

# COMMITTEE REPORT

---

### APPLICATION DETAILS

---

<b>APPLICATION NO:</b>	<b>DM/16/03941/FPA and DM/16/03942/LB</b>
<b>FULL APPLICATION DESCRIPTION:</b>	<b>Adaptation of existing building to provide 12 individual apartments with 3 dormer windows on the rear and internal and external alterations. (Amended plans)</b>
<b>NAME OF APPLICANT:</b>	<b>Mr Peter Bell</b>
<b>ADDRESS:</b>	<b>Durham County Club, 52 Old Elvet, Durham, DH1 3HN</b>
<b>ELECTORAL DIVISION:</b>	<b>Elvet and Gilesgate</b>
<b>CASE OFFICER:</b>	<b>Susan Hyde Planning Officer 03000 263961</b>

---

### DESCRIPTION OF THE SITE AND PROPOSALS

---

1. This Committee Report is a joint report for planning application DM/16/03941/FPA and the associated listed building consent application DM/16/03942/LB.

#### **The Site**

2. The site relates to a complex Grade II listed building that occupies a prominent position within Durham (City Centre) Conservation Area, standing on the north side of Old Elvet at the corner junction with Territorial Lane. The street forms part of the City's medieval infrastructure, today comprising of a mixture of Georgian and Victorian properties that combine with landmark buildings such as Old Shire Hall to create one of Durham's finest streets in terms of historic interest and architectural merit.

#### **The Proposal**

3. Consent is sought for the conversion and physical adaptation of the existing former private County Club building to form 12 residential apartments at No. 52 Old Elvet. The building is currently largely vacant and the proposal is to introduce internal alterations to allow the building to be adapted to form 12 one and two bedroom apartments with the introduction of three new dormer windows on the rear elevation and roof lights on the front elevation.
4. The front elevation of the property is proposed to have railings reinstated. Parking and bin storage is provided to the rear of the site.
5. The application is being reported to Planning Committee as the development constitutes a major residential development comprising of more than 10 dwellings.

---

## **PLANNING HISTORY**

---

6. 4/99/00314/AC – Two adverts obtained advertisement consent on the ground floor at 52 Old Elvet.

---

## **PLANNING POLICY**

---

### **National Policy:**

7. The Government has consolidated all planning policy statements, guidance notes and many circulars into a single policy statement, the National Planning Policy Framework (NPPF), although the majority of supporting Annexes to the planning policy statements are retained. The overriding message is that new development that is sustainable should go ahead without delay. It defines the role of planning in achieving sustainable development under three topic headings – economic, social and environmental, each mutually dependant.
8. The presumption in favour of sustainable development set out in the NPPF requires local planning authorities to approach development management decisions positively, utilising twelve 'core planning principles'.
9. The following elements are considered relevant to this proposal;
10. NPPF Part 1 - Building a Strong and Competitive Economy. The Government attaches significant weight on the need to support economic growth through the planning system. Local Planning Authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century.
11. NPPF Part 4 Promoting Sustainable Transport. Transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. Smarter use of technologies can reduce the need to travel. The transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel. However, the Government recognises that different policies and measures will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas.
12. NPPF Part 6 Delivering a wide choice of high quality homes. To boost significantly the supply of housing, local planning authorities should use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period.
13. NPPF Part 7 Requiring Good Design. The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
14. NPPF Part 10 - 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.

15. NPPF 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, including by establishing coherent ecological networks that are more resilient to current and future pressures.
16. NPPF 12 Conserving and Enhancing the Historic Environment. Working from Local Plans that set out a positive strategy for the conservation and enjoyment of the historic environment, LPA's should require applicants to describe the significance of the heritage asset affected to allow an understanding of the impact of a proposal on its significance

*The above represents a summary of the NPPF considered most relevant the full text may be accessed at: <http://www.communities.gov.uk/publications/planningandbuilding/nppf>*

