

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	DM/16/00117/FPA
FULL APPLICATION DESCRIPTION:	2 storey dwelling
NAME OF APPLICANT:	Mr Peter Sullivan
ADDRESS:	Land to the south of St Johns Presbytery, Sedgefield, Co Durham
ELECTORAL DIVISION:	Sedgefield
CASE OFFICER:	Mark O'Sullivan, Planning Officer, 03000 261056, mark.o'sullivan@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

1. The application relates to an enclosed private garden in West Park Lane, Sedgefield, located within the Sedgefield Conservation Area. This garden is located to the south of St Johns Presbytery serving St Johns Church to the north east and is currently occupied by a single storey, prefabricated structure which is attached to and serves as an annex of the Presbytery building. No.2 Church View (a residential property) is located to the east of the site beyond a boundary fence. The application site is enclosed by tall stone boundary walling to the north, south and west.
2. To the west of the site (beyond West Park Lane) is the Grade II* Hardwick Park Historic parkland, with the Grade II* Listed Manor House located some 25m to the south east of the application site beyond the intervening private curtilage of no.1 Church View.
3. The proposal involves the demolition of the existing single storey prefabricated structure and the erection of a 2.5 storey, 5 bed detached dwelling with integral garage space. The dwelling would occupy a footprint measuring 9.2m x 18m and would be 8m in height to ridge level (5m to eaves).
4. The proposed dwelling would face west onto West Park Lane and be accessed from here, with off-street parking secured to the front within the enclosed private curtilage. The existing stone and brick boundary wall fronting onto West Park Lane would be demolished to facilitate this access and achieve appropriate visibility splays to the north and south. A replacement low level boundary wall is proposed along this western boundary, utilising reclaimed material sourced from the original wall.
5. Existing stone walls and boundary fencing dividing the site from neighbouring property to the immediate north, south and east are to remain largely unaffected although the existing wall to the northern boundary would be extended to enclose the plot from the adjacent Presbytery.
6. This application is being reported to the Planning Committee at the request of Cllr John Robinson on behalf of neighbours because of concerns over the size of the proposed dwelling, the impact on the Conservation Area, the loss of long garden (contrary to a

long garden policy), and the significance of the boundary wall to be demolished. Concerns are also expressed over the demolition of the Catholic Church Wall and the effect on this church.

PLANNING HISTORY

7. There is no relevant formal planning history relating to this particular parcel of land, although the proposed development has been the subject of informal pre-application discussion with the Local Planning Authority.

PLANNING POLICY

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 dependent.
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 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. *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. *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. *Part 10 – Meeting the challenge of climate change, flooding and coastal change.* Local planning authorities should adopt proactive strategies to mitigate and adapt to climate change, taking full account of flood risk, coastal change and water supply and demand considerations.
14. *Part 11 – Conserving and enhancing the natural environment.* The planning system should contribute to and enhance the natural and local environment by 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.

15. *Part 12 – Conserving and enhancing the historic environment.* Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

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 policy 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 below.

17. *Policy D1 - General principles for the layout and design of new developments* - requires the layout and design of all new developments to take account of the site's relationship to the adjacent land uses and activities.

18. *Policy D3 - Design for access* - seeks to ensure new development makes satisfactory provision for all road users and pedestrians.

19. *Policy D5 - Layout of new housing development* - sets criteria for the layout of new housing developments.

20. *Policy E18 – Preservation and enhancement of Conservation Areas* – seeks to preserve or enhance the character or appearance of Conservation Areas

21. *Policy H17 - Backland and infill housing development* - sets criteria for new backland and infill housing development.

22. *SPG Note 1 – Conservation Areas* – Sets out the characteristics of Conservation Areas including Sedgefield Conservation Area and Hardwick Park Historic parkland.

23. *SPG Note 3 - The layout of new housing* - sets amenity/privacy standards for new residential development.

RELEVANT EMERGING POLICY:

The County Durham Plan

24. 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 and a stage 1 Examination concluded. An Interim Report was issued by an Inspector dated 15 February 2015, however that report was quashed by the High Court following a successful Judicial Review challenge by the Council. As part of the High Court Order, the Council has withdrawn the CDP from examination. In the light of this, policies of the CDP can no longer carry any weight at the present time.

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>.

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

25. *Sedgefield Town Council* – object to the application, raising concern over the impact of development on the Sedgefield Town Wall and existing long gardens in the area, over development within the Sedgefield Conservation Area, ecological impact, the scale and appearance of the proposed dwelling and its resulting visual impact upon surrounding property including a Grade II Listed building.
26. *Sedgefield Civic Trust* – Raise objections to the loss of the existing site boundary wall which is claimed to be part of the original Sedgefield Town Wall, the size of the proposed dwelling in relation to the size of the plot and scale of surrounding property including the grade II* Listed Manor House, and the proposed use of materials which are deemed to be unacceptable within a Conservation Area.
27. *Highway Authority* – No objections.
28. *Historic England* – The application should be determined in accordance with national and local policy guidance, and on the basis of the Local Planning Authority specialist conservation advice.

