

**CITY OF DURHAM**  
**DEVELOPMENT CONTROL COMMITTEE**

**14 May 2008**

**REPORT OF THE HEAD OF PLANNING SERVICES**

**Reports for Information**

Members are asked to note that reports in relation to the following items are placed in the Members Room in the Town Hall: -

1. **Notice of Outcome of Planning / Enforcement Appeals which have been lodged with the Council**
  - a) Appeal by O2 (UK) Ltd  
Site at Highway Verge A690, land to north of West View, Meadowfield, Durham
  - b) Appeal by Mr And Mrs Curry  
Site at 5 Dryburn Park, Framwellgate Moor, Durham, DH1 5AD
2. **Planning Applications – Determined under Plenary Powers**
3. **Building Control Applications – Determined under Plenary Powers**
4. **Decisions made by the County Council**

<b>Applicant No:</b>	CM4/08/213
<b>Applicant:</b>	Belmont Cheveley Park Primary School
<b>Location:</b>	Belmont Cheveley Park Primary School, Scardale Way, Belmont, Durham, DH1 2TZ
<b>Proposal:</b>	Erection of parent waiting shelter

The above application was considered by the City Council under delegated powers on 4 April 2008 when it was resolved to raise no objection.

Durham County Planning Committee has now considered the proposal and resolved to approve the application subject to conditions.

**Recommendation:**

That the report be noted.

### 3. Recommendation on other Applications

The applications on the following pages will raise issues, which merit some detailed comment. I set out below a summary together with my recommendations:

Number And Applicant	Location	Proposal	Recommendation
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#### ITEM 1

07/00999/FPA Moordale (North East) Ltd	Land Off Wylam Terrace Coxhoe Durham	Erection of 12no.dwellinghouses with associated access and landscaping	<b>Approve</b>
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#### ITEM 2

08/00099/FPA Mr And Mrs I Johnson	High Meadows Hillcrest High Shincliffe Durham DH1 2PQ	Demolition of existing dwelling, garage and outbuildings and erection of 4 no. two storey detached dwellings with detached garages	<b>Approve</b>
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#### ITEM 3

07/00193/FPA Mr G Wren	Land Adjacent To The West Border Of Kelloe Law Plantation Durham	Change of use of land to form touring caravan park, including siting of 2 no. mobile homes, facilities block, site building, sewage treatment plants, circulation roads and new vehicular access (revised and resubmitted)	<b>Approve</b>
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#### ITEM 4

08/00249/FPA 08/00250/LB & 08/00251/CAC  Durham Modern Homes Ltd	103-105 Gilesgate Durham DH1 1JA	Internal and external alterations in association with change of use and conversion of existing buildings to form 6 no. one bedroom apartments including demolition of outbuilding to rear, erection of two storey pitched roof extension to rear of existing building and retention of existing retail unit with reduced floorspace (resubmission)	<b>Approve</b>
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**ITEM 1**

<b>07/00999/FPA</b> <b>Moordale (North East) Ltd</b>	<b>Land Off Wylam Terrace, Coxhoe, Durham</b> <b>Erection of 12 no. dwellinghouses with associated access and landscaping</b>
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**SITE AND APPLICATION DESCRIPTION**

The application relates to an amalgamation of areas of former garden/paddock land at the rear of Wylam Terrace, Parkhill, Coxhoe. Containing small domestic garden type structures such as sheds and garages on parts of the land, it is mostly grassed, and in parts overgrown, with scrub and trees taking over parts. A section of land at the eastern side of the site contains numerous trees. The land is in a number of private ownerships.

The principal access to the site is from Westlands, an unadopted road running along the southern boundary, whose maintenance is the responsibility of existing residents. Similarly and unadopted vehicular highway runs along the north-eastern boundary of the site, this forming the back-lane of the residential streets of Wylam Terrace and St Mary's Terrace. The rear elevations of these properties face across the back lane, and in some case small outbuildings, their front elevations facing across the A177 and the current bypass upgrade works. The south east, borders a recently constructed bungalow and garage, which runs parallel with the site, beyond which are the terraced dwellings of Clarence Street and their gardens. Westlands to the south of the site is predominantly bungalows of varying designs. These dwellings are set below the height of the site and the access road to the land falls gently to the south. North west, are a variety of different dwellings at Holmfield Villas, including bungalows and two-storey properties.

This application proposes the erection of twelve dwellings, with access taken from the communally maintained highway serving Westlands, some dwellings directly, and some from a new cul-de-sac highway serving the development. The proposed dwellings are a mix of bungalows and dormer bungalows, with a 'feature' property at the development's 'entrance'. A small area of communal landscaping is proposed for the centre of the site

**RELEVANT HISTORY**

Outline planning permission was granted in 2004 for the erection of four dwellings on part of the site. A subsequent application in 2006 for the entirety of the site was refused on the basis of the effects the development would have had on the privacy and amenity that existing residents could reasonably expect to enjoy, and that elements of the site were classed as 'greenfield' land, albeit members considered that the residential development of the land had potential, subject to a scheme of an appropriate design, density and layout.

**POLICIES****NATIONAL POLICIES**

Planning Policy Statement 1: Delivering Sustainable Development sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system. There is a strong emphasis on design quality and improvement of spaces in this document.

Planning Policy Statement 3, Housing sets out the government's aspirations for the provision of such through the planning system, including the need to create a range of housing types and opportunities, both in terms of type and tenure, to help create balanced, sustainable communities. The preference for the development of green-field over brown-field land is also outlined.

Planning Policy Statement 9: Biodiversity and Geological Conservation sets out planning policies on protection of biodiversity and geological conservation through the planning system.

Planning Policy Guidance Note 13: Transport, seeks to promote more sustainable transport choices, and reduce the need to travel, especially by car.

Planning Policy Guidance Note 16: Archaeology and Planning, seeks to make clear the obligations of developers and Local Planning Authorities on development sites with an archaeological potential.

### ***REGIONAL POLICY***

Currently in draft form, the Regional Spatial Strategy for the North East (RSS) sets out the broad spatial development strategy for the North East region for the period of 2004 to 2021. When adopted, the RSS will set out the region's housing provision and the priorities in economic development, retail growth, transport investment, the environment, minerals and waste treatment and disposal. Some policies have an end date of 2021 but the overall vision, strategy, and general policies will guide development over a longer timescale.

This document reinforces national guidance in respect of the re-use of previously developed land and buildings, requiring Local Authorities to achieve 60% of new housing on 'brownfield' sites by 2008. Policies are also included to ensure incorporation of alternative energy production methods to reduce carbon emissions.

### ***LOCAL PLAN POLICIES***

Policy H3 relates to new housing development within the villages. Windfall development of previously developed land will be permitted in the villages provided that it is appropriate in scale, design, location and number of units to the character of the settlement. Proposals must also not result in the loss of areas which have important visual, functional or environmental attributes that contribute to the settlement's character. Policy H3 also advises that the development of greenfield sites is not normally permitted except in exceptional circumstances. However, the limited development of sites of less than 10 units and under 0.33 hectares in size will be permitted in the coalfield villages most in need of regeneration provided that; there are clear, quantifiable regeneration benefits that will be achieved through the development of small greenfield sites.

Policy E5A states that development proposals within settlement boundaries that detract from open spaces which possess important functional, visual or environmental attributes, which contribute to the settlement's character or to the small scale character of an area, will not be permitted.

Policy Q8 sets out the Council's standards for the layout of new residential development. Amongst other things, new dwellings must be appropriate in scale, form, density and materials to the character of their surroundings. The impacts upon the occupants of existing nearby properties should be minimised and adequate standards of privacy should be provided for new residents. The policy justification text sets out some specific minimum facing distance guidelines.

Policy H13 states in its criterion that planning permission will not be granted for new development or changes of use which have a significant adverse effect on the character or appearance of residential areas, or the amenities of residents within them.

Policy R2 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.

Policy E24 seeks to protect or make provision for survey of archaeological deposits on development sites.

Policy T1 states 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.

Policy T10 seeks to limit the amount of vehicle parking off the public highway to promote sustainable transport choices and reduce the land-take of development.

Policy U8a requires developments to provide satisfactory arrangements for disposing foul and surface water drainage. 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.

The above represents a summary of those policies considered most relevant in the Local Plan, with the full text, criteria, and justifications of each available in the City of Durham Local Plan, 2004, which may be accessed at [www.durhamcity.gov.uk](http://www.durhamcity.gov.uk).

## **REPRESENTATIONS**

### ***STATUTORY RESPONSES***

The County Highway Authority raise no objection to the proposals, subject to detailed improvements to ensure the scheme is suitable for adoption. They also require that no dwelling be occupied until the section of road between the current boundary of adoption, at the junction of Holmfild Villas, and the junction leading into the proposed development be improved to adoption standards, improving the highway both for the development and existing dwellings.

The County Archaeologist notes that the potential for archaeological remains on this largely undisturbed site could be quite high, and suggest a condition requiring an agreed phased programme of archaeological works, including evaluation and mitigation strategies should consent be granted.

Northumbrian Water and the Environment Agency have both objected to the development of the site, with the development being sited beyond the extent of the current foul and surface water drainage system, not designed to be extended until 2010. With a septic tank arrangement being proposed in the scheme by the applicants, each of these two agencies indicated a potential to withdraw its objection, but on grounds not acceptable to the other. The architect has eventually reached a compromise acceptable to each, whereby the majority of the development, i.e. that not already benefiting from a planning approval will not be occupied until the local sewerage capacity is upgraded to a level that can accept it.

Durham Bat Group has indicated that the site is unlikely to contain bat roosts, albeit bats may forage in the area.

## **PUBLIC RESPONSES**

Objections and representations have been received from eight local residences. Major concerns relate to the question of drainage, and particularly the consequences of the use of septic tanks, with the bungalows opposite set at a lower level than the proposed development. Of equal concern are the vehicular implications of the development – at current a reasonably narrow private road maintained by the residential properties that front it. The increase in traffic proposed, and a perceived inadequacy in parking provision is considered unacceptable. Maintenance and upkeep are discussed, as well as the potential for unauthorised traffic accessing the A177 past the legal cul-de-sac of Clarence Street (bollards are suggested). The relationship of a parking area to the bungalow bordering the site to the south is raised, but not by the occupant of that property.

Some residents do not consider the relative amenity distances to have improved since the previous scheme, and there is some discussion on the accuracy of the application – a question relating to the presence of trees on site has been completed incorrectly – and the descriptions used, in particular the definitions of a bungalow a dormer bungalow and two-storey house. The site is considered 'rural' rather than derelict as described by the applicants, by one correspondent.

One contributor claims the land is subject to covenants preventing residential development.

Reference is made to the terms of the previous refusal, and the greenfield/brownfield status of the land, this being considered still valid by objectors.

## **PLANNING CONSIDERATIONS**

The planning application relates to an amalgam of land that has been in different ownerships, and subject to different management regimes. The current planning application actually relates to the area of the site best described as 'greenfield', with the remaining parcels of land containing a variety of structures of varying ages, uses and conditions. Some of these areas are maintained, some effectively abandoned. The greenfield/brownfield status of the land therefore is subject to debate as regards the overall site, with a balance that may be swayed by the specifics of the proposals.

This application has had a long gestation period, as the issue of drainage has been attempted to be resolved. The site is effectively 'off the end' of the existing sewage network, with a moratorium on extensions to it until the Local Sewage Treatment Works (STW) has been upgraded – a project planned for 2010. The application was originally submitted with a scheme to provide foul drainage by septic tank, which addressed the problem of connection to the sewage network, but raised fears from the residents of the bungalows opposite, whose properties sit at a lower level, and an objection from the Environment Agency, given the proximity of a nearby watercourse, and an objection in principle to non-mains drainage in areas served by a sewage network. After much negotiation, Northumbrian Water have agreed to honour their previous agreement to accommodate the four properties previously approved, with agreement that the remaining dwelling may be added to the system once the STW upgrade is complete. A condition that should the application be approved, none of the remaining properties be occupied until connected to the mains sewerage system satisfies Northumbrian Water and the Environment Agency, and effectively overcomes residents concerns and objections relating to the proposed use of septic tanks.

The scheme has generated a number of objections relating to highways matters. Whilst physically served by a metalled access road, the various surfaces on that road indicate it to be beyond the extent of the adopted highway, and in the maintenance responsibility of the various existing residents that front it. The applicant has indicated, from the start, an intention to upgrade this highway to a standard suitable for adoption. The agreements with those parties currently responsible for its upkeep is outside the remit of a planning application, and an issue the applicants will need to address separately if successful with this application. The County Highway Authority has indicated that this upgrading is possible, and note that such works will improve conditions for existing dwellings. The detailed changes they sought as part of their consultation response have been addressed by the architect, and this element is seen as a potential benefit from the scheme. The request of residents of Clarence Street for alterations to their cul-de-sac as part of this scheme is considered too remote to be a reasonable imposition on the applicant. The County Highway Authority is satisfied with the car parking provision and layout proposed, and any refusal on these grounds is considered unsustainable.

Whilst only one residential unit has been lost from the previous scheme, the new proposed layout is such that the specific relationships between the various units proposed are now considered to meet the guidelines set out in the Local Plan, to an acceptable level. The closest residential property, is a large detached residential dormer bungalow at 7 Holmfield Villas, with a second storey of accommodation in that building overlooking the site. Whilst the single storey scale element of proposed unit 11 accommodates a bedroom in its roof, with windows omitted from this elevation, and the potential of a condition to remove permitted development rights for any additional windows to be added at a later date, the relationship is comparable to that of a single storey structure, and considered acceptable. A similar condition to remove permitted development rights for extensions will further maintain the acceptable residential relationships of existing and new properties.

Each of the proposed dwellings incorporates an area of private amenity space, and a small area of communal space has been included, which could be included in any calculations for the monies required in lieu of the overall requirement. The development is considered to offer the potential for a high quality characterful development, of a type of residential development rarely offered – being a mix of detached and semi-detached bungalows and dormer bungalows, complimenting the form of the surrounding neighbourhood in line therefore with the aspirations of PPS3, Housing. The unusual tower feature at the entrance of the estate divides opinion, but is considered by officers to be a ‘quirky’ and attractive feature that would give the development identity.

The existing trees on site, a mixture of self-sown and the remains of garden specimens including eucalyptus and beech, are not considered to be in a location, or of such intrinsic value that they could justify formal protection. Condition on any approval would require a full landscaping scheme be submitted and programmed before development works began. Whilst the land may provide feeding areas for bats, the age of the structures and trees on site are unlikely to provide roosts.

The legal covenant referred to by one objector must be addressed separate from the planning system by the developer and his agents.

A condition as requested can meet the requirements of the County Archaeologist.

Officers consider that the scheme represents a potentially positive development opportunity for an area of land that at present does not contribute a positive functional, visual or environmental feature to the local environment, whilst the type of accommodation proposed, and the upgrade of the highway leading to the site provide for tangible benefits for the general and local communities. The policy relating to new development in the villages, encourages the use of previously developed land, and in villages such as Coxhoe allows the development of greenfield sites of less than ten units where there are clear, quantifiable

regeneration benefits. Whilst the application proposes 11 units, four have already been approved, and, as noted above, there is a case that the land may be considered to have a substantive brownfield element. Given the general presumption in favour of development, and these potentially overlapping arguments, Members may consider that a development of the quality and specific benefits referred to in this report, justifies the benefit of any doubt in policy terms.