## **Local Plan Policy:**

### **City of Durham Local Plan**

17. Policy E22 Conservation Areas sets out that the Local Authority seeks to preserve and enhance the character and appearance of the conservation area by ensuring that development proposals should be sensitive in terms of siting, scale, design and materials where appropriate reflecting existing and architectural features.
18. Policy E6: Durham (City Centre) Conservation Area states that the special character, appearance and setting of the Durham (City Centre) Conservation Area will be preserved or enhanced as required by section 72 of the Planning (Listed Building and Conservation Areas) Act 1990. The policy specifically requires proposals to use high quality design and materials which are sympathetic to the traditional character of the conservation area.
19. Policy E21 (Historic Environment) states that the historic environment of the district shall be preserved and enhanced by requiring development proposals to minimise adverse impacts on significant features of historic interest within or adjacent to the site, and encourage the retention, repair and re-use of buildings and structures which are not listed, but are of visual interest.
20. Policy E23 (Listed Buildings) seeks to safeguard listed buildings and their settings by only permitting alterations and extensions to listed buildings which are sympathetic in design, scale and materials; not permitting alterations to architectural or historic features which adversely affect the special interest of a listed building; not permitting total or substantial demolition of a listed building; and, not permitting development which detracts from the setting of a listed buildings.
21. Policy E16 (Nature Conservation) requires development proposals, where appropriate, to identify any significant nature conservation interest that may exist on or adjacent to the site, avoid unacceptable harm to such interests and provide mitigation measures to minimise unacceptable adverse impacts that cannot be avoided.
22. Policy H9: (Multiple Occupation/Student Households)
23. Policy H12A: The type and size of houses will be monitored and if there is a need for a particular type of house this will be negotiated.

24. Policy H13: The Character of Residential Areas sets out that planning permission will not be granted for new development or changes of use that will have a significant adverse effect on the character and appearance of residential areas, or the amenities of residents within them.
25. Policy T1: General Transport Policy sets out that the council will not grant planning permission for development that would generate traffic which would be detrimental to highway safety and/or have a significant effect on the amenity of occupiers of neighbouring property.
26. Policy T10 - Parking sets out that vehicles parking should be limited in amount, so as to promote sustainable transport choices and reduce the land-take of development
27. Policy T21 – The Council will seek to safeguard the needs of walkers.
28. Policy R2 - Provision of Open Space - New Residential Development) states that in new residential development of 10 or more units, open space will be required to be provided within or adjacent to the development in accordance with the Council's standards. Where there is an identified deficiency and it is considered appropriate, the Council will seek to enter into a planning agreement with developers to facilitate the provision of new or improved equipped play areas and recreational/leisure facilities to serve the development in accordance with Policy Q8.
29. Policies Q1 and Q2 - Designing for People and Accessibility sets out that the layout and design of all new development should take into account the requirements of all users.
30. Policy Q8 - Layout and Design – Residential Properties sets out criteria for new build properties
31. Policy U8a Policy U8a (Disposal of Foul and Surface Water) requires developments to provide satisfactory arrangements for disposing foul and surface water discharges. Where satisfactory arrangements are not available, then proposals may be approved subject to the submission of a satisfactory scheme and its implementation before the development is brought into use.
32. Policy U11 – Development on sites which are known to be contaminated will only be permitted where the extent of the contamination is established and suitable mitigation is proposed.
33. Policy U14 – Energy Conservation

## **RELEVANT EMERGING POLICY**

### The County Durham Plan

34. 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 and a new plan is being prepared. As the new plan progresses through the stages of preparation it will begin to accrue weight.

---

## **CONSULTATION AND PUBLICITY RESPONSES**

---

### **STATUTORY RESPONSES:**

35. The Highway Authority – Raises no objection. The site is located in a city centre location where parking is not required. It is noted a car park and bin storage is provided to the rear of the property.
36. Environment Agency - Initially raised an objection to the proposal – with particular concerns about the basement living accommodation. To address these concerns, amended plans have deleted the basement living accommodation and an amended flood risk assessment has been submitted and the Environment Agency was reconsulted and has now withdrawn their objection.

### **Internal Consultee Responses:**

37. Ecology – Raised no objection as the supplied Bat Building Survey required no further survey work to be undertaken.
38. Drainage – Initially raised concerns about the lack of flood risk assessment and required the Environment Agency to support the application. They accept that no building works are proposed and no additional drainage conditions are required, and have withdrawn previous concerns.
39. Environmental Health – Note that the area does have noise issues and therefore require a condition for a detailed acoustic report in accordance with BS 8233: 2014, and any subsequent noise mitigation methods introduced to conform to this BS standard.
40. Conservation and Design – Have worked closely with the agent to obtain various amended plans to overcome the Design and Conservation Officer's initial objection. They now raise no objection to the applications.
41. NHS – No comments received at the time the report was written.