INTERNAL CONSULTEE RESPONSES:

29. *Design and Historic Environment Section* – The size and detailed design of the proposed dwelling has evolved and improved significantly through pre-application discussions and is considered to reflect the local context and would preserve the special character of the Sedgefield Conservation Area. No adverse impact on the setting the Manor House would result, and the opportunity to open views to the listed building by removal of the wall would enhance public appreciation of the asset. No adverse impact on the setting of the registered historic park and Conservation Area has been identified.
30. *Ecology Section* – Has no objections.
31. *Landscape and Arboricultural Sections* – Offer no comment.
32. *Archaeology* – No objections, subject to conditions ensuring all ground disturbance works are monitored by an archaeologist with a copy of any analysis/publication to be deposited at the County Durham Historic Environment Record prior to the development being beneficially occupied.

PUBLIC RESPONSES:

33. The application has been publicised by way of site notice, individual notification letters to neighbouring residents and Press Notice.
34. 1no. letter has been received from a local resident (at no.4 Church View) which does not object to the construction of a dwelling in this location as such, but does object to the loss of the existing village wall to facilitate development.
35. An objection was also received on behalf of the residents of no.2 Church View to the immediate rear (east) of the application site who have independently sought the views of a Historic Environment consultant and an ecology consultant. Concerns are expressed over the validity of the submitted Heritage Statement, the loss of the original boundary

wall abutting West Park Lane which once formed the original village boundary, the loss of historic garth/Burgage Plot to the rear of no. 2 Church View, the impact on nearby Listed buildings, scale, mass and design of the proposed dwelling, the acceptability of retaining a front boundary wall whilst satisfying highway access and maneuverability requirements, ecological implications, the setting of a planning precedent, and the suitability of the proposed means of access.

36. The applicant sought to address these issues within a further statement. Having viewed this statement, the aforementioned objectors wish to reiterate their original arguments concerning the impact on the Conservation Area, loss of the original village boundary wall, loss of burgage plots, scale of the proposed dwelling and impact on nearby heritage assets.
37. 1no. letter of support has also been received from the residents of Ryedale (the nearest neighbour to the south of the application site) who considers the proposed development would enhance the existing street scene and improve the existing unmaintained boundary wall onto West Park Lane.

APPLICANTS STATEMENT:

38. The proposal aims to demolish the existing annex linked to Presby Church House presently occupying the site and erect a new dwelling in an existing residential area. The prospective owners and their family who presently reside locally will live in the property when complete.
39. A limited number of objections have been received (2no.) whose main concern seems to be the loss of the wall fronting West Park Lane together with the loss of the burgage plot. However, support has also been forthcoming from the site's neighbour Ryedale House to the south.
40. The wall will not be lost, but retained, albeit realigned to facilitate a vehicular visibility splay in accordance with County Highway requirements. A reduction in height is also being sought to open up the view from the site towards Hardwick Park. New works will be sympathetically undertaken utilising reclaimed materials to accord with Conservation Area requirements. It should be noted that whilst a number of properties built on burgage plots in the recent past have sought to remove the said wall fronting West Park Lane it will be my client's intention to retain as much as possible of the wall, thus still retaining a visual presence on the street scene. The walls to the north and south of the plot will also be repaired and reinstated.
41. Concern has been raised from No.2 Church View to the rear (east) of the site re the loss of the elevated historic space, but such loss occurred many years prior to today, when the church erected a structure on the site. This structure (community hall/meeting room) is linked to Presby Church House, a dwelling also built on a burgage plot. The client is merely demolishing this structure to make way for the new dwelling.
42. It has been demonstrated within this application that the building to which the application relates will not negatively affect the site and surrounding area by its presence and will have no impact upon the village Conservation Area, which would therefore be preserved. My client has reasonable aspirations to construct the building up to modern standards in terms of appearance, not too dissimilar to other recently constructed dwelling local to the site off West Park Lane. The proposed works have been given considerable thought via an extensive planning pre-app process to ensure that the impact on the original features of the surrounding buildings are minimised and what is proposed is a scheme that we believe complies with the Council's adopted policies. The proposals are therefore considered to meet the objectives of the NPPF concerning

development in an historic context and meets the requirements of relevant local planning policies.

43. Conceptually, the scheme proposed has been considered in terms of limiting the effect on the historic buildings located in the area and it is believed that all the relevant issues have been considered, and that the proposal preserves the special architectural and historical interest of the listed buildings, which are somewhat divorced from the site and will not impinge on their setting or character. In view of the information supplied, it is respectfully requested that the application is supported by the Council.

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://82.113.161.89/WAM/showCaseFile.do?action=show&appType=planning&appNumber=10/00955/FPA>

PLANNING CONSIDERATIONS AND ASSESSMENT

44. 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 development, scale and design/impact on Heritage Assets, Archaeological impact, impact on residential amenity, highway safety, ecological impact and flood risk/drainage.