## RECOMMENDATION

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

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
2. Notwithstanding the information shown on the submitted application details of all materials to be used externally and the standard of their finish shall be submitted to and approved by the Local Planning Authority in writing before the development is commenced, and thereafter implemented in accordance with the approved scheme.
3. Details of any fences, walls or other means of enclosure to be erected on any of the site boundaries or within the site shall be submitted to and approved by the Local Planning Authority in writing before development commences. Development shall thereafter be completed in accordance with the approved details.
4. Notwithstanding the information shown on the submitted plans details of the surface treatment of all vehicle hardstanding areas shall be submitted to and approved in writing by the Local Planning Authority before work commences, and thereafter implemented in accordance with the approved scheme.
5. No development shall take place until a scheme showing the means by which foul sewage and surface water generated as a result of the development are to be catered for has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall thereafter be carried out in accordance with the approved details before any part of the development is occupied.
6. The first four dwellings completed on site may be occupied in completion, and the formal discharge of all other conditions. The fifth to eleventh dwellings may only be occupied when the scheme is connected to the main drainage system, following the upgrade of the Sewage Treatment Works which relates to this part of Coxhoe (scheduled for 2010).
7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any order revoking or re-enacting that order, no windows, rooflights, dormers or additional means of fenestration (other than those expressly authorised by this permission) shall be erected at any time without the grant of further specific permission from the Local Planning Authority.
8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any order revoking or re-enacting that Order, no extensions shall be constructed at any time to the dwelling house(s) without the grant of further specific permission from the Local Planning Authority.
9. The development permitted by this planning permission shall not be initiated by the undertaking of a material operation as defined in section 56(4)(a)-(d) of the



Town and Country Planning Act 1990 in relation to the development, until a planning obligation pursuant to section 106 of the said act relating to the land has been made and lodged with the Local Planning Authority and is to that Authority's approval. The said obligation will make provision (in accordance with the requirements of the Supplementary Planning Document 'Provision of Public Art as Part of Major New Development Schemes' (2006)) for the format, detail and implementation of an installation of public art on a site to be identified and agreed in writing with the Local Planning Authority.

10. Notwithstanding the information shown on the submitted plans, no development shall be commenced until details of the means of access, including the layout, construction, and sight lines to be provided have been submitted to and approved in writing by the Local Planning Authority, and the building(s) hereby permitted shall be occupied only provided the approved access has been constructed, in accordance with the approved plans and specifications.
11. No development shall take place until a scheme for the parking of vehicles visiting the site has been submitted to and approved in writing by the Local Planning Authority.
12. No dwelling on site shall be occupied until the section of road between the current boundary of adoption at Holmfield Villas, and the junction leading into the proposed development has been improved to adoption standards.
13. Before any development is commenced the approval of the Local Planning Authority is required in writing to a scheme of landscaping and tree planting for the site indicating, inter alia, the number, species, heights on planting and positions of all the trees, together with details of post planting maintenance. Such scheme as approved by the Local Planning Authority shall be carried out in its entirety within a period of 12 months beginning with the date on which development is commenced, or within such longer period as may be agreed in writing with the Local Planning Authority. All trees, shrubs and bushes shall be maintained by the owner or owners of the land on which they are situated for the period of five years beginning with the date of completion of the scheme and during that period all losses shall be made good as and when necessary, unless the Local Planning Authority gives written consent to any variation.
14. No development shall take place until the applicant has secured the implementation of an agreed programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority. Said scheme must include evaluation and mitigation (as appropriate), and the publication of results.
15. The development permitted by this planning permission shall not be initiated by the undertaking of a material operation as defined in section 56(4)(a)-(d) of the Town and Country Planning Act 1990 in relation to the development, until a planning obligation pursuant to section 106 of the said act relating to the land has been made and lodged with the Local Planning Authority and is to that Authority's approval. The said obligation will provide a financial sum, calculated in accordance with the requirements of Appendix 3 of the City of Durham Local Plan, towards local facilities in lieu of the provision of open and play space within the application site, this sum taking into account the area of open space included within the layout of the proposed scheme.

## **BACKGROUND PAPERS**

Submitted Application Forms and Plans

Design and Access Statement

Planning Policy Guidance/Planning Policy Statements (PPS1, PPS3, PPS9, PPG13, PPG16)

Regional Planning Guidance (RPG1) Draft Regional Spatial Strategy

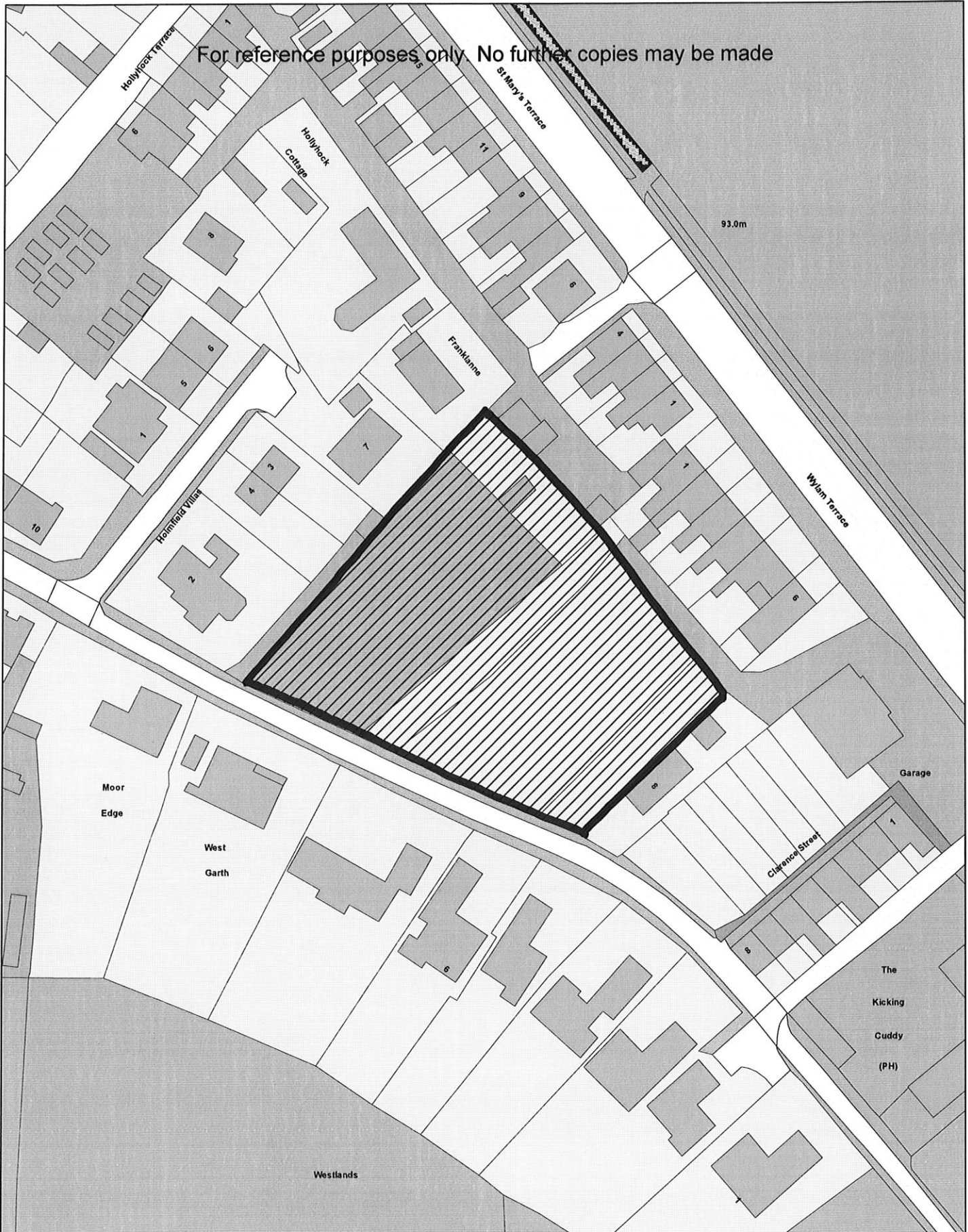
City of Durham Local Plan 2004


Responses from Statutory Consultees

Public Consultation Responses

Various File Notes and Correspondence

For reference purposes only. No further copies may be made



 <b>City of Durham</b>	<b>Planning Services</b>		Application No. 4/07/00999/FPA Land Off Wylam Terrace, Coxhoe		
	<b>Comments</b>				
<small>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 City Council Licence No. 100022202 2005.</small>		<b>Date</b>	06 May 2008	<b>Scale</b>	1:1000



**ITEM 2**

<b>08/00099/FPA</b>	<b>High Meadows, Hillcrest, High Shincliffe, Durham, DH1 2PQ</b>
<b>Mr And Mrs I Johnson</b>	<b>Demolition of existing dwelling, garage and outbuildings and erection of 4 no. two storey detached dwellings with detached garages</b>

**SITE AND APPLICATION DESCRIPTION**

The application site comprises an L-shaped plot of land extending to some 0.144ha and which is occupied by a modest two-storey detached dwelling with associated garage and outbuildings. Access to the site is provided off Hillcrest, an estate road serving a large number of existing properties in this predominantly residential area at the northern end of the village. The dwelling itself is positioned around 50m back from the street frontage. Aside from the dwelling itself the site forms a well-landscaped garden with a number of semi-mature trees and hedging to boundaries.

Planning permission is sought to demolish the existing dwelling and associated buildings and erect 4 no. two-storey detached dwellings on the site. A single dwelling would be positioned towards the front of the site fronting Hillcrest itself, while three further dwellings would be positioned parallel to the sites western boundary. Three of the dwellings would have 3 no. bedrooms while a fourth would have 4 no. bedrooms as well as a detached single garage. The properties themselves would be constructed of brick and tile. A communal bin store for use on collection days would be positioned at the forwardmost part of the site for ease of collection.

Since the submission of the application, the scheme has been amended by the applicant's agent in order to address concerns expressed by local residents.

**RELEVANT HISTORY**

None

**POLICIES*****NATIONAL POLICIES***

Planning Policy Statement 1: Delivering Sustainable Development sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system.

Planning Policy Statement 3: Housing underpins the delivery of the Government's strategic housing policy objectives and our goal of ensuring that everyone has the opportunity to live in a decent home, which they can afford in a community where they want to live.

Planning Policy Guidance note 13: Transport has objectives to integrate planning and transport at the national, regional, strategic and local level and to promote more sustainable transport choices both for carrying people and for moving freight. It also aims to promote accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling and to reduce the need to travel, especially by car.

## **REGIONAL POLICY**

Regional Planning Guidance for the North East (Regional Planning Guidance Note 1) reinforces national guidance in respect of the re-use of previously developed land and buildings, requiring Local Authorities to achieve 60% of new housing on 'brownfield' sites by 2008.

A revised draft Regional Spatial Strategy for the North East is emerging and has recently been the subject of examination in public and subsequent proposed changes have been published. In accordance with paragraph 4.19 of PPS12: Local Development Frameworks, where an examination in public has taken place and the proposed changes have been published, considerable weight may be attached to that strategy because of the strong possibility that it will be published in that form by the Secretary of State.

## **LOCAL PLAN POLICIES**

Policy E14 (Protection of Existing Trees and Hedgerows) sets out the Council's requirements for considering proposals which would affect trees and hedgerows. The loss of ancient woodland will not be permitted. Tree preservation orders will be designated as necessary. Development proposals will be required to retain areas of woodland, important groups of trees, copses and individual trees and hedgerows wherever possible and to replace trees and hedgerows of value which are lost.

Policy E22 (Conservation Areas) sets out that development which detracts from the character and appearance of a conservation area or its setting will not be permitted.

Policy H3 (New Housing Development within the Villages) Policy H3 states that new housing development comprising of previously developed land will be permitted within the settlement boundaries provided that it is appropriate in scale, design, location and number of units to the character of the settlement and does not result in development of areas which possess important functional, visual or environmental attributes.

Policy H10 (Backland and Tandem Development) sets out that such development will not be permitted unless a safe and satisfactory access is provided, the amenities of existing and prospective occupiers are not adversely affected and finally, that the development would be in keeping with surrounding development.

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

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

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

Policy Q3 (External Parking Areas) requires all external parking areas to be adequately landscaped, surfaced, demarcated, lit and signed. Large surface car parks should be subdivided into small units. Large exposed area of surface, street and rooftop parking are not considered appropriate.

Policy Q5 (Landscaping – General Provision) sets out that any development which has an impact on the visual amenity of an area will be required to incorporate a high standard of landscaping.

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

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.

## **REPRESENTATIONS**

### ***STATUTORY RESPONSES***

The County Highway Authority have commented on both the submitted and amended plans and have raised no objection to the proposals, finding that the vehicular access is suitable to serve the development, and that the layout and parking within the site are adequate.

Northumbrian Water Limited has no objections to the proposals.

### ***INTERNAL RESPONSES***

None

### ***PUBLIC RESPONSES***

The application has been the subject of significant consultation, including re-consultation following the submission of amended plans by the applicant's agent.

There is widespread objection to the scheme among the local community. A total of 25 letters have been received (including a number from single addresses), and while it would be impossible to provide an entire account of the content of each individual letter, a summary of the content is provided below.

A number of issues raised are common to the majority of objections. Primarily, there is significant concern in relation to highway issues, in terms of the additional traffic generated from the development given the proximity of the access to a sharp bend along Hillcrest/Heathways. Concern is raised that the level of parking will be insufficient and lead to increased parking on Hillcrest/Heathways which already suffers from congestion. Significant concern has been raised in relation to the ability or otherwise, of fire appliances and vehicles of a similar size to enter and egress the site.

The layout, scale, appearance, density and landscaping of the site as a whole have met with objection. Generally, objectors consider that the scheme is too dense and represents an overdevelopment of the site, while the properties themselves have a scale and design which would be at odds with the character of surrounding development. In addition, concern is raised as to the impact of the development upon the adjacent Shincliffe Conservation area, also referred to in correspondence as Durham Conservation Area.

Residential amenity issues in terms of overlooking and resultant privacy loss and overshadowing from insufficient separation distances are common among responses received. In addition, concerns in relation outlook are raised, in so far as some adjacent residents will have an outlook toward four houses at closer proximity than the existing single dwelling. Adjacent occupiers are also concerned at the level of noise and disturbance which would result from vehicular movements into and around the application site.

Other issues raised were with regards to the loss of the boundary hedging around the site and the capacity of the existing sewage network to meet the additional demand.

Responses to a re-consultation exercise following the submission of amended plans indicated that while some issues raised in initial letters had been addressed, generally, people's concerns fundamentally remain.

Shincliffe Parish Council has objected to the scheme raising issues in relation to: loss of privacy; tandem development; highway safety; the scale, design, density and layout; and, impact upon sewage capacity.

## **PLANNING CONSIDERATIONS**

The main issues relate to the principle of development, whether visual and residential amenity would be significantly adversely affected and whether there would be detriment to highway safety, together with interests of foul and surface water disposal and landscaping.

The existing dwelling and its curtilage fall within the definition of previously-developed land as set out at Annex B of PPS3 and therefore, in accordance with Policy H3, the site comprises windfall development of previously-developed land and the redevelopment of the site is acceptable in principle, provided that the scale, design, location and number of units is appropriate to the character of the settlement.

