built to a high standard and should contribute to the quality and built environment of the surrounding area.
18. *Saved Policy D2 – Design for people* – Sets out that the requirements of a development should be taken into account in its layout and design, with particular attention given to personal safety and security of people.
19. *Saved Policy D3 - Design for access* - Requires that developments should make satisfactory and safe provision for pedestrians, cyclists, cars and other vehicles.

20. *Saved Policy L11 – Development of New or Improved Leisure and Community Buildings* – The council will normally grant planning permission for new leisure and community buildings and encourage improvements to village halls, leisure and community buildings that improve the range and quality of facilities available, provided that the proposal meets certain criteria.
21. *Saved Policy E18 – Preservation and Enhancement of Conservation Areas* – Requires that development proposals preserve or enhance the character and appearance of Conservation Areas

#### **EMERGING PLAN:**

22. In considering this proposal due regard should be had to the requirements of Section 38(6) of the Planning and Compulsory Purchase Act (2004) which requires that proposals be determined in accordance with the statutory development plan, unless other material considerations indicate otherwise. In respect to this part of County Durham the statutory development plan currently comprises the 'saved' elements of the Durham City Local Plan that are consistent with the National Planning Policy Framework (NPPF). Due regard should also be had to relevant parts of the National Planning Policy Framework (NPPF) and national Planning Practice Guidance (PPG) as a material consideration. In conjunction with these material considerations regard should also continue to be had to the most up to date relevant evidence base.
23. Paragraph 216 of the NPPF says that 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. The County Durham Plan was submitted for Examination in Public in April 2014 and stage 1 of that Examination has been concluded. However, the Inspector's Interim Report which followed, dated 18 February 2015, has raised issues in relation to the soundness of various elements of the plan. In the light of this, policies that may be relevant to an individual scheme and which are neither the subject of significant objection nor adverse comment in the Interim Report can carry limited weight. Those policies that have been subject to significant objection can carry only very limited weight. Equally, where policy has been amended, as set out in the Interim Report, then such amended policy can carry only very limited weight. Those policies that have been the subject of adverse comment in the interim report can carry no weight in the development management process.
24. A neighbourhood plan is in the process of being produced by the community setting out the preferences for how existing land and infrastructure should be used to enable controlled growth and development of housing, amenities and other facilities in the future. However this plan is at the early stages of its preparation and therefore it can be afforded only very limited weight.

*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://content.durham.gov.uk/PDFRepository/SedgefieldLPSavedPolicies.pdf> and

<http://durhamcc-consult.limehouse.co.uk/portal/planning/>

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## **CONSULTATION AND PUBLICITY RESPONSES**

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## **STATUTORY RESPONSES:**

25. *Highway Authority* – Deemed to be acceptable from a highways point of view.

26. *Northumbrian Water Limited* – No comment

27. *Sedgefield Town Council* – Whilst supportive of the Out of School Hours Club and recognising the important role the club plays, nevertheless objects to the application. It is considered that a larger two storey building will impact significantly upon 'the right to light' of nearby resident properties as the replacement building is higher and also longer. It is also noted that the planning application includes a number of inconsistencies, reference to another site and is lacking in terms of information and correct details. It is stated that nearby residents have also expressed their concerns to the Town Council regarding the application and their perceived lack of consultation.

28. It is therefore requested that the application is amended to ensure the existing roof line is not exceeded. The site of the recently demolished Arts building is also felt to be a more appropriate location.

29. *Sport England* – No comment

## **INTERNAL CONSULTEE RESPONSES:**

30. *Design and Historic Environment Section* – No objections are raised to the proposed development subject to details of the proposed materials and colour scheme being submitted and approved before any development commences.

31. *Ecology Section* - Consider the likely risk of the presence of bats is low and therefore have no objections to the proposals. It is recommended that an informative be included on any consent to ensure breeding birds are not affected by the proposals.

32. *Environmental Health Unit* – Provided an initial response that raised no objection to the development in principle subject to appropriate conditions to minimise the environmental impacts.

33. A second response was received following the receipt of additional information that raises queries about odour, ventilation and external lighting controls in association with the use and requests more details.