The principle of the development:

45. The overarching principles of the NPPF seek to secure sustainable development in sustainable locations. Paragraph 7 sets out the 3 dimensions of sustainable development defining these in terms of its economic, social and environmental roles. These should not be seen in isolation and are mutually dependant. Paragraph 17 goes on to identify 12 core land use principles. These include identifying that planning should be plan led, take account of the character of different areas, recognise and protect the intrinsic character and beauty of the countryside and encourage the re-use of brownfield land. Paragraphs 47- 55 of the NPPF seek to boost significantly the supply of housing to create sustainable, inclusive and mixed communities. To accord with the NPPF new housing development should be located to provide improved access for all to jobs, health, education, shops, leisure and community facilities, open space and recreation, by ensuring that new development is located where everyone can access services or facilities on foot, bicycle or public transport. The key matter in applying the NPPF relates to directing development to sustainable locations; although the NPPF also identifies that the promotion of growth and development should not be at the expense of other elements of sustainable development.
46. Saved Policy H8 of the Sedgefield Borough Local Plan offers no weight to the current application insofar that it is now out of date. However H8 does specify Sedgefield Village as a settlement where housing development would normally be approved providing no conflict with the provisions of the development plans open space or design policies. Although no weight is to be given to this policy, it is noted that the application site falls within the Sedgefield settlement, between existing residential development to the north, east and south, in therefore a sustainable and accessible location close to the town centre and surrounding public transportation linkages.
47. Saved policies H17 and D5 of the Sedgefield Borough Local Plan support new residential development on backland and infill locations where this can achieve a satisfactory means of access and parking provision, satisfactory amenity and privacy for both the new dwellings and existing adjacent dwellings, and where development is in keeping with the scale and form of adjacent dwellings and the local setting of the site.

48. No objections are raised over the principle of infill residential development in this location in accordance with the sustainability principles of the NPPF, subject to adherence to other material planning considerations.

Scale and Design/Impact on Heritage Assets:

49. The application site is located within the Sedgefield Conservation Area, in close proximity to the Grade II* registered Hardwick Park and Conservation Area to the west. The Grade II* Manor House is located some 25m to the south east of the application site with intervening curtilage of adjacent property to the south separating these sites.

50. Part 7 of the NPPF and saved policies H17(C) and D1 of the Sedgefield Borough Local Plan together seek to ensure good design in new developments, having regard to a sites natural and built features and the relationship to adjacent land uses and activities. Development should be in keeping with the scale and form of adjacent dwellings and the local setting of the site.

51. Part 12 of the NPPF seeks to ensure that local planning authorities identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

52. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

53. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission in respect of any building or other land within a conservation area, the local planning authority shall pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

54. Saved policy E18 of the SBLP seeks to ensure that Local Planning Authority's preserve or enhance the character or appearance of Conservation Areas, resisting proposals which would otherwise detract from such an area whilst accompanying SPGNote1 sets out a description of the Sedgefield Conservation Area.

55. A number of design/heritage related concerns have been expressed by local objectors including those relating to the loss of the original boundary wall abutting West Park Lane which is believed to have once formed the original village boundary; the loss of historic garth/burgage plot to the rear of no. 2 Church View; the impact on nearby Listed buildings; the scale, mass and design of the proposed dwelling and the validity of the submitted Heritage Statement.

56. The views of Historic England have been sought with regard to the proposed works, who advise that the application be determined in accordance with national and local policy guidance, and on the basis of the Local Planning Authority specialist conservation advice. The Council's Design and Historic Environment section consider the special significance of the Sedgefield Conservation Area to be derived primarily from its high quality collection of historic buildings including key listed landmark buildings, the

attractive tree lined routes through the Conservation Area, and the legibility of the historic core of the settlement despite later expansion. The variety of architectural styles and materials has created an eclectic mix of buildings, many of which have individual merit as well as contributing to the overall group character and significance. The majority of the buildings date from the 18th century in the Georgian style interspersed with Victorian, Edwardian and more modern infills. Most of the buildings are two storey, with some three storey and single storey examples. Traditional materials dominate with examples of brick, stone and rendered walls with slate and tiled roofs.