In terms of the layout of the site, a new access would be provided into the site adjacent to The Uplands, alongside which one dwelling would be positioned. This property would share a building line with The Uplands and Nos 40 and 41 Hill Meadows. Toward the rear of the site three further dwellings would be positioned with their rear elevations facing towards Hill Meadows at a slightly oblique angle. This layout is such that it would constitute both backland and tandem development, and Policy H10 sets out specific criteria for such proposals. Primarily, they relate to scale and character, residential amenity and highway issues.

In terms of scale and character, each dwelling within the site would be of two-storey's and detached in nature, and they would be constructed of facing brickwork with concrete roof tiles. Surrounding development is almost, without exception, of two-storey's and is a mix of both detached and semi-detached. The dwellings would have an eaves height of 5.3m and a ridge height of around 7.85m. By way of comparison, properties in Hill Meadows are around 5.2m and 7.4m respectively, and those in Hillcrest are 5.3m and 8.2m, respectively. The roof pitch and overall height of the proposed dwellings is entirely in scale with dwellings in the surrounding area. In terms of the footprint, the dwelling positioned forwardmost within the site and of most prominence has a footprint in the region of 56sq m, and while surrounding dwellings vary in scale, this is directly comparable and in some cases larger than a number of the dwellings in Hill Meadows, for example.



In terms of density of the proposed development, it is some 27.7 dwellings per hectare (dph). Surrounding development is very similar: the four dwellings opposite the access to the site (No.s 6 to 9 Heathways) are some 33dph; the four dwellings to the south of the site (No.s 37 to 40 Hill Meadows) are 32dph; and finally, the four dwellings at the rear of the application site (No.s 28 to 31 Hill Meadows) are 23dph. The proposed development would not therefore introduce a density of development incongruous with its surroundings, contrary to representations from local residents. Therefore, in terms of layout, scale, design and density, the scheme is entirely appropriate to the area and will not be to the detriment of visual amenity and accords fully with relevant criteria contained within Policies H3, H10 and Q8, and objections made on such grounds cannot, it is considered, be substantiated. In terms of implications for Shincliffe Conservation area, it is considered that, its setting will not be compromised by the development, particularly given the residential surroundings of the site, and therefore there will be no conflict with Policy E22.

Objectors are concerned that the scheme will result in overlooking and resultant privacy loss and in some cases overshadowing by reason of insufficient separation standards. Policy Q8 of the Local Plan sets out in detail the required separation distances, which in this case include 21m between facing elevations with habitable rooms and 13m between blank gables to two-storey elevations containing habitable rooms. The relationship between the proposed dwellings and those surrounding is such that the elevations do not face one another directly, and this, it is considered, assists in reducing the impact of the development for existing residents. In any event, the distances achieved between plots 3 and 4 and No.s 29 and 28 Hill Meadows, respectively, are at least 21m, and similarly the distance to the rear of The Uplands is some 26m from the front of plot 4. The gable of plot 2 is well in excess of 13m from the facing rear elevations of No.s 32 to 38 Hill Meadows. Plot 1 and No. 40 Hill Meadows has the most intimate relationship, and involves the rear elevation of No. 40 looking obliquely at plot 1 at a minimum distance of 15m, in excess of the 13m required by Policy Q8.

Whilst the development will clearly have an impact upon this property in terms of outlook, it is considered that the distance is sufficient that the occupiers of both the existing dwelling and the prospective occupiers will not be significantly adversely affected by the relationship that the refusal of the application could be justified and sustained. However, in order to ensure that the privacy and amenity of surrounding residents is not compromised in the future, it would, in the circumstances be appropriate to remove permitted development rights covering alterations such as extensions and the insertion of windows and rooflights.

In terms of the objection from the occupiers of The Uplands in relation to noise and disturbance from vehicular movements, it is considered that while undoubtedly three additional dwellings within the site will result in additional traffic being generated, it is considered that it would not reach a level that there would be unreasonable noise and disturbance for those occupiers, especially given that the dwelling itself is some 11m from the access road. Therefore, it is considered that the residential amenity of both existing and prospective occupiers will not be compromised by the scheme, being in accordance with Policies H10, H13, T1 and Q8 in this regard.

In terms of issues of highway safety, the scheme has not been met with an objection from the County Highway Authority. The scheme itself would introduce a new access with widened visibility splay and is of sufficient width to allow two vehicles to pass. The access is in close proximity to a bend in Heathways, which itself dictates that traffic speeds are relatively low, and when combined with the likely level of traffic that the scheme would generate at any one time, is such that it would give rise to minimal hazards and as such there would not be any detriment to highway safety in this regard. The scheme would provide nine parking spaces in total, two for each three bedroom dwelling and three spaces for the four bedroom dwelling. This level, while being above the maximum specified at Policy T10, is such that there is unlikely to be any significant demand for occupiers or visitors to park outside of the site to the detriment of highway users.

Therefore, it is considered that the scheme would not be to the detriment of highway safety, and would accord with Policies H10, T1 and Q8. A number of residents concerns in relation to highway layout within the site and the ability for a fire appliance to service plot 4 have been met through amendments.

Turning now to issues of landscaping, the site is largely bound by a mature hedge and it is considered that this contributes to the character of the area, and its retention is shown on the plans and should be reinforced through a planning condition, in accordance with Policy E14. How the hedge would ultimately be managed in communal areas would be a civil matter between occupiers and not one over which planning control could be exercised. Additionally, it is considered that a landscaping scheme would be appropriate within the site to soften the parking areas and also to act as a screen around the bin store area at the front of the site. The bin store would be used only on actual collection days, as it would be far easier for prospective occupiers to move waste in a wheeled bin than in a number of bags.

Finally, objectors are concerned that the foul sewage network has insufficient capacity to meet the additional demand which the scheme will bring. However, Northumbrian Water Limited are satisfied that there is sufficient capacity available and raise no objection. The use therefore of existing soakaways and connections to the public foul sewer is considered acceptable and accords with Policy U8a.

In summary, whilst local residents are strongly opposed to the proposals, they nonetheless represent efficient and effective use of previously-developed land and through a scheme which is entirely in scale and character with surrounding development and without compromise to residential amenity or highway safety, and accordingly, Officers are able to support the application.

## **RECOMMENDATION**

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

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans and specifications and the details agreed through the conditions of this planning permission.
3. Notwithstanding the information shown on the submitted application details of all materials to be used externally and the standard of their finish shall be submitted to and approved by the Local Planning Authority in writing before the development is commenced, and thereafter implemented in accordance with the approved scheme.
4. Details of any fences, walls or other means of enclosure to be erected on any of the site boundaries or within the site shall be submitted to and approved by the Local Planning Authority in writing before development commences. Development shall thereafter be completed in accordance with the approved details.
5. Notwithstanding the information shown on the submitted plans details of the surface treatment of all vehicular access and hardstanding areas shall be submitted to and approved in writing by the Local Planning Authority before work commences, and thereafter implemented in accordance with the approved scheme.

6. Before any development is commenced the approval of the Local Planning Authority is required in writing to a scheme of landscaping and tree planting for the site indicating, inter alia, the number, species, heights on planting and positions of all the trees, together with details of post planting maintenance. Such scheme as approved by the Local Planning Authority shall be carried out in its entirety within a period of 12 months beginning with the date on which development is commenced, or within such longer period as may be agreed in writing with the Local Planning Authority. All trees, shrubs and bushes shall be maintained by the owner or owners of the land on which they are situated for the period of five years beginning with the date of completion of the scheme and during that period all losses shall be made good as and when necessary, unless the Local Planning Authority gives written consent to any variation.
7. The existing hedges on the site shall be retained as shown on drawing no. 155:07/01 rev D and shall not be removed without the written consent of the Local Planning Authority. Any hedging removed without such consent or dying or being severely damaged or becoming seriously diseased shall be replaced in the same position with the same species and, as nearly as possible, of the same maturity as those removed having regard for current arboricultural practice.
8. Before any development is commenced details of a scheme to ensure an adequate means of screening is provided around the communal bin store shall be submitted to and approved in writing by Local Planning Authority, and thereafter implemented and retained in accordance with the approved scheme.
9. Notwithstanding the provisions of Article 3 and Classes A, B, C of Part 1 and Class A of Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 none of the categories of development described therein shall be carried out on the site without an application for planning permission having been first made to and approved in writing by the Local Planning Authority.
10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any order revoking or re-enacting that order, no additional windows or rooflights (other than those expressly authorised by this permission) shall be inserted at any time without the grant of further specific permission from the Local Planning Authority.
11. Notwithstanding the provisions of Article 3 and Class F of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, or any order revoking or re-enacting that order, no provision for a hard surface, other than those expressly authorised by this permission, shall be permitted at any point beyond the forwardmost part of the dwellinghouse facing a highway without the grant of further specific permission from the Local Planning Authority.

## **BACKGROUND PAPERS**

Submitted Application Forms and Plans  
Design and Access Statement  
Planning Policy Statements 1 and 3  
Planning Policy Guidance note 13: Transport  
Regional Planning Guidance for the North East (RPG1)  
Draft Regional Spatial Strategy for the North East  
City of Durham Local Plan 2004  
Responses from County Highway Authority and Northumbrian Water Limited  
Response from Shincliffe Parish Council

Public Consultation Responses  
Various File Notes and Correspondence

For reference purposes only. No further copies may be made

Torquilstone

HILLCREST

Old School House

High Meadows

The Uplands

HILL MEADOWS

El Sub Sta

pond House

croft



City of Durham

Planning Services

Application No. 4/08/00099/FPA

High Meadows, Hillcrest, High Shincliffe

Comments

Date

06 May 2008

Scale

1:1000

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**ITEM 3**

<b>08/00193/FPA</b>	<b>Land Adjacent To The West Border Of Kelloe Law Plantation Durham</b>
<b>Mr G Wren</b>	<b>Change of use of land to form touring caravan park, including siting of 2 no. mobile homes, facilities block, site building, sewage treatment plants, circulation roads and new vehicular access (revised and resubmitted)</b>

**SITE AND APPLICATION DESCRIPTION**

The application relates to a parcel of land adjacent to the western border of Kelloe Law Plantation to the east of Town Kelloe.

The application seeks to change the use of the land to form a touring caravan park. The proposed caravan park shall provide space for 29 caravans arranged around a circular road within the site.

Buildings shall be located within the south of the site with 2 no. mobile homes, amenity block and an ancillary building providing reception/shop/office, storage and work space. The mobile homes are envisaged to measure a maximum of 12m x 6m. The amenity building shall be of green wooden clad construction and shall measure 9m x 4.5 x 3.25m high. The ancillary building shall be a prefabricated structure measuring 9m x 12m x 3.8m high.

The caravan park is to be served by a package sewage treatment plan located within the west of the site. The park layout plan indicates a children's play area within the centre of the site and a general recreation area within the south of the site.

**RELEVANT HISTORY**

08/00008/FPA - Creation of touring caravan park, including siting of 2no mobile houses and site building, sewage treatment plants, circulation roads and new vehicular access – Withdrawn - 13.02.2008

04/00958/FPA - Erection of four wind turbines of total height to blade tip of 76 metres, and associated control building, external transformer housing, and road access arrangements – Refused - 15.12.2004 (Approved at Planning Appeal)

**POLICIES****NATIONAL POLICIES**

Planning Policy Statement 1: Delivering Sustainable Development sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system.

Planning Policy Statement 7: Sustainable Development in Rural Areas: It sets out the Government's planning policies for rural areas, which local authorities should have regard to when preparing local development documents, and when taking planning decisions.

Planning Policy Statement 25: Development and Flood Risk: This PPS explains how flood risk should be considered at all stages of the planning and development process. It sets out

the importance of the management and reduction of flood risk in planning, acting on a precautionary basis and taking account of climate change.

Flood risk should be considered on a catchment - wide basis and where necessary across administrative boundaries, assuming the use of flood plains for their natural purpose rather than for inappropriate development.

The PPS says that susceptibility of land to flooding is a material planning consideration that the Environment Agency has the lead role in providing advice on flood issues, and that developers should fund flood defences, where they are required because of the development.

It introduces a risk-based search sequence giving priority to sites at lower risk and establishes a minimum standard of defence for new development that takes account of the likely impact of climate change.

Planning Policy Guidance 13: Transport: The objectives of this PPG are to integrate planning and transport at the national, regional, strategic and local level and to promote more sustainable transport choices both for carrying people and for moving freight. It also aims to promote accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling and to reduce the need to travel, especially by car.

Planning Policy Statement 9: Biodiversity and Geological Conservation sets out planning policies on protection of biodiversity and geological conservation through the planning system. These policies complement, but do not replace or override, other national planning policies and should be read in conjunction with other relevant statements of national planning policy.

## ***REGIONAL POLICIES***

Regional Planning Guidance for the North East RPG1 (now the emerging statutory Regional Spatial Strategy (RSS) builds on national guidance stating that sustainable economic growth should take place whilst balancing the provision of a range of opportunities for development with the protection of community interests and the environment. A range of employment sites should be provided to allow existing firms to expand and to cater for the varied needs of new businesses.

## ***LOCAL PLAN POLICIES***

Policy E7 (Development Outside Settlement Boundaries) advises that new development outside existing settlement boundaries will not normally be allowed. However, there are a number of exceptional circumstances where development outside existing settlement boundaries may be considered acceptable.

Policy V8 (Caravans, Camping and Chalets) states that planning permission shall be granted for such facilities provided that the site is suitably screened with the development causing no visual harm, no detriment to the amenity of neighbouring occupiers shall occur, the site is served by adequate infrastructure and transport routes and the development shall not cause congestion on the local road network.

Policy H5 (New Housing in the Countryside) only permits the development of new housing where all relevant criteria are met which ensure that all such development is essential and there is a clear, functional need.

Policy Q6 (Structural Landscaping) requires that exposed sites incorporate landscaping in order to minimise any adverse visual impacts.



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

Policy E17 (Sites of Special Scientific Interest) states that development which adversely affects an SSSI shall only be permitted if it is of over-riding national importance, the development cannot be located elsewhere and remedial measures are taken to minimise impacts.

Policy E18 (Sites of Nature Conservation Importance) shall be safeguarded and development detrimental to their nature shall only be permitted when the benefits of the proposal outweigh the nature conservation interest of the site, the development cannot be located elsewhere and remedial measures are taken to minimise impacts.

## **REPRESENTATIONS**

### ***STATUTORY RESPONSES***

County Highway Authority has commented on the application and are satisfied with the vehicular access and layout. The approach to the highway should not have a gradient steeper than 1 in 25 over a distance of 12m measured from the edge of the carriageway of the adopted highway.