### **Public Responses:**

42. The application was advertised with a press notice, site notices and letters to neighbours and 1 letter was received from Durham Civic Trust that raised no objection to the conversion of the property to residential apartments but raised concerns about the lack of car parking and cycle storage.

### **Applicants Statement:**

43. This development is being carried out by a local resident and was initially undertaken because he wanted to bring a positive use to an iconic building in Durham. Being a resident within the immediate vicinity of the proposed development, the impacts of the project have been of utmost importance when creating our development plan. We have specifically enlisted the help of local architects who have carried out many varied developments in Durham and have an excellent working knowledge of the city being well placed to develop our project sympathetically to the surrounding area.

44. After exploring a number of options for developing the building we arrived at a layout which allowed us to create a number of luxury apartments whilst maintaining as many of the historical aspects of the building as possible. We have followed the most natural areas for dividing the property, keeping original cornice works, ceiling roses, doors, stair cases, vents and windows to name but a few. The main stair case services the majority of the building and is central to our design, by converting into apartments we have been able to produce a design bringing minimal disruption to the structure of the building and allowing more people to enjoy this wonderful communal area.
45. The apartments will be a mixture of one and two bedroom units which are being built to be sold to professionals at the end of the development. The target market for the end product will be owner occupiers, more specifically we anticipate a high uptake from young professionals working in Durham, primarily in the age range of 25-40 years of age. The units will be sold on an individual basis on a long term lease arrangement at a minimum of 200 years. As the units will be smaller it will be unlikely to be sold to families and as a result will mean a lower impact in terms of traffic from the development, in contrast larger units were likely to attract families with 2 or more cars in a household. We estimate some of the larger two bedroom apartments will require parking spaces and as such have provided spaces for these units to the rear of our development. The units are being finished to a high specification and as such will be of a high capital value making it unlikely to attract attention from buy to let investors.
46. Durham has a thriving mixed culture and we feel this development will work well to help keep a positive balance in the community. Old Elvet in particular is benefiting from a large redevelopment already and our project will help maintain the heritage of the street and protect one of its oldest buildings, ensuring its continued use as a residential property.

---

## **PLANNING CONSIDERATIONS AND ASSESSMENT**

---

47. 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 relate to the principle of development, impact of the development on the listed building and conservation area, residential amenity, impact on access and parking, ecology, flood risk and drainage and planning obligations.

### **Principle of Development**

48. Planning legislation requires that the application should be determined in accordance with the development plan unless material considerations dictate otherwise. The NPPF is a material consideration and The City of Durham Local Plan remains a statutory component of the development plan and a starting point for determining applications as set out in Paragraph 12 of the NPPF. The NPPF advises at Paragraph 215 that greater weight may be given to local plan policies depending on their degree of consistency with the NPPF. Furthermore paragraph 49 of the NPPF advises that housing applications should be considered in the context of the presumption in favour of sustainable development.

49. The Council accepts that it is currently unable to calculate - and therefore demonstrate - a five year supply of deliverable sites based on an up to date, publicly tested Objectively Assessed Need of the area (OAN), in accordance with the requirements of Paragraph 47 of the NPPF. Consequently, DLP policies are to be regarded out-of-date with regards to housing delivery, as Paragraph 14 of NPPF states, the two limbed test set out in the second bullet of the 'decision taking' section is applicable in this instance, namely granting permission unless:
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate the development should be restricted.
50. The application of the first 'limb' consideration of Paragraph 14 will highlight potential harm and benefit that should be considered in undertaking the necessary planning balance under Paragraph 14. The application of the second 'limb' will only be a relevant consideration in this instance if specific policies in the NPPF indicate the development should be restricted. In this case there are no policies which would indicate that the development should be restricted, therefore only the first limb applies.
51. A strategic policy objective of the NPPF is to support strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs. Local planning authorities are expected to increase the supply of housing, consider housing applications in the context of the presumption in favour of sustainable development, and create sustainable, inclusive mixed communities in all areas both urban and rural. Housing should be in locations which offer a range of community facilities with good access to jobs, key services and infrastructure. The provision of affordable housing where a need has been identified is encouraged through the NPPF, and a range of dwelling types and sizes, including affordable housing and alternative forms of tenure to meet the needs of all sectors of the community should be provided.
52. In this case the site lies within the settlement boundary of Durham City as defined on the City of Durham Local Plan. As the site is located on the periphery of Durham City's commercial area, it is within walking distances of a wide range of commercial and social facilities. Good public transport links are also available from Durham train station and bus stops and Durham bus station within half a mile of the site. The site is therefore considered to be located in a sustainable location.
53. 52 Old Elvet was originally constructed as a dwelling and then converted into a club at a later date. Policy H2 of the Local Plan supports the conversion of buildings in Durham City into residential accommodation provided that the conversions are consistent with other policies which are discussed below.
54. The planning agent has clarified that the intent of the occupation of the proposed apartments is for them to be occupied by professional employed people. In the applicant's statement the agent has clarified that the applicant will be completing the conversion works on the apartments and then proposing to sell the apartments. Officers therefore consider that the apartments which are one and two bedroom fall within a C3, family style dwelling, use class.