57. The proposed dwelling would be two storey, with additional accommodation within the roof space, with a central rectangular core and two storey projections to the front and rear elevation. The ridge height of the proposed dwelling would match that of the adjacent Presbytery building to the north, with a dip in ground level of approx 600mm between the two sites. The building is orientated east to west to take advantage of views over the historic parkland to the west, with a limited number of openings to the first floor to protect the amenity of Ryedale to the south and also to ensure that any future redevelopment of the Presbytery building is not compromised by overlooking.
58. The footprint of the building is significantly larger than the existing extension to the presbytery, but of similar size to the Presbytery itself and the other 20th century developments on adjacent sites.
59. The proposed architectural style is traditional with contextual references to historic properties in the area evident in the design details. The palette of materials consisting of red brick and pantile reflects the traditional mix within the Conservation Area is considered appropriate and the exact material selection could be controlled by planning condition. The use of wood effect PVC windows as originally shown was not supported by the Planning Authority and amended plans now confirm the use of natural timber windows, and this detail can be controlled by condition.
60. There is no established building line along West Park Lane, but the siting of the proposed dwelling has been positioned to best align with the presbytery to the north and Ryedale to the south whilst addressing highway safety concerns which resulted in the dwelling being set slightly back from these neighbours in order to achieve sufficient parking/manoeuvring space to the front, within the property curtilage. Despite this set back, the sweeping curve created by the front west facing elevations of properties in this section of the street is to be retained and respected.
61. Consideration has also been given to the street scene view and the siting is intended to partially screen the bulk of the side elevation behind Ryedale to the south. The existing trees also to the south of the application site further reduce the dominance of this proposed dwelling in views looking north along West Park Lane.
62. The application site is bordered to the west by a high rubble stone wall. It is argued by objectors that the Local Planning Authority should be protecting this wall as it represents one of the few sections of original village boundary wall to remain, with the rest having been lost by other development over the years. This argument has some merit, although the existing boundary wall in question is considered to be unusual for West Park Lane (in terms of height), and it is in quite poor condition with layers of cement patches and repointing (presumably an attempt to address the stability of the structure) and previous brick infills. The internal face of the wall is exposed rubble and showing signs of movement, erosion and extensive mortar loss. In isolation, and regardless of the development proposals, this structure will require significant repairs and partial rebuilding to stabilise. The quality, appearance and condition of this structure is considered to be inferior to other historic boundary walls along the lane. Nevertheless,

the provision of a boundary structure is considered important to continue the strong sense of enclosure on either side of the lane.

63. The applicant has agreed to retain what can be reused of the historic stone to recreate a new 1m high wall defining the edge of the site. Precise details of the new wall can be controlled by planning condition to ensure the style is appropriate to the Conservation Area. This solution would retain a proportion of the historic fabric and reinforce the role boundary walls play along West Park Lane, but in a more stable form. It would also be more subservient to the historic stone walls enclosing Hardwick Park which are of greater significance and allow improved views through to the rear of the historic properties on Church View from the Parkland to the west.
64. With regard to other boundary walls, the submitted plans identify that the existing masonry walls to the north and south of the site will be retained with some repairs where necessary. The existing 1.8m high close boarded fence to the rear (east) would remain unaffected and these details are considered satisfactory. Details of minor repairs to the existing enclosures can be controlled by condition.
65. Local objectors also consider that the development would result in the loss of a historic garth/burgage plot which represents an important element within the historic fabric of Sedgefield Village that helps to determine its character. It is felt that the loss of this garth would have a clear detrimental effect on the overall character and appearance of the village with no justification for this loss provided by the applicant. SPG Note 1 does refer specifically to these long rear gardens which contribute to the historic character of the village core contrasting with the denser, built-up frontage.
66. It is accepted that the proposed development site is located within one of the historic garths (a linear garden space once part of no.2 Church View to the east). However, this has already been divided, with a large section of this garden now under the ownership of the Presbytery to the north, and separated from adjacent property to the east by existing boundary enclosures. Moreover, a large flat roofed extension to the Presbytery building is present on the site which is in poor and deteriorating condition and arguably detracts from the wider setting of the site and Conservation Area. It is therefore considered that the relationship to Church View to the east has already been compromised. This situation differs to the plot to the immediate south where the long rear garden (or garth) remains intact which the objector highlights as a previous application site for residential development which was refused permission and dismissed at appeal.
67. With regard to the perceived adverse impact on the setting of the Grade II* listed Manor House, this heritage asset is located two plots to the southeast of the development site fronting West End, some 25m away beyond the intervening private curtilage of no.2 Church View. The existing 7ft high boundary wall to the development site effectively prohibits any views towards the Manor House from the site boundary. Only glimpsed views of the roof of the listed building are possible over the existing garage to the Presbytery, and over the gate to the rear of the wall to the adjacent Barclays Bank site.
68. The removal of the front boundary wall would improve highway visibility requirements for vehicles leaving the site, but also improve appreciation of the aforementioned listed building by allowing additional public views towards it from West Park Lane and the Historic Parkland beyond, better revealing this heritage asset. In this newly opened viewpoint, the proposed dwelling would sit approximately 30m northwest of the listed building (corner to corner) and would not appear directly in the foreground of views across to the rear of the Manor House. The Manor House is substantially larger in scale in any case and likely to dominate this view, reinforcing its landmark role.