### ***INTERNAL RESPONSES***

None

### ***PUBLIC RESPONSES***

Six letters of objection have been received raising the following points:

- Objectors consider that alcohol and entertainment licenses shall be gained to the detriment of the amenity of local residents.
- Objectors do not consider there is the need for the caravan park with a site already in existence at Strawberry Hill Farm 2 miles away.
- The site shall become a site for the “travelling community” or others who are not “recreational caravaners”.
- Objection raised to another business being set-up in the local area which already has several in existence and wind turbines close by.
- Objection raised at an increase in traffic on a road which is very dangerous for pedestrians and the increased traffic through the village.
- The site is located within the countryside where there is a general presumption against development.
- The proposal is contrary to Policy V7 of the Local Plan.
- The proposal shall cause an adverse impact upon the landscape.
- The site has poor infrastructure and is not located within a sustainable location and could cause trespassing onto adjacent land with an increase in potential for poaching and damage to property.
- The area is subject to flooding.
- The two mobile homes proposed is residential development in the countryside and contrary to Policy H5 with inadequate justification provided.
- The proposal shall have an adverse impact upon the nearby sites of special scientific interest and nature conservation importance.
- More suitable sites exist close to Southern Law Farm than the application site.
- A limited financial justification has been provided.

- Any application for new tourist accommodation should demonstrate a need and also demonstrate why no suitable alternative sites exist in close proximity to settlements and a better infrastructure.
- The lack of available public transport, footpaths and cyclepaths makes the proposal contrary to Policy V8.

## **PLANNING CONSIDERATIONS**

The site lies within the open countryside and is visible from the local road from which it is to be accessed. The site is bordered to the east by mature woodland in the form of Kelloe Law Plantation, the northern border comprises of a hawthorn hedgerow, the western border has a predominantly open aspect whilst the land sharply rises to the south. The plans indicate that additional landscaping shall be provided to the western and northern boundaries. Officers consider that although the caravan site shall be visible from the west and north, given the relatively small scale of the caravan site providing for up to 29 caravans, the mitigating impact of landscaping for which a condition is attached, that no significant detrimental impacts upon the character of the area is considered to occur in accordance with Policy V8. Points raised in objection letters make reference to impacts upon the Site of Nature Conservation Importance (SNCIs) and Site of Special Scientific Interest (SSSI) located at Town Kelloe Bank. However, officers consider that these sites at Town Kelloe Bank are located a distance of approximately 300m to the west. The application site is therefore not within either designated area of interest and officers consider that taking into account the nature of the proposal and distance from the SNCI and SSSI no significant detrimental impacts shall occur. Officers conclude that the impacts upon the landscape and character of this section of the district are acceptable.

The proposal seeks to provide two mobile homes within the site. National guidance within PPS7 makes it clear that new isolated housing within the countryside is only allowed where there is special justification. One of the few circumstances in which isolated residential development may be justified is when accommodation is required to enable agricultural, forestry and certain other full-time workers to live at, or in the immediate vicinity of, their place of work. Some letters of representation have stated that there is a lack of such justification for the two mobile homes within the submission. Officers acknowledge that the submitted application could have contained a more thorough and detailed justification, clearly demonstrating the requirement for the mobile homes and how Appendix A of PPS7 has been fully taken into account. However, the details submitted regarding the business itself are thorough and officers have no reason to believe that the proposed enterprise is not a genuine one capable of being sustained for a reasonable period of time. Given the nature of the enterprise where staff are required to be on site most, if not all of the time, officers consider that it is reasonable for the four main employees to reside within the two mobile homes. An occupancy condition is attached relating to the mobile homes.

The site is not immediately adjacent to any dwelling as such with the nearest being in excess of 400m away. As a result officers do not consider that the scheme shall cause any significant detrimental impacts upon the amenity of those residing in local dwellings such as excessive noise. Policy V7 is not applicable in this instance. A point raised in an objection is the prospect of trespassing into the adjacent plantation, damage to the property and poaching. Officers acknowledge the proximity of the site to the plantation and cannot provide any certain assurances that the objector's fears shall not be realised at some stage or another. However, officers also consider that the mere location of a caravan site adjacent to property in separate ownership does not necessarily mean that detrimental impacts of any form shall occur upon that neighboring occupier and officers see no evidence or have sound reasons to believe that from the submission of either objectors or the applicant that clear demonstrable harm to amenity or neighbouring land shall occur.

A key consideration relates to the impacts upon highway safety and congestion and these are issues raised within public representations. The previous application was withdrawn partly in response to objections raised from the Local Planning Authority relating to the proposed road structure. Following negotiations with the County Highway Authority details regarding the location, width and route of access and internal "loop" have been discussed and submitted. The caravan park itself is not of a particularly large scale with space for only 29 caravans. Despite the concerns expressed in some representations officers are satisfied that despite the caravan site being located off a "C" road the increase in vehicular traffic from the users, any visitors and employees shall not be excessive and shall not give rise to significant increases in congestion on the local road network nor lead to a significant detriment to the safety of other vehicles or pedestrians in the local area. The site is located within close proximity to the major road network namely the A1, A19 and A181. The supporting document submitted within the application makes reference to a public footpath located 320m from the site entrance and access road links to the national cycle network located 800m from the site at Wingate Nature reserve. Officers acknowledge that a bus route has been diverted away from the site and that the nearest available route is understood to be 800m away. Officers acknowledge that this reduction in bus service is not ideal. However, being a touring caravan site, users shall have vehicles on site. The applicant has suggested that the presence of visitors at the site could increase the likelihood of a diverted bus route better serving the site and this would be beneficial to the scheme. However, on balance taking into consideration the overall infrastructure including proximity to the main road network, distance to cycle paths footpaths and public transport officers consider that the proposal remains one with acceptable infrastructure and is adequately serviced by transport routes in accordance with Policy V8. In addition although the site is not located on the outskirts of a village, a shop is proposed on site which can provide essentials to users whilst other shops and facilities are located at Trimdon Grange and Kelloe. The availability and access to such services is considered acceptable though not ideal.

Previous application 08/00008/FPA was withdrawn in part following an objection from the Environment Agency relating to a lack of information regarding. Negotiations have since occurred with the Environment Agency and no objection has been raised on this occasion. A flood risk assessment in accordance with the requirements of Appendix E of PPS25 has been submitted. The site is located within a "Flood Risk Zone 1" which has the lowest probability of flooding of the flood zones and officers are satisfied that taking this into account, the layout of the caravan park and topography of the site that the likelihood of any significant flooding is satisfactorily low.

Since the withdrawal of the previous application and the submission of this pending application it is acknowledged that a small scale wind farm comprising of wind turbines has been erected to the south west. This existence of the wind turbines is raised in some representations and officers acknowledge that this presents a potential obstacle with regards to the popularity of the site with potential customers. Officers have discussed this with the applicant who firmly considers that there shall not be a significant detriment to the viability of the caravan park. A detailed supporting business plan has accompanied the application and officers do not consider that there is any substantive evidence that the enterprise is not capable of being sustained for a reasonable period of time.

Officers therefore support the application which is considered to accord with the requirements of Policies E7, V8, H5, Q6, T1, E17 and E18 of the City of Durham Local Plan 2004.

## RECOMMENDATION

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

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
2. The proposed mobile homes hereby approved shall, individually, not exceed a length of 12m, width of 6m and a height of 4m unless otherwise agreed in writing by the Local Planning Authority.
3. Before any development is commenced the approval of the Local Planning Authority is required in writing to a scheme of landscaping and tree planting for the site indicating, inter alia, the number, species, heights on planting and positions of all the trees, together with details of post planting maintenance. Such scheme as approved by the Local Planning Authority shall be carried out in its entirety within a period of 12 months beginning with the date on which development is commenced, or within such longer period as may be agreed in writing with the Local Planning Authority. All trees, shrubs and bushes shall be maintained by the owner or owners of the land on which they are situated for the period of five years beginning with the date of completion of the scheme and during that period all losses shall be made good as and when necessary, unless the Local Planning Authority gives written consent to any variation.
4. Details of any fences, walls or other means of enclosure to be erected on any of the site boundaries or within the site shall be submitted to and approved by the Local Planning Authority in writing before development commences. Development shall thereafter be completed in accordance with the approved details.
5. The internal road on approach to the access highway shall not have a gradient in excess of 1 in 25 over a distance of 12m measured from the edge of the carriageway of the adopted highway.
6. The occupation of the two mobile homes shall be limited to person(s) solely or mainly working, or last working, on the caravan park hereby approved, or a widow or widower of such a person, and to any resident dependants.
7. To ensure that a satisfactory form of development is obtained in accordance with Policies E7, V8, H5, Q6, T1, E17 and E18 of the City of Durham Local Plan 2004.

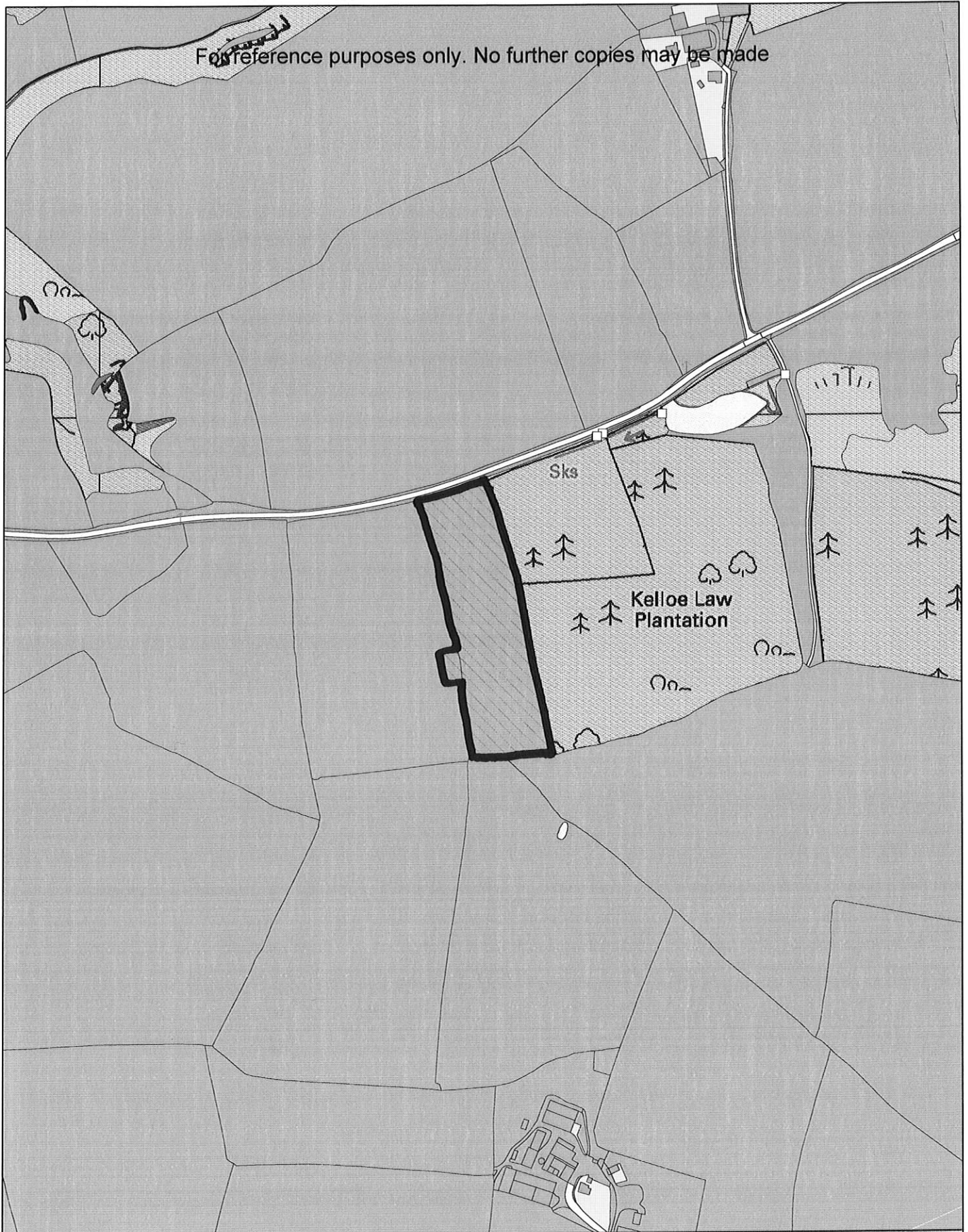
## BACKGROUND PAPERS

Submitted Planning Application Forms, Plans, Flood Risk Assessment, Supporting Document, Business Plan and Design and Access Statement  
City of Durham Local Plan 2004  
Regional Planning Guidance for the North East (RPG1)  
Regional Spatial Strategy for the North East (RSS)  
Planning Policy Statement 1: Delivering Sustainable Development  
Planning Policy Statement 7: Sustainable Development in Rural Areas  
Planning Policy Statement 25: Development and Flood Risk  
Planning Policy Guidance 13: Transport  
Planning Policy Statement 9: Biodiversity and Geological Conservation  
Statutory Consultation Responses  
Government Circular 11/95 (Use of Conditions)  
Government Circular 03/99 (Use of Non-Mains Sewerage)





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City of  
Durham

**Planning Services**

Application No. 4/08/00193/FPA

Land adjacent to the West Border of Kelloe Law Farm

**Comments**

**Date**

06 May 2008

**Scale**

1:5000

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**ITEM 4**

<b>08/00249/FPA 08/00250/LB &amp; 08/00251/CAC</b>	<b>103-105 Gilesgate, Durham, DH1 1JA</b>
<b>Durham Modern Homes Ltd</b>	<b>Internal and external alterations in association with change of use and conversion of existing buildings to form 6 no. one bedroom apartments including demolition of outbuilding to rear, erection of two storey pitched roof extension to rear of existing building and retention of existing retail unit with reduced floorspace (resubmission)</b>

**SITE AND APPLICATION DESCRIPTION**

The applications propose the conversion of 3 existing properties at nos. 103-105 Gilesgate, into 6 no. apartments. The application site currently forms one unit and is presently in use as a retail premises. The application site is situated within the central former 'street green' area of Gilesgate and forms a prominent frontage within the Durham (City Centre) Conservation Area, within which it is located. The site is bounded to the front by the principal access road through Gilesgate. Surrounding the site are a variety of uses, to the north and south is predominantly residential accommodation in the form of terraced properties and bungalows. To the east and west are further residential accommodation and a number of Local Centre uses, including a variety of A1, A2 and A3 uses. Many of these properties are Grade II Listed and possess a variety of architectural styles.

Properties 103-105 Gilesgate comprise three separate dwelling houses, circa 1700 to the late 18<sup>th</sup> early 19<sup>th</sup> Century. The properties feature a variety of building materials, including painted render, brick to the gables and rear, with roofs of Lakeland and Welsh Slate, and pantiles on the rear of no. 104. The building is constructed in an L-plan form, with each property featuring two storeys and two bays. A number of later extensions and structures are present to the rear of the properties, these vary in date with a two storey extension to the rear and two single storey shed structures within the rear garden area.

The three applications consist of a Full Planning Application, Listed Building Consent Application and Conservation Area Consent Application. However, due to the interconnected nature of these three applications they are being included together within one report.

The Full Planning Application relates to the change of use of the existing retail premises to form 6 no. two bed roomed apartments including demolition of outbuildings to the rear of the existing building and retention of a retail unit with a reduced level of floor space.

The Listed Building Consent Application relates to internal and external alterations within the Grade II Listed Buildings in association with change of use of the existing retail premises to form 6 no. apartments.

The Conservation Area Consent Application relates to the demolition of the 2 no. prefabricated outbuildings in association with the change of use, conversion and extension of the existing building.

## **RELEVANT HISTORY**

There are a number of previous planning applications in relation to this property, these are detailed below.

Three applications were received in the 1970's, these related to change of use of to retail unit and associated storage, removal of existing signs and display of 3 no. non-illuminated advertisements.