## **Impact of the conversion on the Listed Building and the Conservation Area.**

55. The Conservation Officer has confirmed that the grade II listed building was originally a house of an early 19<sup>th</sup> century appearance that despite much 20<sup>th</sup> century work and expansion still retains its original character. Internal inspection revealed that many architectural features survive such as timber panelled doors in architraves, cornicing, decorative ceiling roses, window panelling, skirtings, cast iron Victorian fire places and a cooking range etc. Secondly it is a building integral to the special interest and character of Old Elvet, a major contributing component to the significance of the conservation area. Thirdly, the building has social significance due to its 126 year use as a private gentlemen's club formed in 1890 by a committee of leading businessmen and aristocrats including the Earl of Durham, the High Sheriff, and the Marquis of Londonderry.
56. The application to convert the building has therefore required very careful consideration to ensure the alterations preserve or enhance the conservation area and the special character of the grade II listed building and the proposal has involved numerous amendments to overcome the concerns raised by officers.
57. The level of impact resulting from the internal alterations is now considered acceptable as the room plans mainly originate from the 20<sup>th</sup> century with the few rooms of the original town house conserved in their original size and shape being unaltered. The overall ethos of the conversion is appropriate conserving both the structural framework of the rooms and the associated historic content such as the skirting boards, cornices, ceiling roses, Victorian vents, and doors etc. This is important as these features reflect the fashionable trends of the time and give an indication of the original function of the rooms.
58. Amendments that have been secured through negotiation have included the retention of the basement without any alterations, and the retention of one of the few surviving Durham kitchen ranges.
59. External alterations to the building are limited to roof lights on the front elevation which are considered acceptable and three pitched roofed dormer windows on the rear elevation. Dormers are a feature within Old Elvet both to the front and rears of the properties. The dormers are satisfactory in terms of siting, size, proportions and style. In wider terms only glimpsed views of the dormers are attainable to reduce the impact to a negligible level. It is however important that the dormers are made from traditional materials with the window units having genuine through astragals and not imitation glazing bars, and this is proposed to be conditioned accordingly.
60. The other external alterations include the introduction of a new roof on the billiard room – a building that is in a poor structural condition, and a window is altered to include a fan light which is a traditional feature.
61. The internal and external alterations are therefore considered to be consistent with Part 12 of the NPPF, Policy E22 and E23 of the Local Plan and Section 72 of the Planning and Listed Building Act that requires special attention should be given to preserving or enhancing the character or appearance of the area. In this case, the proposals are considered to preserve the character and appearance. In addition Section 66 of the same act requires the Local Planning Authority to have special regard to preserving the listed building and the setting of the listed building. The amended scheme that retains the external appearance of the building and introduces minimal internal alterations is considered to preserve the character of the listed building.



## **Residential Amenity**

62. The proposal involves the conversion of the existing building and no extensions are proposed to the building other than the dormers. In accordance with Policy Q8 the relationship between the windows and neighbouring windows should respect the residential amenity of neighbouring properties and provide satisfactory residential amenity for the proposed dwellings. In this case the front elevation retains habitable room windows and looks across Old Elvet to the Methodist Church and Old Shire Hall at a distance of over 21 metres and exceeds the policy requirement.
63. The side elevation facing Territorial Lane also includes habitable windows which face onto the side elevation of Old Elvet. The window relationship between the properties is a historic relationship and has a relationship which is below modern standards reflecting the historic street pattern in this area. As the building is listed, and the street pattern is historic a reduction from the current standards is considered acceptable in this case and would not result in standards of residential amenity which would be unacceptable.
64. To the rear the property has open views and so residential windows and the new dormers meet the County Councils space about dwellings policy.