69. The proposed development site would not impinge upon the landmark status of the listed building, its prominence in views across the historic parkland, or its visual contribution to the group significance of the wider historic Conservation Area. It is also noted that the historic grounds of the Manor House now contain two dwellings which have had a more obvious impact on the immediate setting of the Manor House than the proposed dwelling, and a number of dwellings already appear in the foreground of views across to the historic parkland to the east.
70. Brief reference is also made within the objections to the Grade II Listed Hardwick Hotel to the north east. This also fronts east into the main village and is located some 75m to the north east of the application site with numerous intervening features, buildings, curtilage and boundary walls effectively screening the Listed site from the application site. It is therefore considered that no adverse impacts will arise on this listed structure.
71. The proposed development site is located close to the boundary of East Park, which is part of the Grade II* registered historic parkland and a designated Conservation Area. From the entrance gates to Hardwick Park views are possible across East Park to West Park Lane and Station Road and the impact on the group view and any potential concealment of historic buildings can be estimated with some accuracy from here. The Grade I listed Church of St Edmund and the Grade II* Manor House are highlighted in these views, and the proposed development site would form part of an existing group of properties within the foreground but not directly in front of these. The properties on West Park Lane have a variety of roof heights and roof pitches, with some appearing more visually dominant in these distant views. The proposed dwelling would however sit comfortably in this group because of the matching height to the presbytery, and set back from the edge of the lane which aids integration into the roofscape. No adverse impact on the setting of the registered Hardwick Park or the Conservation Area has therefore been identified.
72. Objections have also been raised over the validity of the submitted heritage statement which is considered to not have been prepared by a heritage consultant or other professional; with appropriate qualifications and experience. Whilst the Durham County Guidance on the 'preparation of heritage statements' (November 2015) does recommend that a qualified heritage professional prepare the heritage statement, this is not a compulsory requirement. Furthermore, irrespective of who prepared the document, the application has been scrutinized by the authority's conservation and historic environment section who have provided a detailed analysis of the proposals. The assessment, made by this team in relation to design considerations raised carry significant weight in the recommendation of this application.
73. In view of the forgoing, the size and detailed design of the proposed dwelling has evolved and improved significantly through pre-application discussions between the applicant and the Local Planning Authority prior to the submission of the current application. The proposed dwelling is considered to reflect the local context and would preserve the special character of the Sedgfield Conservation Area. No adverse impact on the setting the Manor House would occur and the opportunity to open views to the listed building by removal of the existing, poor quality boundary wall would help to enhance public appreciation of the asset. No adverse impact on the setting of the registered historic park and Conservation Area has been identified. Furthermore, the removal of the existing flat roof structure which currently detracts from the character and appearance of this Conservation Area setting is welcomed.
74. For these reasons, this application is considered to satisfy the principles of Parts 7 and 12 of the NPPF and saved policies D1, E18, H17 of the Sedgfield Borough Local Plan, and SPGNotes 1 and 3. It is however recommended that any approval be granted

subject to conditions controlling details of landscaping, materials to be used, details of surface treatment, fenestration details and details of enclosures.

Archaeology:

75. Part 12 of the NPPF seeks to ensure that consideration be given to areas of archaeological interest. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.
76. The Councils' Archaeology section identify that several phases of archaeological investigation have previously taken place in the fields immediately to the west of West Park Lane, and have demonstrated that a large and significant Roman period town is located in this area. Looking at the geophysics from this area known as East Park through its relationship to Hardwick Hall, it appears that whilst features associated with the Roman settlement do extend right up to the rear of the application site, the intensity of activity dwindles as it meets the edge of the modern town. However Roman features such as cemeteries are located outside of the town. In addition, the modern town is of medieval origin, with potential for previously unrecorded back-plot activity of this date to also be present on the site. The archaeological potential is therefore still considered medium to high
77. As the new build aligns closely with the existing building, the main area of new ground disturbance would be the garage area and any other footprint overlap including the landscaping works for the drive, parking and access, and any service connections required. It should also be noted that the foundations for the existing structure are likely to be shallow and therefore archaeological features may survive beneath them.
78. During pre-application discussions, Archaeology officers advised that whilst clarification of the archaeological potential through evaluation trenching would not be required in support of any formal application, a condition of planning permission should be applied stipulating that all ground disturbing work (specifically new ground disturbance, but also new foundations if they will go below the depth of the foundations for the existing building) should be monitored by an archaeologist.
79. Subject to conditions controlling archaeological monitoring of the site during works and the submission of a written record of works for public access, this application is considered to satisfy Part 12 of the NPPF with no objections raised.

Privacy/Amenity:

80. Saved policies H17 (B), D1 and D5 of the Sedgefield Borough Local Plan together seek to ensure that new developments provide for satisfactory amenity and privacy for new and existing adjacent dwellings. Supplementary Planning Guidance Note 3 sets minimum separation criteria between dwellings, requiring a minimum 21m separation between opposing windows of primary elevations and 14m between primary and gable elevations of neighbouring property.
81. The proposed dwelling would infill an area of private garden land sandwiched between neighbouring property to the north, east and south. The proposed side elevations would face north and south opposing the side facing elevations of adjacent properties in these directions. Ground floor windows in these elevations would be sufficiently screened by existing stone boundary walls to be retained, with first floor window openings serving only a landing and bathroom areas. No side facing windows would directly overlook

windows in adjacent properties to the north and south with bathroom windows to be obscured in the interests of privacy.