One application was received in the 1980's relating to change of use from storage to display of bathroom equipment.

Two applications were also received in the 1990's these related to the erection and display of non-illuminated projecting signs and two wall mounted signs.

An application was received in 2004 this related to external and internal alterations in connection with a change of use involving the creation of 6 residential flats and 1 retail unit.

Three applications were received in 2007, these related to the conversion of the existing retail premises into 10 no. residential units, with associated internal and external alterations including demolition of existing outbuildings.

## **POLICIES**

### ***NATIONAL POLICIES***

Planning Policy Statement 1: Delivering Sustainable Development sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system.

Planning Policy Statement 3: Housing. This PPG sets out the expectations of the Government for Local Planning Authorities considering the various aspects of development of new houses, including issues of sustainability, quality, mix, access to facilities and land supply.

Planning Policy Guidance note 15: Planning and the Historic Environment lays out government policies for the identification and protection of historic buildings, conservation areas, and other elements of the historic environment.

The frequently close link between controls over 'listed' buildings and conservation areas and development control decisions means that development and conservation generally need to be considered together. Part one of the PPG deals with those aspects of conservation policy which interact most directly with the planning system.

These include matters of economic prosperity, visual impact, building alterations, traffic and affect on the character of conservation areas. Part Two addresses the identification and recording of the historic environment including listing procedures, upkeep and repairs and church buildings.

Planning Policy Guidance Note 13: This PPG's objectives are to integrate planning and transport at the national, regional, strategic and local level and to promote more sustainable transport choices both for carrying people and for moving freight.

It also aims to promote accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling and to reduce the need to travel, especially by car.

To deliver these objectives, the guidance says that local planning authorities should actively manage the pattern of urban growth, locate facilities to improve accessibility on foot and cycle, accommodate housing principally within urban areas and recognise that provision for movement by walking, cycling and public transport are important but may be less achievable in some rural areas.

Planning Policy Guidance Note 13 also aims to ensure that in the design of individual developments; consider how best to reduce crime and the fear of crime, and seek by the design and layout of developments and areas, to secure community safety and road safety.

Planning Policy Guidance Note 16: Archaeology and Planning, seeks to make clear the obligations of developers and Local Planning Authorities on development sites with an archaeological potential.

## **REGIONAL POLICY**

Currently in draft form, the Regional Spatial Strategy for the North East (RSS) sets out the broad spatial development strategy for the North East region for the period of 2004 to 2021. When adopted, the RSS will set out the region's housing provision and the priorities in economic development, retail growth, transport investment, the environment, minerals and waste treatment and disposal. Some policies have an end date of 2021 but the overall vision, strategy, and general policies will guide development over a longer timescale.

This document reinforces national guidance in respect of the re-use of previously developed land and buildings, requiring Local Authorities to achieve 60% of new housing on 'Brownfield' sites by 2008. Policies are also included to ensure incorporation of alternative energy production methods to reduce carbon emissions.

A revised draft Regional Spatial Strategy for the North East is emerging and has recently been the subject of examination in public and subsequent proposed changes have been published. In accordance with paragraph 4.19 of PPS12: Local Development Frameworks, where an examination in public has taken place and the proposed changes have been published, considerable weight may be attached to that strategy because of the strong possibility that it will be published in that form by the Secretary of State. The RSS supports the principles of PPS3 in terms of planning for future households and the provision of a better mix of dwelling types and sizes, particularly in urban areas, as this has important social and economic implications for the future and is essential if the Region is to have a sustainable pattern of development.

## **LOCAL PLAN POLICIES**

The following policies from the City of Durham Local Plan 2004 are those thought most relevant to consideration of this application.

Policy E23 (Listed Buildings) states that the Council will seek to safeguard listed buildings and their settings.

Policy E6 (Durham (City Centre) Conservation Area) states that the character, appearance and setting of the Durham City Centre Conservation Area will be preserved or enhanced by encouraging all proposals to fulfil an identified set of requirements.

Policy E22 (Conservation Areas) states that the Council will seek to preserve or enhance the character or appearance of the Conservation Areas within the City of Durham District.

In Policy E16 the Council's requirements for nature conservation are set out, including the need to identify significant nature conservation interest, a requirement to avoid unacceptable harm to such, and mitigation measures where such harm is unavoidable.

Policy E14 (Protection of Existing Trees and Hedgerows) states that in considering proposals affecting Trees and Hedgerows the Council will require development proposals to retain areas of woodland, important groups of Trees, copses and individual trees and hedgerows wherever possible and to replace Trees and Hedgerows of value which are lost.

Policy H2 (New Housing Development within Durham City) states that new housing development comprising: windfall development of previously developed land and conversions will be permitted within the settlement boundary of Durham City.

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

Policy T1 (Traffic Generation) states 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 affect on the amenity of occupiers of neighbouring property.

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

Policy S5 (Local Centres) states that within the boundaries of the Local Centres as defined on the proposals map, development of Class A1 (shops), Class A2 (Service Uses) and Class A3 (Food and Drink outlets) will be permitted.

Policy Q1 (General Principles – Designing for People) states that the layout and design of all new development should take into account the requirements of users.

Policy Q5 states that any development that has an impact on the visual appearance of an area will be required to incorporate a high standard of landscaping within its overall design and layout.

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

Policy U8A identifies the requirements for accommodation of foul and surface drainage within development schemes.

The full text of these policies and their justification is available in the City of Durham Local Plan 2006.

## **REPRESENTATIONS**

### ***STATUTORY RESPONSES***

Responses have been received from the County Highway Authority who raised no objection to this proposal. The County Highway Authority objected to the scheme submitted in 2007 for the development of 10 no. residential apartments, commenting on the shortage of car parking in Gilesgate and the absence of on-site parking. They note, residents of flats within this area will need to be aware that car parking is unlikely to be available, and this will be noted on any approval certificate.

The County Archaeology Department raised no objection to the proposed development. However, it was suggested that a suitable condition to ensure the preservation by record of any archaeological remains is placed upon the development, if the Local Planning Authority are minded to grant permission.

### ***INTERNAL RESPONSES***

Responses have been received from the Development Plans Section who raised no objection to this proposal. The Development Plans Section objected to a similar scheme in 2004 for the development of 6 no. apartments and 1 retail unit, commenting on the loss of retail frontage within the existing Local Centre. They note that 'the proposal retains an A1 presence and given other A1 facilities already available in the centre it is not considered that the change of frontage would have a significant adverse impact on the retail character of the area'.

### ***PUBLIC RESPONSES***

Responses to date from two members of the public are detailed below.

Concerns were expressed by a number of residents, these related to the lack of parking within the proposed development, impact of increased traffic, impact of works access during the proposed conversion, including impact upon the existing road surface and an impact upon access to the neighbouring residential properties.

An objection was received from the Dunelm Vet Group relating to lack of parking provision in relation to the number of cars that such a development would generate, and the level of traffic generated.

### **PLANNING CONSIDERATIONS**

The applications propose the development of 6 no. residential apartments involving both conversion and extension of the existing properties, on a Brownfield (previously developed site).

Extensive pre-application discussions were undertaken prior to the submission of the previous 2007 applications. These discussions related to the overall design of the proposed extension to the rear of the properties. The design of the proposed two storey extension is intended to reflect that of a warehouse structure, with the proposed window openings and fenestration details providing a visual reference to the existing property. To the rear of numbers 103-105 Gilesgate is a large garden plot, with existing outbuildings in situ. The scale of the overall plot would therefore accommodate an extension of this scale, when viewed in context with its surroundings, whilst retaining an area of amenity space for the proposed residential development.

With regards to the internal layout of the proposed development, at present at ground floor level, the property retains a substantial element of compartmentalisation illustrating its original domestic scale and use. This compartmentalisation has been retained through its present retail use and provides a positive contribution towards the character and appearance of the Grade II Listed Buildings. The proposed alterations to the ground floor would retain this compartmentalization, whilst reinstating a number of internal walls that have been removed at a later date. The reinstatement of these walls and retention of original room proportions and chimney breasts, including reinstatement of a solid partition between no. 104 and 105 Gilesgate would be considered acceptable and would result in a positive impact upon the character and appearance of these listed properties.

The first floor area of the properties has featured a more substantial level of alteration. A number of the original room divisions have been removed, therefore reducing the compartmental nature of this level, resulting in a detrimental impact upon the character and quality of these Listed Buildings. The proposed internal alterations within this level involve the insertion of a number of partition walls, in order to create greater division between the first floor spaces. The proposed subdivision is considered appropriate, and would assist in returning this area to something resembling its former residential character, whilst respecting the original intended domestic scale of the property.

It is proposed to insert one additional staircase, to service Units 4. Insertion of this staircase, although requiring further intervention with the structure, is considered acceptable. These elements assist in reflecting the original individual character of the properties. It is suggested that conditions are attached relating to the detailing of the proposed internal alterations and insertions in order to preserve and enhance the character and appearance of the Grade II Listed properties.

A second, but equally important principal consideration in relation to this proposal is the impact upon the residential amenity of adjacent properties. This has been addressed through the insertion of new openings within the proposed extension, that would provide aspects over existing rear garden areas, both of the properties themselves, and those of adjacent properties. The position of openings locations has been carefully considered to reduce any potential overlooking issues in this compact residential area.

At present the garden plot to the rear of the properties is not maintained, with the existing out-buildings on site being in a dilapidated state, and requiring repair. These buildings are principally prefabricated structures, and their loss would therefore not be considered to have a detrimental impact upon the character, appearance or quality of the host property and its neighbours.

The conversion of the existing building, which originally formed residential accommodation is considered by officers to be appropriate, and would return the building to its original use, whilst ensuring that it is also retained for future generations. The remaining internal features and subdivisions will be complimented by works proposed by these applications that bring the buildings closer to their original layout.

Concerns raised by members of the public identified a perceived shortage of car parking in Gilesgate and the absence of on-site parking. The County Highway Authority's objection to the 2007 scheme has been overcome; officers therefore consider the potential for sustaining a refusal on highways grounds weak, whether on increased traffic generation, or lack of parking provision unsustainable. However, given the absence of car parking the scheme is one where occupants of the residential property may benefit from membership of a car club. A car club is a means where by members can gain quick and easy access to a car for a short term hire as and when needed without the need for outright ownership and the related implications of permanent parking. Such a scheme exists in Durham and it would be appropriate that a condition is imposed on any grant of a planning permission requiring the developer to make the facility available to future residents.

A Bat Survey was undertaken as part of the application in order to conduct a comprehensive assessment of the building, although the area is not identified as being at high risk of bats. The survey identified a 'worst case scenario' approach, and proposed a number of recommendations, these include; conducting 'confirming' emergence surveys during the main active season, a mitigation strategy based on the 'worst case scenario' including timing of works and providing access for bats into the loft space upon completion. It is also recommended that the existing outbuilding should be demolished outside of the hibernation period of November – march inclusive. It is suggested that if this application were to be approved a suitable condition be attached relating to the proposed mitigation recommendations identified within the Bat Survey Report.

An application was received for this site in 2004 (reference: 04/00848/FPA) and related to the change of use from retail to mixed use of residential and retail involving the creation of 6 residential flats and 1 retail unit. This application was at that time refused on the grounds of Policy S5 (C) which relates specifically to Gilesgate Local Centre. The loss of A1 retail frontage proposed within that application was considered to be such that it would result in 'an unacceptable loss of A1 frontage in the Gilesgate Local Centre without commensurate A1 development and would therefore result in the retail character of the local centre being undermined'. This application proposes a similar loss in retail frontage, whilst retaining a smaller retail unit on site. Policy S5c seeks to encourage the retention of the retail character of the centre, most specifically from loss of A2 and A3 uses. A change of use to a residential use is not ruled out, i.e. para. 7.39 suggests that infill housing will be acceptable if it does not erode the supply of land available for shopping or community facilities. The Gilesgate Local Centre is small and includes a wide mix of uses, including residential, filling station, recreational facilities and offices. Current A1 frontage is at about 30% of the centre's total but this includes a supermarket and a bakers. The proposal retains an A1 presence and given other facilities already available in the centre it is not considered by officers that the change of frontage would have a significant adverse impact on the retail character of the area. As such the loss of A1 frontage is considered acceptable in policy terms.

As set out above, the residential use is not ruled out in Local Centres. Policy H2 allows conversions provided the site is not safeguarded for another use. In this context the site is in a local centre, but for the reasons identified the residential use is considered by officers to be acceptable in principal.

In conclusion it is considered that in relation to the Full Planning Application this represents an appropriate proposal that features a high quality level of design that would be appropriate to the Durham City Centre Conservation Area within which the site is located. Advice provided by the County Highway Authority identifies that the scheme is acceptable. Officers consider that the scheme is in accordance with both national and local planning policies, and on this basis, subject to appropriate conditions, the scheme is recommended for approval by officers.

In relation to the Listed Building Consent Application it is considered that the proposed internal and external alterations and erection of an additional two storey structure will both preserve and enhance the character and appearance of the Grade II Listed Buildings. Officers consider that the scheme is in accordance with both national and local planning policies and subject to appropriate conditions; the scheme is recommend for approval by officers.

With regard to the Conservation Area Consent Application the demolition of the two existing outbuildings, in association with the above Full Planning Application would result in a positive impact upon the character and appearance of the Durham City Centre Conservation Area. Officers consider that the scheme is in accordance with both national and local planning policies, and on this basis, and subject to suitable conditions ensuring a suitable development is erected, the scheme is recommended for approval by officers.

## **RECOMMENDATION**

That the applications for Planning Permission, Listed Building Consent and Conservation Area Consent all be **APPROVED** subject to the following conditions:

4/08/00249/FPA

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.

2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans and specifications.
3. Notwithstanding the information shown on the submitted application details of all materials to be used externally and the standard of their finish shall be submitted to and approved by the Local Planning Authority in writing before the development is commenced, and thereafter implemented in accordance with the approved scheme.
4. That notwithstanding the information shown on the submitted plans precise details of all new fenestration, glazing and head and cill details shall be submitted to and agreed in writing with the Local Planning Authority prior to development commencing and thereafter implemented in accordance with the approved scheme.
5. Notwithstanding the information shown on the submitted plans the proposed windows shall be set at least 100mm in reveal in accordance with details which shall be submitted at 1:20 scale, and approved in writing by the Local Planning Authority before the development commences, and thereafter implemented in accordance with the approved scheme.
6. Notwithstanding the information shown on the submitted plans details of the design of the sash windows shall be submitted at scale 1:20 and approved in writing by the Local Planning Authority before the development commences and thereafter implemented in accordance with the approved scheme.
7. Notwithstanding the information shown on the submitted plan, full joinery details, to include details of proposed doors, staircases etc, drawn to a scale of 1:20 shall be submitted to and approved in writing by the Local Planning Authority before the development commences and thereafter implemented in accordance with the approved scheme.
8. Notwithstanding the information shown on the submitted plans the ^IN; shall be finished with a ^IN; painted coating in accordance with the approved scheme.
9. No development shall take place until a scheme showing the means by which foul sewage and surface water generated as a result of the development are to be catered for has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall thereafter be carried out in accordance with the approved details before any part of the development is occupied.
10. Before development is commenced details of all flues, vents, and extracts shall be submitted to, and approved in writing by the Local Planning Authority, being thereafter implemented to the satisfaction of the said Authority.
11. Notwithstanding the information shown on the submitted plans, a detailed joinery section of the proposed windows, drawn to a scale of 1:5 shall be submitted to, and approved in writing by the Local Planning Authority, before development commences, being thereafter implemented to the satisfaction of the said Authority.
12. Notwithstanding the information shown on the submitted plans, full details of the proposed rainwater goods, to include a section, details of materials, hoppers and junctions, and existing sections to be retained, shall be submitted to, and approved in writing by the Local Planning Authority before development commences, being thereafter implemented to the satisfaction of the said Authority.