## **Access and Parking**

65. The County Highway Officer has raised no objection to the application. Given the close proximity to Durham City Centre the site is considered to be a sustainable location. The County Highway Officer has confirmed that no off street parking would be required with this application and has raised no objection to the provision of a small private car park to the rear that the agent has clarified is for the two bedroom flats.

## **Ecology**

66. The County Ecologist has confirmed that the submitted Bat Building Survey is satisfactory and that no further assessments are required.

## **Flood Risk and Drainage**

67. The Environment Agency and the County Drainage Engineer initially objected to this application as the site is located in a flood risk zone. An amended flood risk assessment has been submitted and the application has been amended to remove the living accommodation in the basement of the property. The County Council Drainage Engineer has withdrawn his objection and the Environment Agency has reconsidered the additional information submitted and withdrawn their objection subject to a condition regarding the finished floor level in the northern rooms.

## **Planning Obligation**

68. Policy R2 on the provision of recreational and amenity space in new developments requires a provision for recreational play space and amenity space on all developments over 10 units. On this site the conversion of the property into 12 apartments does not have any external play space or amenity space. As such a financial contribution of £12,000 is to be secured through a Legal Agreement for play facilities and open space within the local area. The contributions would help to support and improve facilities within the surrounding locality for the benefit of occupiers of the additional properties and also existing residents of the local community.

## Paragraph 14 balancing exercise

69. In order to apply the first limb of the second bullet point of paragraph 14 of the NPPF, i.e. that planning permission should be granted unless adverse impacts of the proposal would significantly and demonstrably outweigh the benefits, any harm and benefits of the proposal need to be weighed in the balance.

The benefits of the proposal are as follows:

- Bring back into use and secure future of a redundant building
- Sustainable location which will contribute to maintaining facilities in the area
- Economic benefits
- Financial contribution of £12,000 for improvements to open space to be secured through a S106 Obligation

The proposal would not result in any identified planning harm. Accordingly, there are no adverse impacts of the proposal which would significantly and demonstrably outweigh the benefits and planning permission should be granted.

---

## CONCLUSION

---

70. The site is defined in the local plan as being within the settlement boundary of Durham City and would be a conversion of an existing building into 12 residential apartments. This is considered to conform to Policy H2 of the Local Plan. The proposed development is assessed to be in line with the sustainable aims of the NPPF. The site is considered to be within walking distance to the commercial centre of Durham City and has good access to public transport links adjacent to the site.
71. The proposed scheme would have a limited adverse impact on the amenities of surrounding buildings and on the residential amenities of existing and future occupiers of neighbouring properties and the proposed dwellings. The proposal would therefore be in accordance with the aims of policies H13 and Q8 of the City of Durham Local Plan.
72. The Highways Authority has confirmed that they have no objection to the conversion of the building within such a sustainable location. It is considered that highway safety would not be compromised as a result of the proposed development. The proposal therefore accords with policies T1 and T10 of the City of Durham Local Plan.
73. In accordance with Policy R2 the proposed development would provide a developer contribution of £12,000 towards the provision and maintenance of recreational and amenity space in the near locality. This contribution would be secured through the Section 106 legal agreement.

---

## RECOMMENDATION

---

Separate recommendations are now put forward for the planning application and the listed building consent application with each having the relevant conditions attached. APPROVE the planning application **DM/16/03941/FPA** subject to the completion of a Section 106 Legal Agreement to secure the financial contribution towards the provision and enhancements to play provision and recreational areas in the Electoral Division, and subject to conditions; and to APPROVE the listed building consent application **DM/16/03942/LB** subject to conditions;

## Conditions for DM/16/03941/FPA

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:

### Design and Access Statement

1000\_Location Plan\_P01

15152-HL-XX-DR-A-1003-Existing\_Site\_Plan-S2-P02

2000\_HL\_Existing Plans\_P03

15152-HL-XX-DR-A-2017-Existing\_Elevations-S3-P01

15152-HL-XX-DR-A-3000-Dormer\_Window\_Detail-S2-P02

15152-HL-XX-DR-A-3001-Billiard\_Rooflight\_Detail-S2-P01

15152-HL-XX-RP-A-External\_repair\_schedule-S2-P02

AMENDED PLAN 15152-HL-XX-DR-A-2100-..PROPOSED BASEMENTAND FIRST FLOOR PLAN – 26<sup>TH</sup> May 2017

AMENDED PLAN 15152-HL-XX-DR-A-2101-PROPOSED FIRST FLOOR PLAN– 26<sup>th</sup> May 2017

AMENDED PLAN 15152-HL-XX-DR-A-2022- 15152-HL-XX PROPOSED SECOND FLOOR AND ATTIC PLAN– 26<sup>TH</sup> MAY 2017

AMENDED PLAN 15152-HL-XX-DR-A-2104- ROOF PLAN – 26<sup>TH</sup> MAY 2017

15152-HL-XX-DR-A-2117- GROUND FLOOR DETAILS INCLUDING RAISING THE FLOOR LEVEL – MAY 26<sup>TH</sup> 2017

AMENDED PLAN 15152-HL-XX-DR-A-2027-PROPOSED ELEVATIONS– 22<sup>ND</sup> MARCH 2017

15152-HL-XX-DR-A-3000-Dormer\_Window\_Detail-S2-P02

15152-HL-XX-DR-A-3001-Billiard\_Rooflight\_Detail-S2-P01

15152-HL-XX-RP-A-External\_repair\_schedule-S2-P02

BIN STORE – AMENDED PLAN RECEIVED 24<sup>TH</sup> MAY 2017

AMENDED FLOOD RISK ASSESSMENT AND MITIGATION STRATEGY RECEIVED 02.05.2017

*Reason: To define the consent and ensure that a satisfactory form of development is obtained.*

3. The development hereby approved shall be carried out in full accordance with the All About Trees Bat Building Survey validated on the 14<sup>th</sup> December 2016.

*Reason: To conserve protected species and their habitat in accordance with the objectives of part 11 of the NPPF.*

4. The compound for the bin storage area shall be implemented in accordance with the approved details before any apartment is occupied.

*Reason – In the interest of visual amenity in accordance with Policies Q16, E6, E22 and E23 of the City of Durham Local Plan 2004.*

5. Before the development commences full details of any sound proofing measures and associated remediation works between the apartments shall be submitted to the Local Planning Authority and approved in writing. The sound proofing and any associated remediation works shall then be implemented before the apartments are occupied.

*Reason – In the interests of aural amenity and to protect the fabric of the listed building in accordance with Policies Q8, U14 and E23 of the City of Durham Local Plan 2004.*

6. Before the development commences a detailed acoustic report, carried out by a competent person in accordance with BS 8233: 2014, on the existing noise climate at the development site shall be submitted to the Local Planning Authority and approved in writing. (The aim of the report will be to establish whether sound attenuation measures are required to protect future residents from the transference of noise). In the event that the acoustic report finds that the guideline values set out in the above British standard would be exceeded a scheme of sound attenuation measures shall be submitted to the Local Planning Authority and approved in writing. The approved sound attenuation measures shall then be implemented before the apartments are occupied.

*Reason – In the interests of aural amenity and to protect the fabric of the listed building in accordance with Policies Q8, U14 and E23 of the City of Durham Local Plan 2004.*

7. The finished floor levels of the north west apartment shall be set no lower than 36.8m above the Ordnance Datum (AOD), and this shall be fully implemented prior to the occupation of this apartment.

*Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with Part 10 of the NPPF*

### **Conditions for DM/16/03942/LB**

1. The works to which this consent relates must be begun not later than the expiration of three years beginning with the date on which the consent is granted.