82. The proposed front (west facing) elevation would look across to West Park Lane and Hardwick Park beyond with no resulting privacy implications in this direction.
83. The proposed rear (east facing) elevation would face the rear (west facing) elevation of no.2 Church View which is sited 29m away, thereby satisfying the minimum 21m separation guidelines set out within SPGNote3.
84. Given the slight change in ground levels between the application site and property to the east (which is set lower), the proposed dwelling would appear taller than that to the east whilst tying in with the ridgeline of property to the immediate north. As a result the proposed first floor rear facing (master suite) window would overlook the rear garden of the application site and the rear garden space of the property to the east. However this is not an uncommon arrangement in the existing street scene with a number of existing properties on West Park Lane already overlooking the rear garden spaces of properties on Church View to the east. The existing Presbytery to the north contains a first floor conservatory which provides unobscured views over much of the private land to the east. Given that the minimum separation guidelines set out within SPG Note 3 are more than satisfactorily achieved here; these relationships are considered acceptable. Furthermore, given the aforementioned change in ground levels between the application site and neighbouring property to the east, there would be no directly overlooking windows of opposing property at the same height, thereby further minimizing any resulting privacy concerns.
85. With regard to private amenity space, the proposed dwelling would benefit from a modest but sufficient level of front and rear garden space of approximately 120m² to the front and 90m² to the rear, whilst also maintaining sufficient private amenity space for the Presbytery to the north.
86. Subject to conditions ensuring obscured glazing in side facing bathroom/en-suite windows and the removal of permitted development rights for extensions and outbuildings to the proposed dwelling, (which could otherwise allow for the unacceptable encroachment into the aforementioned separation distances and further loss of limited private amenity space), the proposed development is considered to satisfy the provisions of saved local plan policies H17, D1 and D5. The proposed site layout provides for adequate private amenity space for the future occupiers, retaining sufficient separation distance to the rear windows of 2 Church View, and also providing sufficient space for parking in front.

Highway safety:

87. Saved policies H17 (A) and D3 of the Sedgefield Borough Local Plan together seek to ensure that new developments provide for a satisfactory means of access and parking provision having regard to the number and type of vehicles using the development. Part 4 of the NPPF highlights a need for new developments which may generate a significant increase in vehicle movements to achieve a safe and suitable access. New developments should minimise conflicts between traffic and cyclists or pedestrians.
88. The application site would be accessed from West Park Lane to the immediate west of the site via a newly created access point. The existing front boundary wall of the site where adjacent to this highway would be removed and rebuilt (at no more than 1m in height) to facilitate this new access and account for the necessary visibility to the north and south. Some planting of hedging behind the rebuilt wall is intended which the

highway authority confirm should not exceed 1m in height at any time in the interests of maintaining an acceptable junction visibility splay.

89. Off street parking and manoeuvring space is shown to the front of the site. The provision of 2no. off street parking spaces in addition to an integral garage space would comply with Durham County Councils Residential Parking Standards 17.7.13 for a 5no. bed dwelling.
90. Subject to future control over the height of the aforementioned boundary wall and front hedgerow (to no more than 1m in height), this application is considered to satisfy the provisions of saved policies H17 and D3 of the Sedgefield Borough local Plans and Part 4 of the NPPF, with no highway objections raised.

Ecology:

91. Part 11 of the NPPF seeks to ensure that when determining planning applications, local planning authorities seek to conserve and enhance biodiversity.
92. Concerns have been received over the impact of the proposed development on bats in the area and one objector has sought the views of an ecological consultant who suggests that the Local Planning Authority request baseline ecological information on the site including a bat risk assessment. The Councils Ecology section note this view but maintain no objections to the proposed works on the basis that no harm to protected species or habitats would result.
93. The current application has been submitted following extensive pre-application discussion and views of the Councils Ecology section were sought at this time. No objections were raised given the existing nature and type of development already on the site.
94. Ecology officers agree with the ecology consultant that there is a record of bats being present in the area. However, it is not considered that a disused pre-fabricated building with a flat roof would have a high potential for bats. An empty building of this nature is likely to suffer from extremes of temperature and there are many more buildings nearby which would be more suitable for bats. Furthermore, no trees are to be felled as part of this application and whilst there are some garden shrubs available which provide commuting and feeding opportunities for bats, in the context of other gardens, this loss is highly unlikely to prove significant to the bat population in the area. The application is therefore considered to satisfy the provisions of Part 11 of the NPPF with respect to impact on protected species and local ecology.

Flooding/Drainage:

95. Part 10 of the NPPF seeks to ensure that new developments take account of flood risk. Inappropriate development in areas of high flood risk should be avoided, but where development is necessary; it should be made safe without increasing flood risk elsewhere. The application site is not located within any identified flood zone area with no perceived flooding threat to result from the proposed development if approved. Drainage issues can be addressed at the Building Regulations stage.