13. Notwithstanding the information shown on the submitted plans details of the surface treatment of all vehicle hardstanding areas shall be submitted to and approved in writing by the Local Planning Authority before work commences, and thereafter implemented in accordance with the approved scheme.
14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any order revoking or re-enacting that Order, no satellite antenna shall be installed, altered or replaced on the dwellinghouse(s) or within its/their curtilage(s) without the grant of further specific permission from the Local Planning Authority.
15. Notwithstanding the information shown on the submitted plans no development shall be commenced until a plan showing the provision for loading, unloading and parking of vehicles within the site has been submitted to and approved in writing by the Local Planning Authority. Subject to such approval the building(s)/ change of use hereby permitted shall only be occupied/ brought into effect providing that such provision has been made and thereafter implemented in accordance with the approved scheme.
16. Before any development is commenced the approval of the Local Planning Authority is required in writing to a scheme of landscaping and tree planting for the site indicating, inter alia, the number, species, heights on planting and positions of all the trees, together with details of post planting maintenance. Such scheme as approved by the Local Planning Authority shall be carried out in its entirety within a period of 12 months beginning with the date on which development is commenced, or within such longer period as may be agreed in writing with the Local Planning Authority. All trees, shrubs and bushes shall be maintained by the owner or owners of the land on which they are situated for the period of five years beginning with the date of completion of the scheme and during that period all losses shall be made good as and when necessary, unless the Local Planning Authority gives written consent to any variation.
17. The existing trees and hedges on the site shall be retained and shall not be felled, lopped or topped without the written consent of the Local Planning Authority. Any trees removed without such consent or dying or being severely damaged or becoming seriously diseased shall be replaced in the same position with trees of the same species and, as nearly as possible, of the same maturity as those removed having regard for current arboricultural practice.
18. That before development commences, agreement shall be reached with the Local Planning Authority regarding those trees, shrubs and hedges which shall be retained. These shall be properly fenced off from those parts of the land to be developed and shall remain so protected, to the satisfaction of the said Authority, until the cessation of building works. Details of this fencing shall be submitted to and approved in writing by the Local Planning Authority.
19. No machinery or power tools shall be operated on the premises on any Sunday or Bank Holiday or between the hours of ^IN; and ^IN; on any other day.
20. Before the advertisement(s) hereby approved is/are displayed, the existing advertisement(s) on the ^IN; of the building shall be removed, and shall not thereafter be displayed without the grant of further specific consent from the Local Planning Authority.

21. Notwithstanding the information shown on the submitted plans precise details of the proposed pipe work runs, method of attachment of pipe work, associated materials and equipment proposed shall be submitted at scale 1:100 and approved in writing by the Local Planning Authority prior to development commencing, and thereafter implemented in accordance with the approved plans.
22. Notwithstanding the information shown on the submitted plans the building hereby approved shall be constructed with flush pointed verges to the main walls and shall avoid the use of barge boards.
23. Notwithstanding the information shown on the submitted plans precise details of a section through the proposed blind windows drawn to a scale of 1:20, to include details of the proposed reveal, shall be submitted to and approved in writing by the Local Planning Authority before the development commences and thereafter implemented in accordance with the approved scheme.
24. Notwithstanding the information shown on the submitted plans precise details of the proposed design and position of the bin store shall be submitted at scale of 1:20, and approved in writing by the Local Planning Authority before the development commences and thereafter implemented in accordance with the approved scheme.
25. The Conclusions and recommendations of the 'Bathroom Shop, 103-105 Gilesgate, Durham, Bat Survey, October 2007', of Barry Anderson Environmental Biologists paras. E1.1 – E5 must be carried out in full before development work commences. If the development works do not take place within a period of 12 months of this consent, a further, up to date investigation must be carried out and submitted to the Council, and approved in writing by them before works commence.
26. Demolition/alterations shall be carried out in a manner to be agreed in writing with the Local Planning Authority and the said Authority shall be informed immediately of any concealed feature which is revealed by such works. Such features shall be retained if the said Authority so requires.
27. No development shall take place until the applicant has secured the implementation of an agreed programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.
28. Before occupation of any of the residential units hereby approved the applicant shall provide written details of a scheme and method to provide future occupants of the building with access to membership of a car sharing club. The scheme shall thereafter be implemented in accordance with the agreed details.

4/08/00250/LB

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans and specifications.

3. Notwithstanding the information shown on the submitted application details of all materials to be used externally and the standard of their finish shall be submitted to and approved by the Local Planning Authority in writing before the development is commenced, and thereafter implemented in accordance with the approved scheme.
4. That notwithstanding the information shown on the submitted plans precise details of all new fenestration, glazing and head and cill details shall be submitted to and agreed in writing with the Local Planning Authority prior to development commencing and thereafter implemented in accordance with the approved scheme.
5. Notwithstanding the information shown on the submitted plans the proposed windows shall be set at least 100mm in reveal in accordance with details which shall be submitted at 1:20 scale, and approved in writing by the Local Planning Authority before the development commences, and thereafter implemented in accordance with the approved scheme.
6. Notwithstanding the information shown on the submitted plans details of the design of the sash windows shall be submitted at scale 1:20 and approved in writing by the Local Planning Authority before the development commences and thereafter implemented in accordance with the approved scheme.
7. Notwithstanding the information shown on the submitted plan, full joinery details, to include details of proposed doors, staircases etc, drawn to a scale of 1:20 shall be submitted to and approved in writing by the Local Planning Authority before the development commences and thereafter implemented in accordance with the approved scheme.
8. Notwithstanding the information shown on the submitted plans the external access staircase and lifting joist shall be finished with a black painted coating in accordance with the approved scheme.
9. Before development is commenced details of all flues, vents, and extracts shall be submitted to, and approved in writing by the Local Planning Authority, being thereafter implemented to the satisfaction of the said Authority.
10. Notwithstanding the information shown on the submitted plans, a detailed joinery section of the proposed windows, drawn to a scale of 1:5 shall be submitted to, and approved in writing by the Local Planning Authority, before development commences, being thereafter implemented to the satisfaction of the said Authority.
11. Notwithstanding the information shown on the submitted plans, full details of the proposed rainwater goods, to include a section, details of materials, hoppers and junctions, and existing sections to be retained, shall be submitted to, and approved in writing by the Local Planning Authority before development commences, being thereafter implemented to the satisfaction of the said Authority.
12. Notwithstanding the information shown on the submitted plans details of the surface treatment of all vehicle hardstanding areas shall be submitted to and approved in writing by the Local Planning Authority before work commences, and thereafter implemented in accordance with the approved scheme.

13. Before any development is commenced the approval of the Local Planning Authority is required in writing to a scheme of landscaping and tree planting for the site indicating, inter alia, the number, species, heights on planting and positions of all the trees, together with details of post planting maintenance. Such scheme as approved by the Local Planning Authority shall be carried out in its entirety within a period of 12 months beginning with the date on which development is commenced, or within such longer period as may be agreed in writing with the Local Planning Authority. All trees, shrubs and bushes shall be maintained by the owner or owners of the land on which they are situated for the period of five years beginning with the date of completion of the scheme and during that period all losses shall be made good as and when necessary, unless the Local Planning Authority gives written consent to any variation.
14. The existing trees and hedges on the site shall be retained and shall not be felled, lopped or topped without the written consent of the Local Planning Authority. Any trees removed without such consent or dying or being severely damaged or becoming seriously diseased shall be replaced in the same position with trees of the same species and, as nearly as possible, of the same maturity as those removed having regard for current arboricultural practice.
15. That before development commences, agreement shall be reached with the Local Planning Authority regarding those trees, shrubs and hedges which shall be retained. These shall be properly fenced off from those parts of the land to be developed and shall remain so protected, to the satisfaction of the said Authority, until the cessation of building works. Details of this fencing shall be submitted to and approved in writing by the Local Planning Authority.
16. Notwithstanding the information shown on the submitted plans precise details of the proposed pipe work runs, method of attachment of pipe work, associated materials and equipment proposed shall be submitted at scale 1:100 and approved in writing by the Local Planning Authority prior to development commencing, and thereafter implemented in accordance with the approved plans.
17. Notwithstanding the information shown on the submitted plans the building hereby approved shall be constructed with flush pointed verges to the main walls and shall avoid the use of barge boards.
18. Notwithstanding the information shown on the submitted plans precise details of a section through the proposed blind windows drawn to a scale of 1:20, to include details of the proposed reveal, shall be submitted to and approved in writing by the Local Planning Authority before the development commences and thereafter implemented in accordance with the approved scheme.
19. Notwithstanding the information shown on the submitted plans, the windows within the existing Listed Buildings shall not be removed without agreement in writing by the Local Planning Authority prior to development commencing.
20. Notwithstanding the information shown on the submitted plans precise details of the proposed design and position of the bin store shall be submitted at scale of 1:20, and approved in writing by the Local Planning Authority before the development commences and thereafter implemented in accordance with the approved scheme.
21. Demolition/alterations shall be carried out in a manner to be agreed in writing with the Local Planning Authority and the said Authority shall be informed

immediately of any concealed feature which is revealed by such works. Such features shall be retained if the said Authority so requires.

22. No development shall take place until the applicant has secured the implementation of an agreed programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.

4/08/00/251CAC

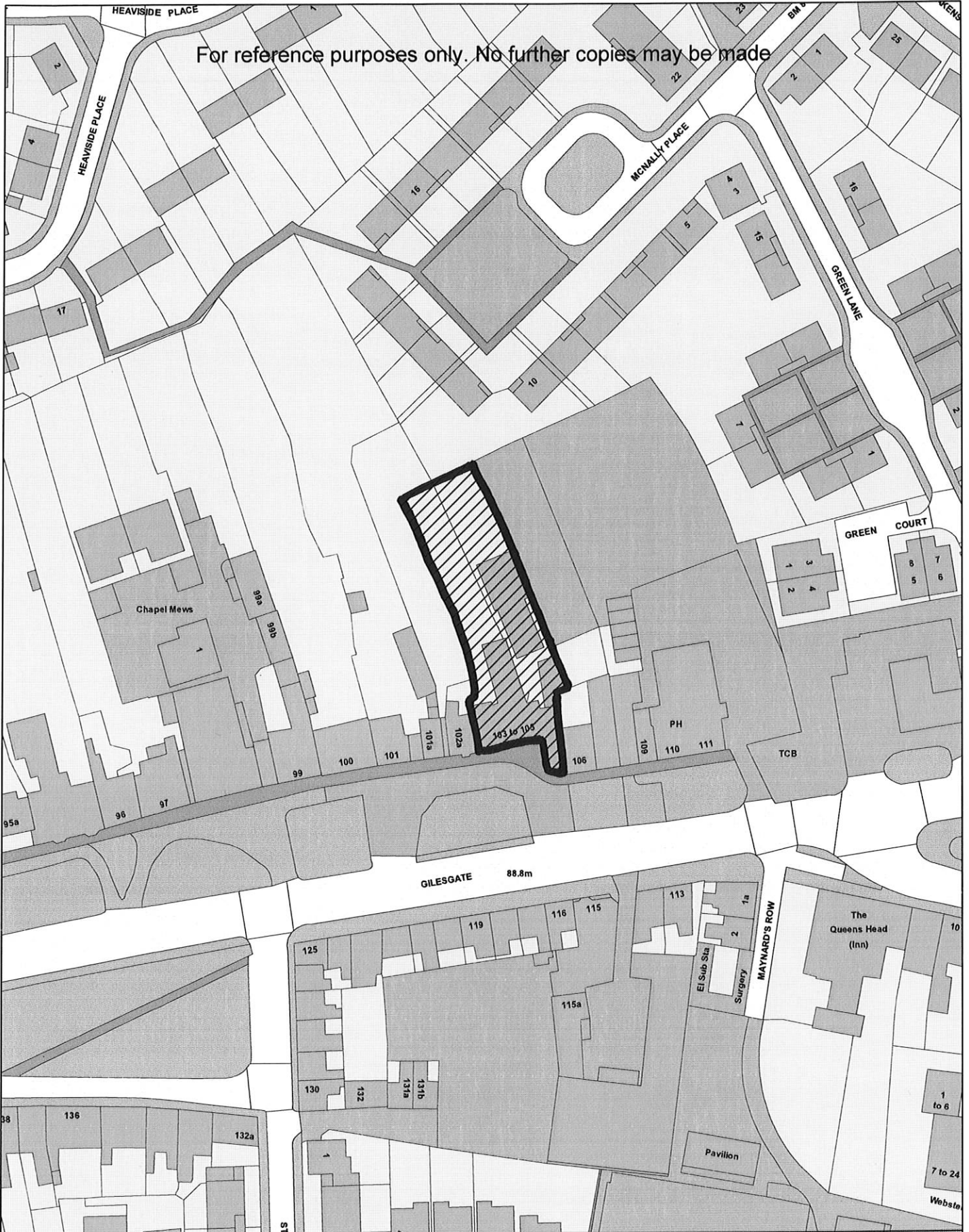
1. Development of the site with an approved development scheme shall be undertaken within 12 months of the clearance of the site, or a scheme to tidy and secure the land must be submitted to and approved by the Local Planning Authority, said scheme being implemented within 12 months of the clearance of the site.


## **BACKGROUND PAPERS**

Submitted Planning Application Forms and Plans  
Design and Access Statement  
Regional Planning Guidance RPG1 and draft Regional Spatial Strategy (RSS)  
City of Durham Local Plan 2004  
Advertisement and Site Notices  
File Notes and Correspondence  
Consultation Responses, Statutory and Public  
Supporting Information from Applicant including Bat Report  
PPS1 -Sustainability  
PPS3 –Housing  
PPG15 –Historic environment  
PPG13 - Transport  
PPG16 – Archaeology and Planning



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 <b>City of Durham</b> <b>Planning Services</b>	Application No. 4/08/00249, 4/08/00250 + 4/08/00251 103-105 Gilesgate, Durham	
	<b>Comments</b>	
<b>Date</b>	06 May 2008	<b>Scale</b> 1:1000

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# **CITY OF DURHAM**

**DEVELOPMENT CONTROL  
COMMITTEE  
14 May 2008**

**Reports for Information**



**CITY OF DURHAM**

**DEVELOPMENT CONTROL COMMITTEE**

**14 May 2008**

**REPORT OF THE HEAD OF PLANNING SERVICES**

**1. Notice of the Outcome of Planning / Enforcement Appeals which have been lodged with the City Council**

a) **Appeal by O2 (UK) Ltd  
Site at Highway Verge A690, land north of West View, Meadowfield, Durham**

The above appeal against the Council's refusal to grant planning permission for the erection of a 12.5m high telecommunications pole on the highway verge north of West View, Meadowfield, Durham has been allowed. (See Appendix A)

**Recommendation**

That the report be noted.

b) **Appeal by Mr And Mrs J Curry  
Site at 5 Dryburn Park, Framwellgate Moor, Durham, DH1 5AD**

The above appeal against the Council's refusal to grant planning permission for the erection of dormer window to side elevation of existing dwelling (retrospective) at 5 Dryburn Park, Framwellgate Moor, Durham, DH1 5AD, has been dismissed in the Council's favour. (See Appendix B)

**Recommendation**

That the report be noted.