34. *Public Rights of Way* – Note that Sedgefield Public Footpath No. 14 lies adjacent to the southern boundary of the site. The footpath will not be directly affected by the proposed new build. However, the proposed demolition works and or new building works may have a negative impact on the users of this footpath. It is recommended that a condition be imposed to ensure the safety for users of this path for the duration of works. Should it not be possible to achieve this then a temporary closure of the path will need to be applied for.

## **PUBLIC RESPONSES:**

35. The application was initially publicised by way of 2 site notices, and notification letters to neighbouring residents. 4 letters of representation have been received, from three households.

36. A representative on behalf of the occupiers of Pinfold Cottage objects. It is appreciated that the Club is an important village facility but consider that the proposals will have an adverse impact upon this property, directly overlooking the garden and living accommodation which is emphasised by the inclusion of skylights. The height of the building will also severely affect right of light of the garden. The building should be sited adjacent to the existing building on the site of the former art classroom where existing services exist to supply the building.
37. The occupiers have also commissioned a representative who has provided separate comments on the content of the application and drawings including the inadequate level and quality of information available. Particular reference is made to the height of the proposed building and its proximity to neighbouring properties.
38. The occupiers of 16 West End also object to the application due primarily to the increased roof height and the inclusion of windows within the roof. The development would impact upon privacy and obstruct outlook from the garden. Queries about a possible conflict of interest are raised in that the final decision on the application rests with the Council which owns the site.
39. The occupiers of the Coach House object to the increased height of the building which would spoil the view from the house and garden toward the church.
40. Neighbours were re-consulted following the submission of additional information including a daylight assessment and further drawing but no further responses have been received to date.

#### **APPLICANTS STATEMENT:**

41. Sedgefield out of School Hours Club operates from the grounds of Sedgefield Primary School. The building is fifty years old, was never meant to be permanent and is at the end of its useful life. There is no level access to the current building with the access ramp being condemned. Asbestos, although safely sealed off has been found in the building. Insulation levels are low, heating costs are high and the current space gives little opportunity for the diversity of activity which the age range requires. There are currently over 80 families registered with the club providing child care for 3-14 years old.
42. The proposed new building will incorporate a ground floor, activity rooms with an arts and crafts area, quiet reading area and a large kitchen. A mezzanine floor for older children will enable further diversification of activity. Our proposal will provide a cost effective solution with vastly improved operating environment enabling us to meet an increase in demand and provide for children of all ages.
43. The building being replaced on the existing site has been proposed for the following reasons: All services are in place, electricity, gas, water which will make it more cost effective to rebuild on that site. The adjoining site has only water and electricity services in place. The proposed position allows all round vision of the playground from inside the building providing much needed security and surveillance. This proposed position allows the club staff to see both exits at all times. If the building was to be sited on the adjoining site (old art building) there would not be full vision of the playground and only one exit would be in view, thus compromising our security and surveillance. Other than the additional costs and child safety issue the boundary wall behind the current building is in a very poor condition. As this wall would then become the playground boundary wall (at present the club building provides a buffer). It will need replacing by security fencing at a joint cost by the school and neighbours as this is a shared wall.

44. Sedgefield out of School Hours Club has operated from the current building for 20 years, all neighbouring residents who have objected bought their homes within the last 20 years. The current building is within the playground of Sedgefield Primary School current number of children 193 far exceeding the number who use or could potentially use the club. There will be no impact on the noise level.
45. As regards the 'right to light' to nearby properties the daylight study shows no adverse effect.
46. As regards the perceived lack of consultation the nearest objecting neighbour visited the club on at least two occasions and the contractor and club manger visited them prior to the application being submitted. They have spoken to the architect and the building contractor on at least two occasions.
47. With regard to the windows overlooking gardens. The sill of the skylights is set at 1.7m above finished floor level, children will not be able to see into adjoining gardens. The windows in the current building are at eye level and much larger, neighbours privacy has determined both the size and placing of the windows within the new building.

*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://publicaccess.durham.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=N9SHZ7GDHLV00>*

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## **PLANNING CONSIDERATIONS AND ASSESSMENT**

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48. 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 planning issues raised relate to the principle of development, design and visual amenity, residential amenity and amenity of adjacent land uses, highway safety and ecological interests.