CONCLUSION

96. The principle of developing this site for residential use is considered acceptable given its sustainable location within the Sedgefield residential settlement and previously developed nature. Consideration has been given to the scale and design of the

proposed development, its relationship to surrounding development including heritage assets, the impact on amenity/privacy standards and the impact on the character and appearance of the wider Conservation Area. Highway safety, ecology and drainage implications have also been carefully assessed with the views of objectors and supporters to the scheme addressed where relevant. The proposed development is considered to accord with relevant national and local plan policies detailed within this report. Subject to the imposition of appropriate planning conditions, the application is therefore recommended for approval.

RECOMMENDATION

That the application be **APPROVED** subject to the following conditions:

1. Time limit

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. Approved plans

The development hereby approved shall be carried out in strict accordance with the following approved plans:

- 15_010_100 rev C (Planning draft 7), received 08 February 2016
- 15_010_101 rev A (Planning site section), received 08 February 2016
- 15_010_200 rev A (Centre line setting out, foundation and drainage plans), received 09 February 2016
- 15_010_002 rev A (Proposed OS Plan), received 09 February 2016

Reason: To define the consent and for the avoidance of doubt in the interests of proper planning.

3. Sample materials to be agreed

Notwithstanding any details of materials submitted with the application no development shall commence until samples of the external walling and roofing materials including rainwater goods 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 E18 and D1 of the Sedgfield Borough Local Plan.

4. Timber windows/Joinery details

Notwithstanding the details shown on approved plans, windows shall be of timber construction. Full joinery details drawn to a scale of 1:20 shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The scheme shall be implemented in accordance with the approved details.

Reason: In the interests of the appearance of the area and to comply with Policies E18 and D1 of the Sedgfield Borough Local Plan.

5. Surfacing/hardstand areas

Prior to the commencement of the development details of the surface treatment and construction of all hard surfaced areas shall be submitted to and approved in writing by the Local planning authority. The development shall be undertaken in accordance with the approved details.

Reason: In the interests of the appearance of the area and to comply with Policies E18 and D1 of the Sedgfield Borough Local Plan.

6. Fenestration, heads and cills

Notwithstanding the details shown on the approved plans precise details of all new fenestration, glazing, heads and cills shall be submitted to and approved in writing by the Local planning authority, prior to the commencement of the development. The scheme shall be implemented in accordance with the approved details.

Reason: In the interests of the appearance of the area and to comply with Policies E18 and D1 of the Sedgefield Borough Local Plan.

7. Boundary wall/hedgerow height limitation

The proposed front boundary wall facing onto West Park Lane shall not exceed 1metre in height above ground level at any part. Any boundary hedgerow along this west facing boundary shall also not exceed 1 metre in maximum height at any time.

Reason: In the interests of highway safety in accordance with saved policies H17 and D3 of the Sedgefield Borough Local Plan.

8. Landscape implementation

All planting, seeding or turfing comprised in the approved details of landscaping (plan ref: 15_010_100 rev C (Planning draft 7), received 08 February 2016, shall be carried out in the first available planting season following the practical completion of the development (or occupation of buildings or commencement of use) and any trees or plants which within a period of 5 years from the substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of the visual amenity of the area and to comply with policies D1 and E15 of the Sedgefield Borough Local Plan.

9. PD rights (extensions)

Notwithstanding the provisions of Class A, B, C, D, E, F and G of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order) details of any enlargement, improvement or other alteration to the dwelling(s) hereby approved and any buildings, including sheds, garages and glass houses to be erected within the curtilage of the dwelling house(s) shall be submitted to and approved in writing by the Local planning authority.

Reason: In order that the Local planning authority may exercise further control in this locality in the interests of the visual amenity of the area and to comply with Policies H17 and D5 of the Sedgefield Borough Local Plan.

10. Obscure Glazing

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) the glass to be used in the north and south facing bathroom and ensuite window openings shall be frosted/opaque and shall remain so.

Reason: In the interests of the privacy of the neighbouring occupier and to comply with policies H17 and D5 of the Sedgefield Borough Local Plan.

11. Archaeology works

No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted approved in writing by the Local Planning Authority. The Scheme shall provide for:

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, including final analysis and publication proposals in an updated project design where necessary.
- iv; Report content and arrangements for dissemination.
- v; Archive preparation and deposition with recognised repositories.
- vi; 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.
- vii; Monitoring arrangements, including the notification in writing to the County Durham Archaeologist of the commencement of archaeological works and the opportunity to monitor such works.
- viii; A list of all staff involved in the implementation of the strategy, including sub-contractors and specialists, their responsibilities and qualifications.

The written scheme of investigation must be submitted by the developer, and approved in writing by, the local planning authority. The written scheme of investigation shall be carried out in accordance with the approved details and timings.

Reason: To comply with paragraphs 128, 135 and 141 of the NPPF.

12. Public record

Prior to the development being beneficially occupied, a copy of any analysis and/or publication shall be deposited at the County Durham Historic Environment Record, and archiving required as part of the mitigation strategy shall be deposited at an agreed repository.