**2. Planning Applications determined under Plenary Powers**

Attached in Appendix (C) are the lists of applications and conditions where decisions have been made under Plenary Powers since the previous Committee.

**3. Building Control Applications determined under Plenary Powers**

Attached in Appendix (D) are the lists of applications where decisions have been made under Plenary Powers. I have also listed the building notices received.





# Appeal Decision

Site visit made on 18 March 2008

by **John Braithwaite** BSc(Arch)  
BArch(Hons) RIBA

an Inspector appointed by the Secretary of State  
for Communities and Local Government

The Planning Inspectorate  
4/11 Eagle Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN

☎ 0117 372 6372  
email:enquiries@pins.gsi.gov.uk

Decision date:  
2 April 2008

**Appeal Ref: APP/Z1320/A/07/2058814**

**Highway Verge on A690, West of Meadowfield, Durham DH7 8NH**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under a development order.
- The appeal is made by O2 UK Ltd against the decision of City of Durham Council.
- The application Ref 4/07/00652/PNT, dated 7 June 2007, was refused by letter dated 7 August 2007.
- The development proposed is the installation of a radio base station comprising of a 12.5m replica telegraph pole with ground based equipment cabinet.

## Decision

1. The appeal is allowed and approval is granted under the provisions of Part 24 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) for the siting and appearance of a radio base station comprising of a 12.5m replica telegraph pole with ground based equipment cabinet at Highway Verge on A690, West of Meadowfield, Durham in accordance with the terms of the application Ref 4/07/00652/PNT, dated 7 June 2007, and the plans submitted with it.

## Reasons

2. The telecommunications pole would be situated about in the middle of a wide grass verge on the north side of the A690 and to the west of and just outside the built up area of Meadowfield, which is part of Brandon in County Durham. Telegraph poles and lighting columns are a feature of the A690 where it passes through Meadowfield and a line of telegraph poles crosses the field to the south of the A690 and to the west of dwellings on West View. The proposed pole would, in fact, be about 17 metres to the west of the last lighting column on the north side of the road as it leaves the built-up area. In this regard the proposed pole would not be an incongruous or unusual feature of the area.

3. The proposed brown pole would be a replica telegraph pole with a total height of about 12.5 metres and would be similar in height and appearance to real telegraph poles in the area. The antenna surmounting the column would be cylindrical and the pole would have no other dishes or equipment attached to it. The dark green equipment cabinet sited at ground level next to the pole would be about 1.4 metres high and 1.75 metres wide and would be similar in size and form to telephone equipment cabinets found in many urban and other locations. Though the proposed pole would be about 2.5 metres higher than the lighting columns to the east, given its design, simple form and similarity to telegraph poles in the area, neither the pole nor its associated cabinet would be visually obtrusive or would have an adverse effect on the visual amenity of the area.

4. The appellant has demonstrated the need for the telecommunications pole to serve the gap in network coverage that exists. The appellant has also set out what alternative sites were considered and the reasons why they were not pursued. Several technically suitable locations are unavailable because the landowners are unwilling to agree to an installation or have been discounted on technical grounds. The Council has not provided any evidence to undermine the Appellant's evidence on these matters. The need for this installation and the lack of available alternatives weighs in favour of allowing the appeal.

5. Local residents have expressed concern about possible health risks from the development. Planning Policy Guidance 8 'Telecommunications' indicates that the planning system is not the place for determining health safeguards. It also states that if a proposed telecommunications installation meets the ICNIRP guidelines, it should not be necessary to consider further the health aspects of the development and concerns about them. The appellant has provided a certificate that confirms compliance with the ICNIRP guidelines. There is nothing unusual about this proposal either technically or in its location in relation to nearby dwellings and there is nothing to indicate that there would be a risk to health. There is no evidence to support a claim that the proposed telecommunications installation would affect residential property prices in the area.

6. The proposal does not conflict with the provisions of policy U1 of the City of Durham Local Plan or with any other national, strategic or local planning policy.

*John Braithwaite*

Inspector



# Appeal Decision

Site visit made on 10 March 2008

by **J S Deakin FRICS**

an Inspector appointed by the Secretary of State  
for Communities and Local Government

The Planning Inspectorate  
4/11 Eagle Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN

☎ 0117 372 6372  
email:enquiries@pins.gsi.gov.uk

Decision date:  
1 April 2008

**Appeal Ref: APP/Z1320/A/07/2062026**

**5 Dryburn Park, Framwellgate Moor, Durham DH1 5AD**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr & Mrs J Curry against the decision of Durham City Council.
- The application Ref: 4/07/00547/FPA dated 29 May 2007, was refused by notice dated 25 July 2007.
- The development proposed is a dormer extension (retrospective).

## Decision

1. I dismiss the appeal.

## Main issue

2. I consider that the main issue is the visual impact of the dormer on the character and appearance of the surrounding area.

## Reasons

3. The dormer, as built, is a substantial structure which occupies a large proportion of the side hipped roof. The dormer is built up virtually in line with the main side elevation and there are only about two courses of slates beneath the window. Furthermore, the main ridge has been extended by about 2.5m at the same level, contrary to Policy Q10(4) of the adopted City of Durham Local Plan 2004. When seen from the road, the dormer is a prominent and bulky feature which dominates the side roofscape. It upsets the balance of the pair of semi-detached houses and is out of proportion with the existing building as a whole and the roof in particular, contrary to Local Plan Policy Q10(3).
4. Two other houses in Dryburn Park have side dormers. Both are bulky structures; the one at No.19 is similar to the appeal scheme in many respects, but is set slightly below the main ridge line. The Council says that these schemes do not have planning permission and may be permitted development. Although these other examples are material considerations, I conclude that they are not of sufficient weight to justify allowing the appeal proposal because no formal planning permissions have been granted.
5. Planning permission (4/02/00336/FPA) was granted in 2002 for the erection of a two storey pitched roof extension to the side of the existing dwelling but this has now lapsed. I have not been provided with copies of the plans for that scheme and cannot compare the visual impact with the appeal proposal. In

any case, it was approved prior to the adoption of the current Local Plan when different policies may have applied.

6. I conclude that the dormer is not sympathetic to the main dwelling and causes unacceptable harm to the character and appearance of the surrounding area, contrary to Local Plan Policies Q9 and Q10. I note that the appellant works from home but consider that the employment benefits obtained by the roof alterations do not outweigh the visual harm caused.

*J S Deakin*

INSPECTOR



**CITY OF DURHAM**

**APPLICATIONS DETERMINED UNDER PLENARY POWERS**

**PRINTED ON 28 March 2008**

**WEEK NO.10/2008**

1. The following applications were **REFUSED** for the reasons set out in Appendix A.

Number and Applicant	Location	Proposal
*08/00047/OUT Mr D Wild	Land Adjacent No.1 Plantation Avenue Littletown Durham DH6 1PY	Erection of detached dwellinghouse
*08/00079/FPA Mr J Dixon	Old Social Club Browney Lane Browney Durham DH7 8HT	Erection of 1 no. dormer bungalow on strip of land to the north east of Browney Primary School, adjacent to Harle Street.
*08/00085/FPA Allergate Investments Ltd	54 Hallgarth Street Durham DH1 3AY	Extension to existing residential unit to form one additional bedsit
*08/00091/FPA Mr T Lawson	Land At North Street Hett Durham	Erection of detached two storey dwelling house and detached pitched roof garage
08/00116/FPA Pagebet Bookmakers Ltd	94 Claypath Durham DH1 1RG	Installation of new shopfront
*08/00122/AD C Smith	Rock 'N' Amigos 84 Claypath Durham DH1 1RG	Erection of projecting illuminated box fascia sign

2. The following applications were **APPROVED** subject to the conditions set out in Appendix B.

Number and Applicant	Location	Proposal
*07/00936/LB Old Bridge Nursery	The Old Bridge Nursery Jubilee Place Shincliffe Durham DH1 2NJ	Retention of non-illuminated sign to existing gates
07/00956/FPA Mr C Mather	6 Front Street Framwellgate Moor Durham DH1 5EJ	Change of use and conversion of existing dwelling to form 2 no. flats including erection of first floor flat roof extension to rear
07/01150/FPA Mr And Mrs G R Moore	Stotgate Farm Crossgate Moor Durham DH1 4TJ	Change of use and conversion of farm building to form 1 no. dwellinghouse, including erection of single storey extensions to north east elevation
08/00005/FPA Mr M Young	Tarmac Construction Ltd Rennys Lane New Durham Durham DH1 2RE	Erection of 11.6m high cement storage cilo at existing plant
08/00043/FPA Dr J And Mrs E Wagstaff	Willow Bank House Wear View Durham DH1 1LW	Erection of conservatory to side of existing dwelling
*08/00046/VOC Miller Homes - NE Region	Former Durham County Council Service Direct Finchale Road Framwellgate Moor Durham DH1 5HH	Variation of planning condition 19 of permission no. 4/07/399 to allow the occupation of no more than 50 dwellings prior to the completion of off-site highways works
*08/00049/FPA Linepave Ltd	Grove House Grove House Drive Gilesgate Durham DH1 1UP	Change of use and conversion of existing building to 4 no. apartments, including minor alterations to fenestration and erection of 2 no. domestic garage blocks

*08/00062/FPA Mr L Bishton	1 Friars Row Gilesgate Durham DH1 1HF	Erection of 2 no. pitched roof dormer windows to rear elevation of existing dwelling (resubmission)
08/00066/FPA S Staff	32 Dale Street Ushaw Moor Durham DH7 7PE	Erection of porch to front elevation of existing dwelling (revised and resubmitted)
*08/00077/FPA Mr D A Ridley	3 St Brandons Grove Brandon Durham	Erection of shed and pergola to rear of existing dwelling
08/00088/FPA County Durham And Darlington Fire And Rescue Service	Durham Constabulary Training Facility Edwardson Road Meadowfield Durham DH7 8RL	Siting of 3 No. steel containers and 1no. portable classroom for use in Fire Service Training (Revised Description)
08/00102/FPA Mr J Seed	21 Halliday Grove Langley Moor Durham DH7 8LT	Erection of detached pitched roof garage
08/00104/FPA Mr T Nixon	23 Oakridge Road Ushaw Moor Durham DH7 7LN	Erection of single storey, pitched roof extensions to rear of existing dwelling
08/00105/FPA James Hall And Co (Properties) Ltd	Spar Stores 18 Cheveley Park Shopping Centre Belmont Durham DH1 2AA	Bricking up of entrance doors to front and alterations to existing service yard to rear including relocation of access gates
*08/00110/FPA Ms C Parker	3 Hallgarth Lane High Pitington Durham DH6 1AE	Erection of two and single storey extensions to the rear of existing dwelling
*08/00111/FPA Durham County Council	Bus Station North Road Durham DH1 4SG	Erection of roller shutter within archway of main pedestrian access to bus station
08/00114/FPA Mrs H Stephenson	43 Broomside Lane Carrville Durham DH1 2QT	Erection of conservatory to rear elevation of existing dwelling

08/00130/FPA  
Mr And Mrs S Pears

Hill View  
Newcastle Road  
Crossgate Moor  
Durham  
DH1 4HX

Erection of two storey pitched roof extensions to front and rear elevations of existing dwelling, and alterations including formation of new entrance, replacement pitched roof to existing garage and erection of perimeter wall/fence.  
(resubmission)

08/00148/TPO  
George Wimpey North East

Land Between Former  
Durham Community  
Hospital And Dryburn Hill  
Durham

Application to fell Sycamore tree (T26) pursuant to condition 4 of Reserved Matters approval 4/07/0058

\* Determined under Chairman and Vice Chairman Delegated Authority

**Applications recommended for refusal – reasons**

4/08/00047/OUT

The Local Planning Authority considers that the proposed erection of a dwelling at this location constitutes the extension of a village with no settlement boundary without meeting the requirements for infill development and with no special justification. This is considered contrary to the requirements of Policy H4 of the City of Durham Local Plan 2004.

4/08/00079/FPA

The Local Planning Authority considers that the proposed dwelling presents a form of design which is inappropriate resulting in a detrimental impact upon the street scene and the character of the area. The design and the appearance of the street elevation containing just garage door and access door, incorporation of flat roofed dormers and the excessive use of rooflights which dominate the roofscape of the proposed dwelling are considered to create a form of design which fails to respect the character of the area and fails to accord with the requirements of Policies Q8 and Q10 of the City of Durham Local Plan 2004.

The Local Planning Authority considers that by virtue of proposed separation distances of only 18m between habitable rooms in the elevation facing south-east in the proposed dwelling and the elevation facing north-west in the three storey property to the rear, "The Lodge", that the proposal fails to provide a level of privacy and amenity that proposed occupiers of the bungalow could reasonably expect to enjoy contrary to the requirements of Policy Q8 of the City of Durham Local 2004.

The Local Planning Authority considers that inadequate parking space is proposed within the curtilage which shall result in on-street parking at a location which would obstruct the turning traffic out of the rear of Harle Street. The proposal is therefore considered to be detrimental to highway safety and therefore contrary to the requirements of Policy T1 of the City of Durham Local Plan 2004.

4/08/00085/FPA

The Local Planning Authority consider that the proposed structure affects the privacy and amenity surrounding residents could reasonably expect to enjoy to an unacceptable degree, by virtue of its physical relationship to surrounding windows and doors, and the existing demands for use of the courtyard, contrary to Policies H10, H13, Q8 and Q9 City of Durham Local Plan 2004.

The Local Planning Authority considers that the level of privacy and amenity likely to be afforded any residents of the proposed structure is below a level considered acceptable, contrary to Policies H10, Q8 and Q9 of the City of Durham Local Plan 2004.

The Local Planning Authority considers no case has been made that justifies the design approach of the proposed structure, and given the physical effect on the adjacent converted barn/workshop, and the courtyard within which it will be built, the proposals do not preserve or enhance the character and appearance of the Durham (City Centre) Conservation Area, and are therefore contrary to Policies E6 and E22 of the City of Durham Local Plan 2004.

4/08/00091/FPA

The Local Planning Authority consider that the proposals constitute the development of non-previously developed, or 'green-field' land, within a 'smaller' village, cannot be considered 'windfall' development, and are therefore contrary to Policy H3 of the City of Durham Local Plan, 2004

The Local Planning Authority consider that in not providing an appropriate assessment of the archaeological potential of the site, the proposals are contrary to Policy E24 of the City of Durham Local Plan, 2004, and advice contained in PPG16

4/08/00116/FPA

The Local Planning Authority considers that by virtue of the proposed design, proportions, and materials the shopfront is contrary to Policies E6, E22, Q11, and Q12 of the City of Durham Local Plan 2004.