### The Principle of Development

49. At the heart of the NPPF is a presumption in favour of sustainable development. Policy L11 of the Local Plan relates to the development of new or improved leisure and community buildings. The Council will normally grant planning permission for new leisure and community buildings and encourage improvements to others, including leisure and community buildings that improve the range and quality of facilities available provided that the proposal complies with set criteria. This includes where the application site is within a named towns and villages, the proposal does not significantly harm the living conditions for nearby residents, is appropriate in location to the scale and character of the surrounding area and the proposal makes provision for car parking and access in accordance with policies.
50. The application site is located within the framework of Sedgefield and would replace a similar structure in the same location, the principle of development is therefore considered acceptable subject to the consideration of the detailed issues below.

### Impact on amenity of adjacent residents and future occupants

51. Policy D1 of the Local Plan requires that the layout and design of new developments take into account its relationship to adjacent land uses and activities, whilst Policy L11 seeks to ensure that proposals do not significantly harm the living conditions for nearby residents.
52. The main issue for consideration relates to the potential impact of the proposed building upon the amenity of nearby residential occupiers. As outlined above numerous objections have been received to the possible impact of the proposals upon neighbouring properties adjoining the site.
53. Pinfold Cottage (not listed) is situated immediately to the west of the site of the proposed building. The dwelling, a bungalow (with some accommodation within the roof space) has habitable room windows on the rear elevation and the rear garden is separated from the site by a wall approximately 1.8 metres in height. The closest part of this residential property would be in the region of 17 metres from the rear wall of the proposed building. 16 West End, a two storey dwelling is positioned to the north west of the site. The property includes garden area and detached garage and accommodation which would be approximately 7 metres from the proposed building, albeit at an oblique angle. The Coach House is also two storey and would be positioned to the south west of the end elevation of the proposed building, separated from the site by footpath.
54. The application includes a Daylight Assessment which shows the shadow pattern for the proposed building and also a drawing showing sections through the existing and proposed building. The existing building sits, in part on raised brickwork. The ground level of the proposed building would be lower than the existing but includes a steeper roof pitch which would allow the additional accommodation within the roof space. This would result in the new building being approximately 1.5 metres higher than the existing although the eaves level would however be lower than the existing building. There are however level changes across the site. The rear elevation of the proposed building would be in a similar line to the existing. The new building would also be longer than the existing increasing the building length along the boundary.
55. Given the size and location of the proposed building and relationship, orientation and distance from neighbouring properties it is not considered that it would result in any significant overshadowing, visual intrusion or be so overbearing to warrant a refusal of the current application.
56. Objections have also been received in respect of loss of privacy, overlooking and the position of windows and rooflights. Windows are in the main positioned on the front elevation of the building facing east into the main school site. The proposals include a number of rooflights in both the front and rear elevation of the building (3 in each). The base of the rooflights would be located 1.7 metres above the proposed first floor level. Windows on the rear elevation of the building are also high level and would serve proposed toilet areas. These windows are openable. On the side elevation facing north a door is proposed. Given the position of the windows it is considered that the proposals would not result in any material overlooking or loss of privacy to neighbouring properties or their associated curtilage.
57. In relation to noise a condition is recommended in line with comments from the Environmental Health Officer to ensure that the rooflights on the rear elevation of the building are non-opening. The agent has advised that the proposed kitchen would only cater for light lunches and cold snacks and therefore an odour extractor will not be required. It is however recommended that conditions are attached in respect of any extraction or ventilation which may be required and also external lighting. Informatives are also recommended in line with their comments.



58. The current proposals would provide improved facilities for an established club on an existing site, which has operated from the site for some time. The proposals include a larger building and additional accommodation to provide additional accommodation for different age groups within the existing club and it is not proposed to increase number of members at the current time. Given the level of activity already taking place the current proposals are therefore not considered to result in any significant new impacts upon local resident's amenity, in terms of noise and disturbance and the building would continue to provide some noise attenuation from activities taking place in the playground. The application is considered acceptable in terms of its relationship to adjacent land uses and activities in accord with policy D1 of the Local Plan in this respect.
59. The current proposals have been assessed in the light of relevant planning policies and issues of 'right to light' are considered to be separate civil issue outwith the planning system.
60. Comments in respect of loss of views have also been taken into account however, it is not considered that a refusal could be sustained on these grounds.
61. Taking into account all representations received and for the reasons outlined above, the proposals are considered acceptable in terms of potential impact upon residential amenity and the relationships of the proposals with existing land users. The proposals are therefore considered in accord with policies D1 and L11 of the Plan in this respect.