*Reason: In accordance with Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.*

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

Design and Access Statement

1000\_Location Plan\_P01

15152-HL-XX-DR-A-1003-Existing\_Site\_Plan-S2-P02

2000\_HL\_Existing Plans\_P03

15152-HL-XX-DR-A-2017-Existing\_Elevations-S3-P01

AMENDED PLAN 15152-HL-XX-DR-A-2100- PROPOSED BASEMENT AND FIRST FLOOR PLAN – 26TH May 2017

AMENDED PLAN 15152-HL-XX-DR-A-2101-P PROPOSED FIRST FLOOR PLAN– 26<sup>th</sup> May 2017

AMENDED PLAN 15152-HL-XX-DR-A-2102- PROPOSED SECOND FLOOR AND ATTIC PLAN– 26<sup>TH</sup> MAY 2017

AMENDED PLAN 15152-HL-XX-DR-A-2104-PROPOSED ROOF PLAN – 26<sup>TH</sup> MAY 2017

AMENDED PLAN 15152-HL-XX-DR-A-2027-PROPOSED ELEVATIONS– 22<sup>ND</sup> MARCH 2017

Proposed Door schedule

15152-HL-XX-DR-A-2024-Door\_Schedule\_Basement&GF\_Plan-S2-P03

15152-HL-XX-DR-A-2025-Door\_Schedule\_01&Mezz\_Plan-S2-P03

15152-HL-XX-DR-A-2026-Door\_Schedule\_02\_Plan-S2-P03

15152-HL-XX-DR-A-2028-Door\_Existing Elevations-S2-P01

15152-HL-XX-SH-A-Door\_Schedule-S2-P02

Email of Tue 28/03/2017 clarifying doors to be used in the schedule and with the attachments clarifying the velux roof lights and internal door details.

15152-HL-XX-DR-A-3000-Dormer\_Window\_Detail-S2-P02

15152-HL-XX-DR-A-3001-Billiard\_Rooflight\_Detail-S2-P01

15152-HL-XX-RP-A-External\_repair\_schedule-S2-P02

AMENDED PLAN 15152-HL-XX-DR-A-2027-PROPOSED ELEVATIONS– 22<sup>ND</sup> MARCH 2017

Altered partitions

15152-HL-XX-DR-A-2109-PARTITIONSPLASTERP. – GROUND FLOOR PARTITIONS SPECIFICATION.. 26<sup>TH</sup> May 2017

15152-HL-XX-DR-A-2110-. - FIRST FLOOR PARTITION – 26<sup>TH</sup> May 2017

15152-HL-XX-DR-A-2111-SECOND FLOOR PARTITION - 26<sup>th</sup> May 2017

15152-HL-XX-DR-A-2112- ATTIC PARTITION - 26<sup>TH</sup> may 2017

Ceiling Details

15152-HL-XX-DR-A-2113– GROUND FLOOR CEILINGS – 26<sup>TH</sup> May 2017

15152-HL-XX-DR-A-2114- FIRST FLOOR CEILINGS – 26<sup>TH</sup> MAY 2017

15152-HL-XX-DR-A-2115- SECOND FLOOR CEILING PLAN – 26<sup>TH</sup> MAY 2017

15152-HL-XX-DR-A-2116- ATTIC CEILING PLAN – 26<sup>TH</sup> MAY 2017.

BIN STORE – AMENDED PLAN RECEIVED 24<sup>TH</sup> MAY 2017

AMENDED FLOOD RISK ASSESSMENT AND MITIGATION STRATEGY RECEIVED 02.05.2017

*Reason: To define the consent and ensure that a satisfactory form of development is obtained.*

3. The development hereby approved shall be carried out in full accordance with the All About Trees Bat Building Survey validated on the 14<sup>th</sup> December 2016.

*Reason: To conserve protected species and their habitat in accordance with the objectives of part 11 of the NPPF.*

4. The compound for the bin storage area shall be implemented in accordance with the approved details before any apartment is occupied.

*Reason – In the interest of visual amenity in accordance with Policies Q16, E6, E22 and E23 of the City of Durham Local Plan 2004.*

5. Before the development commences full details of any sound proofing measures and associated remediation works between the apartments and on external fenestrations shall be submitted to the Local Planning Authority and approved in writing. The sound proofing and any associated remediation works shall then be implemented in accordance with the approved details before the apartments are occupied.

*Reason – In the interests of aural amenity and to protect the fabric of the listed building in accordance with Policies U14, Q8 and E23 of the City of Durham Local Plan 2004.*

6. The finished floor levels of the north west apartment shall be set no lower than 36.8m above the Ordnance Datum (AOD), and this shall be fully implemented prior to the occupation of this apartment.

*Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with Part 10 of the NPPF*

---

## **STATEMENT OF PROACTIVE ENGAGEMENT**

---

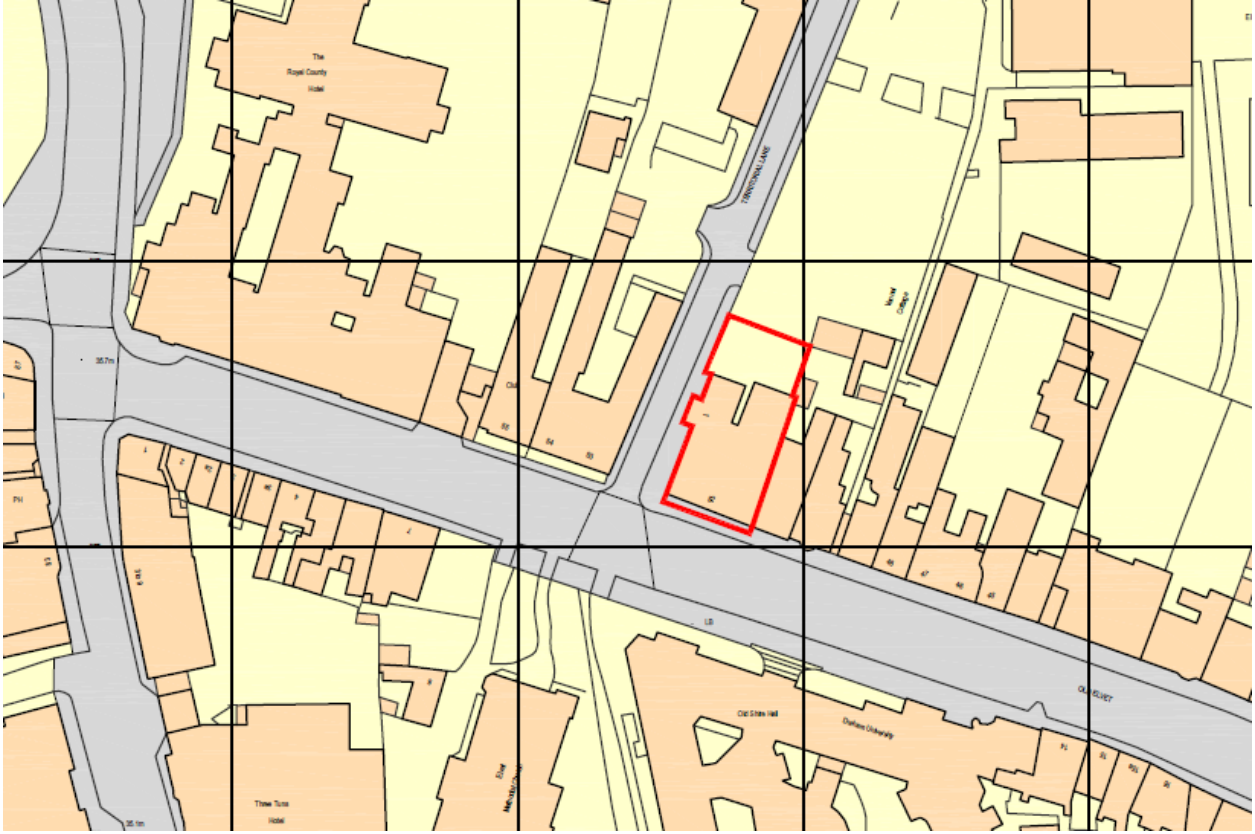
The Local Planning Authority in arriving at its decision to approve the application has, without prejudice to a fair and objective assessment of the proposals, issues raised and representations received, sought to work with the applicant in a positive and proactive manner with the objective of delivering high quality sustainable development to improve the economic, social and environmental conditions of the area in accordance with the NPPF. (Statement in accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.)

---

## **BACKGROUND PAPERS**

---

Submitted Application Forms, Plans and supporting documentation  
City of Durham Local Plan 2004  
National Planning Policy Framework  
Internal consultee responses  
Public responses  
Responses from statutory and other consultees  
National Planning Policy Guidance



**Planning Services**

**Adaptation of existing building to provide 12 individual apartments with 3 dormer windows on the rear and internal and external alterations. (Amended plans)**

This map is based upon Ordnance Survey material with the permission of Ordnance Survey on behalf of Her Majesty's Stationary Office © Crown copyright.  
 Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceeding.  
 Durham County Council Licence No. 100022202 2005

**Date**  
**April 2017**