Reason: To comply with paragraph 141 of NPPF to ensure that the information generated becomes publicly accessible.

13. Enclosure/gate details

Notwithstanding details shown on the approved plans, details of any gates and/or new means of enclosure shall be submitted to and approved in writing by the local planning authority. The development shall be undertaken in accordance with the approved details.

Reason: In the interests of the appearance of the area and to comply with Policies E18 and D1 of the Sedgefield Borough Local Plan.

STATEMENT OF PROACTIVE ENGAGEMENT

The Local Planning Authority in arriving at its decision have, without prejudice to a fair and objective assessment of the proposals, issues raised, and representations received, sought to work with the applicant in a positive and proactive manner. All concerns raised during the consultation and publicity period were forward to the applicant and satisfactorily resolved during the statutory determination period. An extension of time has been agreed with the applicant to allow this application to be heard before the March 2016 planning committee which fell just outside of the statutory determination period.

BACKGROUND PAPERS

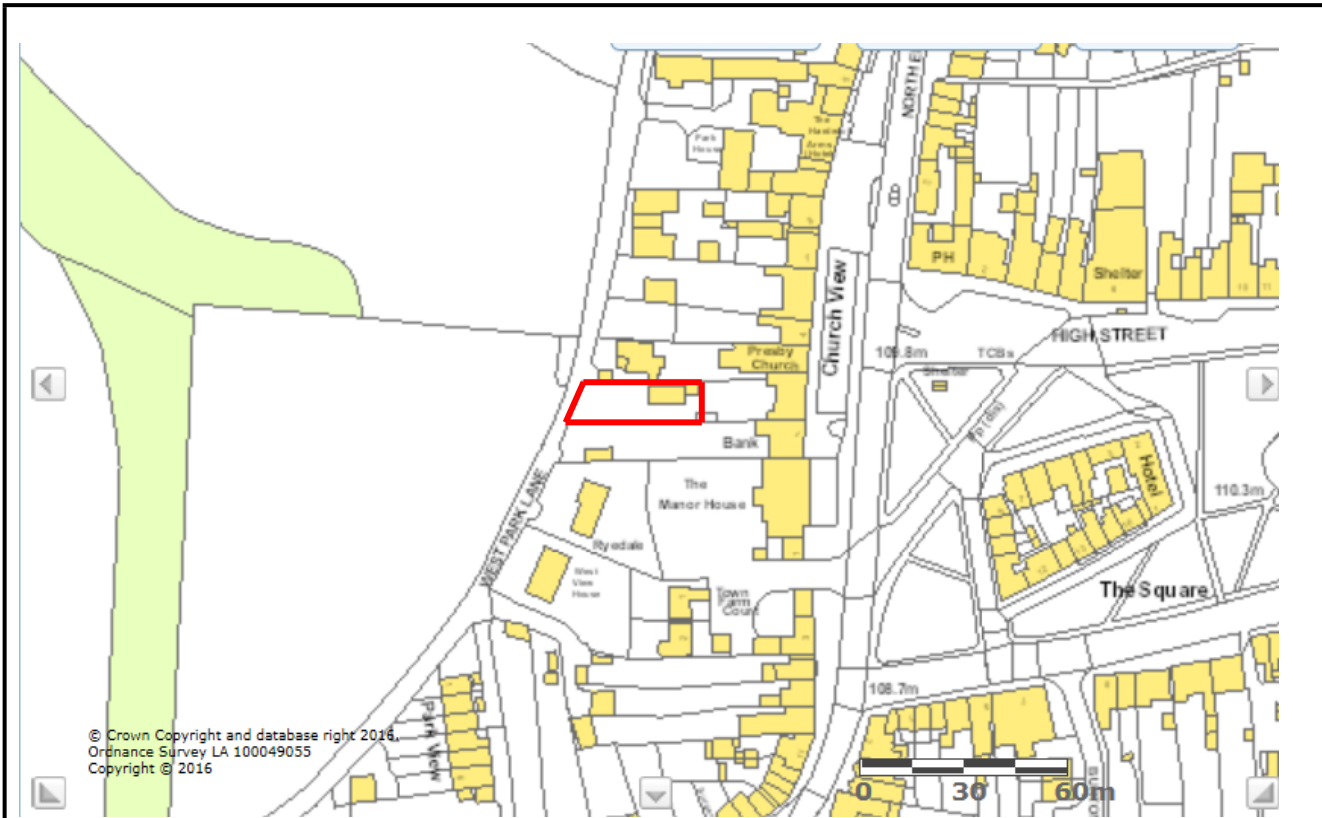
Submitted Application Forms, Plans and supporting documents

National Planning Policy Framework

Sedgefield Borough Local Plan

Statutory responses from the Highway Authority and Historic England

Internal responses from Drainage, Design and Historic Environment, Ecology, Highways, and Archaeology



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Planning Services

2 storey dwelling

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Comments

Date 17 March 2016