#### Design and Visual Impact

62. Local Plan Policy D1 seeks to ensure development takes into account of the site's natural and built features and its relationship to adjacent land uses and activities and attention to the design of buildings and their spatial relationships to open spaces, landscaping and boundary treatment to help create a sense of place. This is reflected within section 7 of the NPPF which sets out that good design is indivisible from good planning.
63. The existing Primary school buildings are functional in their appearance. The proposed replacement building would be positioned within the south west corner of the site in a similar position to the existing which is an old demountable type of construction and in a poor state of repair. It is acknowledged that the building is both longer and higher than the existing however the proposed footprint, massing and form of the building is considered acceptable to the location. The walls of the new building are to be constructed of thermo wood the roof to be slate (not plastic tile) and the doors and windows timber with a painted finish. The Design and Conservation Officer raises no objection to the proposals subject to details of the proposed materials and colour scheme being submitted and approved before development commences. Subject to condition it is considered that the proposals would be in keeping with the character and appearance of the wider area and represents a visual improvement on the existing structure.
64. Local Plan policy E18 and part 12 of the NPPF seek to preserve the historic environment, particularly the character and appearance of Conservation Areas. The site however lies just outside of the Sedgfield Conservation Area, with the boundary of such immediately to the west of the application site and along the northern boundary of the wider school site. Nevertheless the proposals are not considered to detract from the character and appearance of the setting of the Sedgfield Conservation Area also.

65. The proposal is therefore considered to satisfy section 7 and 12 of the NPPF and Local Plan policies D1, L11 and E18 and section 72 of the Act.

#### Highway Safety and accessibility

66. Saved Local Plan Policies D1 and D3 requires that development proposals not only to accommodate users, but make satisfactory and safe provision for the needs of pedestrians, cars and vehicles etc, be provided.

67. The proposed replacement building would not, it is considered, impact on the existing access arrangements to the site or on-site car parking provision. The Council's Highway's Officer deems the proposals acceptable from a highways point of view.

68. The proposal is therefore considered to comply with policies D1, D3 and L11 of the Local Plan in this respect.

#### Ecology

69. Paragraph 11 of the NPPF requires that local planning authorities take into account, protect and mitigate the effects of development on biodiversity interests. The Ecology Section are satisfied that the likely risk of presence of bats is low and therefore have no objection to the proposals. It is however recommended that an informative be included in order to ensure breeding birds are not affected by the proposals. It is therefore considered that the granting of planning permission would not constitute a breach of the Conservation of Habitats & Species Regulations 2010 and the Planning Authority can satisfy its obligations under these.

#### Other Issues

70. Comments from the Rights of Way Officer are noted in respect of Sedgefield Public Footpath No. 14. It is therefore recommended that a suitably worded informative be attached in line with these comments.

71. There is a minimum national standard of requirements in terms of forms and plans which it is considered to have been met in the case of this application and considered sufficient to allow the application to be processed. Additional information has been sought and provided and further re-consultation undertaken.

72. Issues raised by the objectors also relate to information contained within the submitted planning application forms and supporting documents. The size of the proposed building is 147 square metres. In terms of car parking spaces these would appear to relate to the school site.

73. The submitted drawings are all drawn to a metric scale and although not all dimensions have been written on the drawings, all relevant measurements can be scaled.

74. The application relates to planning permission only and details in respect of foundations and Fire Regulations do not need to be included within a planning application. A separate consent would also be required under the Building Regulations Approval and it is understood that this would need to be agreed by through approval.

75. In terms of disabled access the proposed building would be positioned at a lower level than the existing and it is considered that access to the building could be provided straight from the school yard.
76. It is noted that an asbestos survey had been submitted by the agent which relates to a different site, a point raised by the Town Council. This has been raised with the agent who has confirmed that asbestos is present in the existing building and this shall be removed safely by a professional and competent company. The removal of asbestos is subject to separate legislation. It is therefore recommended that an informative be attached in the event of an approval for the applicants to contact the Health and Safety Executive regarding the requirements for its disposal.
77. Amendments have not been sought in this case with regard to reducing the height of the roof or relocating the proposed building. The applicant wishes the proposals to be considered on the basis of the submitted plans for reasons they have outlined within their statement.
78. Residents nearby have also expressed their concerns to the Town Council regarding the application and the perceived lack of consultation. The application has been published by way of individual letters of notification being sent to nearby properties (21 in total and also to Sedgefield Primary School) and two site notices in the vicinity of the application site. Following the receipt of additional information and drawing a second notification letter was sent out to all those who were originally notified in respect of the application and also those who had made representations. This letter advised that additional information had been received and giving a further 14 day period in respect of making any additional comments. The level of publicity undertaken is therefore considered to have fulfilled the requirements in respect of necessary public notification.
79. The consideration of the current proposals by the Planning Committee would not represent a potential conflict of interest despite the building being located on County Council owned land. The Local Planning Authority is required by law to determine planning applications and does so in the light of the development plan and other material planning considerations.

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## **CONCLUSION**

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80. The proposals involve the provision of a replacement community facility on an existing school site. The building would be a direct replacement for an existing building in this location and would provide improved accommodation albeit within a larger footprint and to extended building dimensions.
81. The proposed scheme has been assessed against relevant policy documents and other material considerations and it is concluded that the replacement building would represent development in a sustainable location.
82. From a detailed perspective the proposals would introduce changes to an existing situation and the relationship to neighbours property in particular. However, the proposals are considered acceptable in terms of potential impact upon residential amenity and relationships with existing land users. The proposals are therefore considered to accord with policy D1 of the Local Plan in this respect.
83. From a visual viewpoint the building would be an improvement on the existing demountable and is considered to be in keeping with the character and appearance of the wider area and would not adversely affect the adjacent conservation area. The

proposals would be unlikely to affect highway safety or parking and the scheme would not constitute a breach of the Conservation of Habitats & Species Regulations 2010.

84. Taking into account all other issue raised there are no material consideration which indicate the scheme should be determined otherwise and therefore the application is recommended for approval.

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## **RECOMMENDATION**

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Recommendation that application DM/15/01280/FPA is:

### **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:

Drawing 001 Proposed floor layouts received 24 April 2015

Drawing 002 Proposed elevations received 24 April 2015

Drawing 003 Location Plan received 24 April 2015

Drawing 004A Block Plan received 30 April 2015

Drawing 006 Existing Plan and Elevations received 8 June 2015

*Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with saved policies D1, D2, D3 and L11 of the Sedgefield Borough Local Plan.*

3 Notwithstanding any details of materials submitted with the application no development shall commence until details of the external walling (including colour and timber detailing) and roofing materials 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: In the interests of the appearance of the area and to comply with policies L11 and D1 of the Sedgefield Borough Local Plan.*

4 Details of any fume extraction that may be required to accord with current DEFRA guidance on the control of odour and noise from the kitchen shall have been submitted to, and approved in writing by, the Local planning authority. The approved scheme shall be installed prior to the use commencing and shall be operated at all times if cooking is being carried out on the premises.

*Reason: In the interests of the residential amenity of existing neighbouring properties and future occupants in accordance with policies D1 and L11 of the Sedgefield Borough Local Plan.*

5 Notwithstanding the submitted plans the rooflights within the western roof slope of the proposed building shall be fixed shut and thereafter retained as such.

*Reason: In the interests of the residential amenity of neighbouring residents in accordance with policies D1 and L11 of the Sedgefield Borough Local Plan*

6 Details of any external lighting that may be required shall be submitted to, and approved in writing by, the Local planning authority, prior to installation commencing.

*Reason: In the interests of the residential amenity of existing neighbouring properties and future occupants in accordance with policies D1 and L11 of the Sedgefield Borough Local Plan.*

7 Before the development hereby approved is commenced, detailed drawings including sections showing the existing and proposed site levels and the finished floor levels of the proposed new building shall be submitted to and approved in writing by the local planning authority and the works shall be completed entirely in accordance with any subsequently approved submission.

*Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with saved policies D1, D2, D3 and L11 of the Sedgefield Borough Local Plan.*

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## **STATEMENT OF PROACTIVE ENGAGEMENT**

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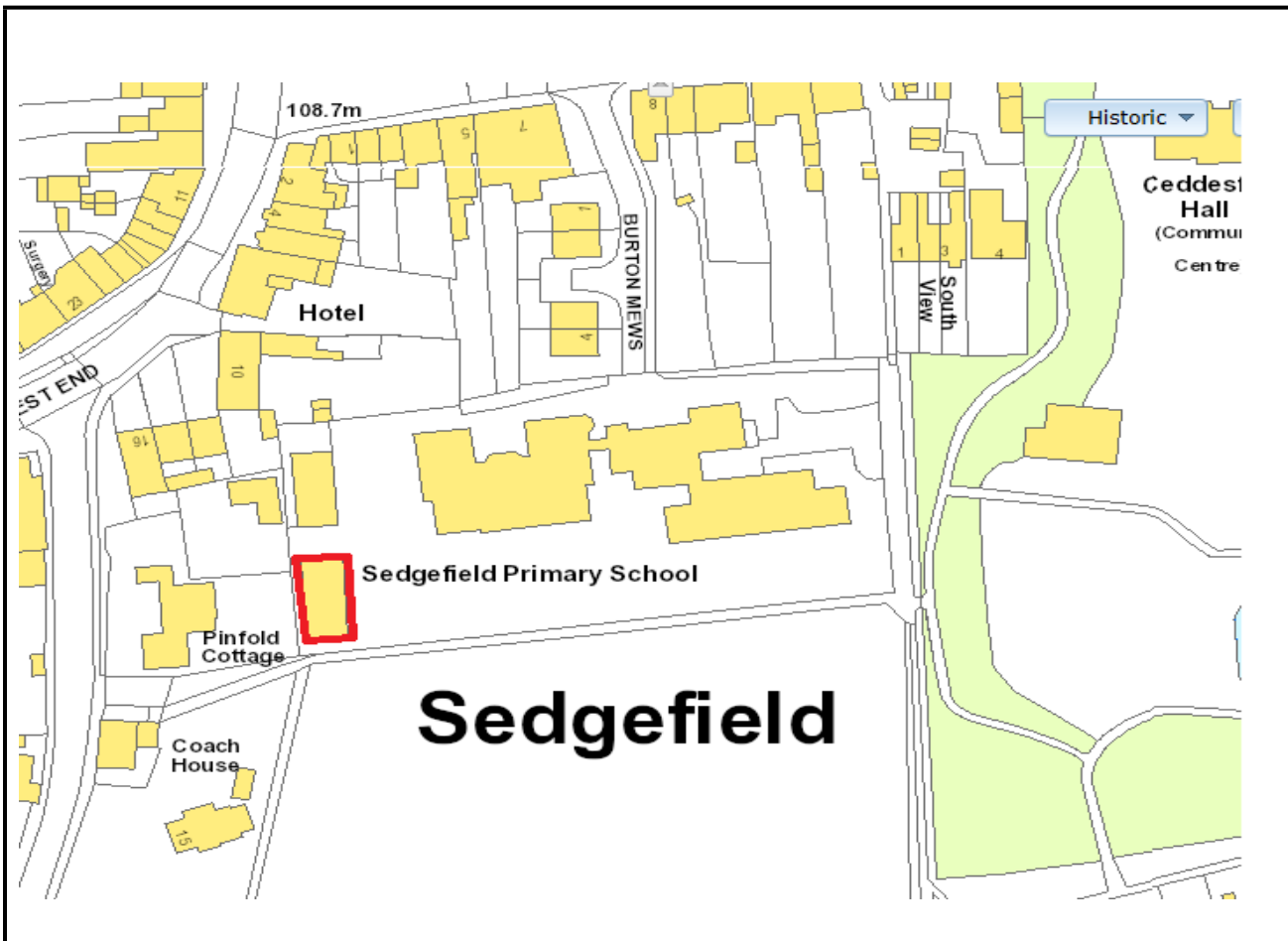
The Local Planning Authority in arriving at the decision to approve the application has sought to work with the applicant in a positive and proactive manner seeking to secure additional information in relation to dealing with the planning application.

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## **BACKGROUND PAPERS**

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Submitted Application Forms, Plans and supporting documents  
National Planning Policy Framework  
Sedgefield Borough Local Plan  
County Durham Plan (Submission version)  
Statutory responses from Highway Authority, Northumbrian Water Limited, Sport England.  
Internal responses from Design and Historic Environment Section, Environmental Health, Ecology Section and Rights of Way Section.  
Representations received from the public and other representative bodies  
Planning application file DM/15/01280/FPA



**Planning Services**

Sedgefield Out of School Fun Club

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8 July 2015