4/08/00122/AD

In the opinion of the Local Planning Authority the proposed projecting illuminated box fascia sign is considered to be detrimental to the visual amenity of the host building and to the street scene within Durham City Conservation Area by virtue of its design, depth, bulk and internal illumination. For these reason the sign is not considered acceptable and is contrary to Policy Q16, E6 and E22 of the City of Durham Local Plan 2004

**Applications recommended for conditional approval – conditions**

4/07/00956/FPA

T1 Time Limit Full Approval 2004  
DT4 External Materials  
DT7A Complete Accord

4/07/01150/FPA

T1 Time Limit Full Approval 2004  
DT5 Materials Sample  
DT11 Fenestration Details  
DT35A Slates  
DT15 Roof Details  
DT8 Enclosure Details to be Agreed  
DT10 Hardstanding Surface Materials  
PD1 Removal of PD Garages  
PD2 Removal of PD Outbuildings  
PD3 Removal of PD Fences Gates Walls  
PD4 Removal of PD Extensions  
PD5 Removal of PD Satellite Antenna  
PD6 Removal of PD Windows Doors Openings  
PD7 Removal of PD Hardstandings  
DT37 Bat Mitigation  
DT7A Complete Accord

Notwithstanding the information shown on the submitted plans the proposed roof lights must finish flush with the roofline, the precise details of which shall be submitted at a scale of 1:20 and approved in writing by the Local Planning Authority before development commences and thereafter implemented in accordance with the approved scheme.

4/08/00005/FPA

T1 Time Limit Full Approval 2004  
DT7A Complete Accord

4/08/00043/FPA

T1 Time Limit Full Approval 2004  
DT4 External Materials  
DT7A Complete Accord

4/08/00049/FPA

T1 Time Limit Full Approval 2004  
DT12 Windows in Reveal  
DT13 Sash Windows  
DT10 Hardstanding Surface Materials  
DT4 External Materials  
LA2 Landscaping Scheme Full Reserved Matter  
DT7A Complete Accord

Before the development commences full amended details of the proposed garages which includes the roof overhangs reduced on the side elevations; central double doors being recessed, vertically boarded and constructed out of timber; the main garage doors being vertically boarded and constructed out of timber; details of the finish of the woodwork (preferably in a natural finish). These details shall be submitted to the Local Planning Authority and approved in writing before the development is commenced and retained as such thereafter.

4/08/00062/FPA

T1 Time Limit Full Approval 2004  
DT4 External Materials  
DT7A Complete Accord

4/08/00066/FPA

T1 Time Limit Full Approval 2004  
DT4 External Materials  
DT7A Complete Accord

4/08/00077/FPA

T1 Time Limit Full Approval 2004  
DT7A Complete Accord

4/08/00088/FPA

TL7 Temporary Approvals Use of Buildings

The containers hereby approved shall not be used for the burning of materials on any Sunday or Bank Holiday nor between the hours of 09:00 and 17:00 on any other day.

The containers hereby approved shall not be used for the burning of materials on more than 5 days in any calendar month.

4/08/00102/FPA

T1 Time Limit Full Approval 2004  
DT3 Finish of Materials



4/08/00104/FPA

T1 Time Limit Full Approval 2004  
DT3 Finish of Materials

4/08/00105/FPA

T1 Time Limit Full Approval 2004

Details of any fences, walls, gates or other means of enclosure to be erected on any of the site boundaries or within the site shall be submitted to and approved by the Local Planning Authority in writing before development commences. Development shall thereafter be completed in accordance with the approved details.

4/08/00110/FPA

T1 Time Limit Full Approval 2004  
DT3 Finish of Materials  
DT7A Complete Accord

That notwithstanding the information shown on the submitted plans the window to the single storey extension facing south-west hereby approved shall be non-opening and obscurely glazed, the details of which shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing and shall remain so thereafter in accordance with the approved scheme.

That notwithstanding the information shown on the submitted plans the window to the two storey extension facing north east hereby approved shall be obscurely glazed to the satisfaction of the Local Planning Authority and shall remain so thereafter in accordance with the approved scheme.

4/08/00111/FPA

T1 Time Limit Full Approval 2004  
DT4 External Materials

Before the development commences full details of the size of the housing for the roller shutters shall be submitted to the Local Planning Authority and approved in writing. The housing shall then be implemented in accordance with the agreed details.

4/08/00114/FPA

T1 Time Limit Full Approval 2004  
DT3 Finish of Materials

4/08/00130/FPA

T1 Time Limit Full Approval 2004

DT4 External Materials

DT7A Complete Accord

4/08/00148/TPO

TL8 Time Limit Full Approval 2 yrs

DT7A Complete Accord

All works must be carried out by qualified and experienced arborists, and must conform to British Standard BS3998:1989.

**CITY OF DURHAM**

**APPLICATIONS DETERMINED UNDER PLENARY POWERS**

**PRINTED ON 4 April 2008**

**WEEK NO.11/2008**

1. The following applications were **REFUSED** for the reasons set out in Appendix A.

Number and Applicant	Location	Proposal
08/00108/FPA Mr D Hird	3 Auton Close Bearpark Durham DH7 7BJ	Change of use of field to garden
08/00109/FPA Mr D Brown	2 Auton Close Bearpark Durham DH7 7BJ	Change of use of field to garden
*08/00122/AD C Smith	Rock 'N' Amigos 84 Claypath Durham DH1 1RG	Erection of projecting illuminated box fascia sign

2. The following applications were **APPROVED** subject to the conditions set out in Appendix B.

Number and Applicant	Location	Proposal
07/01147/FPA Mr And Mrs Pollard	18 Middle Grove Brandon Durham DH7 8TR	Erection of two storey pitched roof extension to side of existing dwelling
07/01221/AD Mr L Sutton	18 Elvet Bridge Durham DH1 3AD	Erection of 2 no. non illuminated signs to front elevation of Listed Building - including one projecting sign with ornate hanging bracket and one fascia mounted sign
*#07/01245/LB University Of Durham	Undercroft Bar Durham Castle Palace Green Durham DH1 3RL	Internal alterations including removal of existing bar fittings and installation of replacement, renewal of floor finishes and alterations to means of illumination

08/00048/FPA Mr And Mrs M Brett	The Loft Langley Hall Farm Sleetburn Lane Langley Moor Durham DH7 8LQ	Erection of raised balcony/veranda to rear of existing first floor living accommodation
*08/00077/FPA Mr D A Ridley	3 St Brandons Grove Brandon Durham	Erection of shed and pergola to rear of existing dwelling
08/00082/AD Laura Ashley	Laura Ashley Unit 2 Mercia Retail Park Pity Me Durham DH1 5GF	Erection and display of internally illuminated shop front sign and panel sign above entrance doorway
08/00114/FPA Mrs H Stephenson	43 Broomside Lane Carrville Durham DH1 2QT	Erection of conservatory to rear elevation of existing dwelling
08/00115/FPA Mr A S Hughes	30 Rosemount Pity Me Durham DH1 5GA	Erection of ground and first floor extensions to side and front of existing dwelling
08/00121/CAC Miss S Owens	2 Kepier Villas Gilesgate Durham DH1 1JP	Demolition of part of rear yard wall in association with erection of single storey extension
08/00132/FPA Mr D J Owen	Barmoor Filling Station Thinford Durham	Change of use of former petrol filling station to car wash with no building operations involved
*08/00135/FPA Durham University	Monyers Garth And Garage Palace Green Durham DH1 3HB	Change of use from student accommodation to offices and stonemason's workshop, replacement of garage doors, replacement of timber shed with open- framed canopy and alterations to fenestration
08/00150/TPO Mr C Sheehan	Houghall College Houghall Durham DH1 3SG	Felling of Leylandii hedge

08/00161/FPA  
Mrs C Stock

White House  
Shincliffe Peth  
Durham  
DH1 3BB

Erection of two storey  
pitched roof extension with  
balcony at side and rear of  
existing dwelling and  
erection of detached garage  
with ancillary  
accommodation above to  
side

3. Raise no objection to the County Matter listed below.

Number and Applicant	Location	Proposal
08/00213/CM Belmont Cheveley Park Primary School	Belmont Cheveley Park Primary School Scardale Way Belmont Durham DH1 2TZ	Erection of parent waiting shelter

\* Determined under Chairman and Vice Chairman Delegated Authority

# To be ratified by G.O.N.E



## **APPENDIX A**

**City of Durham  
Applications Determined Under Plenary Powers  
Printed on 4 April 2008  
Week No.11/2008**

### **Applications recommended for refusal – reasons**

4/08/00108/FPA

The Local Planning Authority considers that the change of use of land to garden with associated fencing, hardsurfacing and siting of a touring caravan has failed to maintain the openness of the Green Belt and therefore constitutes inappropriate development which is harmful to the Green Belt. The change of use is therefore considered to be contrary to the requirements of Policy E1 of the City of Durham Local Plan 2004.

4/08/00109/FPA

The Local Planning Authority considers that the change of use of land to garden with associated fencing and siting of a touring caravan and shed has failed to maintain the openness of the Green Belt and therefore constitutes inappropriate development which is harmful to the Green Belt. The change of use is therefore considered to be contrary to the requirements of Policy E1 of the City of Durham Local Plan 2004.

4/08/00122/AD

In the opinion of the Local Planning Authority the proposed projecting illuminated box fascia sign is considered to be detrimental to the visual amenity of the host building and to the street scene within Durham City Conservation Area by virtue of its design, depth, bulk and internal illumination. For these reason the sign is not considered acceptable and is contrary to Policy Q16, E6 and E22 of the City of Durham Local Plan 2004





**Applications recommended for conditional approval – conditions**

4/07/01147/FPA

T1 Time Limit Full Approval 2004  
DT3 Finish of Materials  
DT7A Complete Accord  
DT19 Obscure Glazing

4/07/01221/AD

TL3 Advert Approvals

The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans and specifications.

Notwithstanding the information shown on the submitted plans the exact location of the proposed hanging sign shall be submitted at scale 1:20 and approved in writing by the Local Planning Authority prior to work commencing and thereafter implemented in accord with the approved plans.

4/07/01245/LB

T1 Time Limit Full Approval 2004  
LB2 Examination of Hidden Features

The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans and specifications.

Notwithstanding the information shown on the submitted application, details of all materials to be used internally and the standard of their finish shall be submitted to and approved by the Local Planning Authority in writing before the development is commenced, and thereafter implemented in accordance with the approved scheme.

Notwithstanding the information shown on the submitted plans, full details of the proposed lighting and associated cabling and switches, to include details of cabling runs, locations of lighting switches, methods of attachment, materials, and equipment proposed, shall be submitted at scale 1:50, and approved in writing by the Local Planning Authority before the development commences, and thereafter implemented in accordance with the approved scheme.

Notwithstanding the information shown on the submitted plans, a sample panel of the proposed repointing of mortar joints shall be made available for inspection on site to include examples of all material to be used, including the proposed mortar specification, its exposed finish and the style of pointing to

be used. The proposed sample shall be made available for inspection by the Local Planning Authority and the development shall not be commenced until the said materials have been approved in writing by the Local Planning Authority.

Notwithstanding the information shown on the submitted plans, full details of the proposed method of attachment for the proposed bar structure shall be submitted to, and approved in writing by the Local Planning Authority before development commences, being thereafter implemented in accordance with the approved details.

Notwithstanding the information shown on the submitted plans, full details of the proposed treatment to those areas of surface where existing cabling and lighting are to be removed shall be submitted to, and approved in writing by the Local Planning Authority before development commences, being thereafter implemented in accordance with the approved details.

4/08/00048/FPA

T1 Time Limit Full Approval 2004  
DT7A Complete Accord

4/08/00077/FPA

T1 Time Limit Full Approval 2004  
DT7A Complete Accord

4/08/00082/AD

TL3 Advert Approvals

4/08/00114/FPA

T1 Time Limit Full Approval 2004  
DT3 Finish of Materials

4/08/00115/FPA

T1 Time Limit Full Approval 2004  
DT7A Complete Accord  
DT3 Finish of Materials

4/08/00121/CAC

T1 Time Limit Full Approval 2004  
DT7A Complete Accord

Development of the site with an approved development scheme shall be undertaken within 6 months of the clearance of the site, or a scheme to tidy and secure the land must be submitted to and approved by the Local Planning Authority, said scheme being implemented within 6 months of the clearance of the site

4/08/00132/FPA

T1 Time Limit Full Approval 2004  
R7 Complete Accord

4/08/00135/FPA

T1 Time Limit Full Approval 2004  
DT4 External Materials  
DT31 Rainwater Goods  
DT10 Hardstanding Surface Materials  
NS1 Scheme for Protection from Noise  
NS3 Restriction of Use of Machinery  
NS4 Hours of Use of Machinery  
RU10 Restriction of Working Hours

Notwithstanding the information shown on the submitted plans, full details of the proposed garage doors, to include details of design, materials, strap hinges, finish, glazing and level of recess shall be submitted at scale 1:50, and approved in writing by the Local Planning Authority before the development commences, and thereafter implemented in accordance with the approved scheme.

Notwithstanding the information shown on the submitted plan full joinery details drawn to a scale of 1:20 shall be submitted to and approved in writing by the Local Planning Authority before the development commences and thereafter implemented in accordance with the approved scheme.

Notwithstanding the information shown on the submitted plans, full details of the proposed repointing mix shall be submitted to and approved in writing by the Local Planning Authority before the development commences, and thereafter implemented in accordance with the approved scheme.

Notwithstanding the information shown on the submitted plans, full details of the proposed drainage channels and gratings, to include details of the proposed scale, design, materials and finish shall be submitted at scale 1:50, and approved in writing by the Local Planning Authority before the development commences, and thereafter implemented in accordance with the approved scheme.

Before development is commenced details of any flues, vents and extracts, to include details of location, scale, design, method of attachment and associated pipe work runs shall be submitted at scale 1:20 and approved in writing by the Local Planning Authority and thereafter implemented in accordance with the approved scheme.

4/08/00150/TPO

TL8 Time Limit Full Approval 2 yrs  
DT7A Complete Accord  
LA7 Tree Surgery

4/08/00161/FPA

T1	Time Limit Full Approval 2004
DT4	External Materials
DT10	Hardstanding Surface Materials
DT12	Windows in Reveal
DT16	Dry Pointed Verges
DT31	Rainwater Goods
LA4	Retention of Existing Trees and Hedges

Details of any fences, walls or other means of enclosure, along with retaining walls and external stairways to be erected on any of the site boundaries or within the site shall be submitted to and approved by the Local Planning Authority in writing before development commences. Development shall thereafter be completed in accordance with the approved details.

The proposed main vehicular gate must be electronically operated when installed, and must not be replaced with a manual system of opening without the grant of further planning permission from the Local Planning Authority

The design and operation of the proposed garage doors must be submitted in scaled plan form to the local planning authority, and approved in writing by the same, before their installation

That notwithstanding the information shown on the submitted plans precise details of all new fenestration, glazing and head and cill details and doors shall be submitted to and agreed in writing with the Local Planning Authority prior to development commencing and thereafter implemented in accordance with the approved scheme.

The development hereby permitted shall not be carried out otherwise than in complete accordance with the scale measurements shown on the approved plans and specifications and the details agreed through the conditions of this planning permission.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any order revoking or re-enacting that Order, the garage approved by this application shall not be used as habitable space, or residential accommodation without the grant of further specific permission from the Local Planning Authority.

That notwithstanding the information shown on the submitted plans precise details of the proposed balcony / bridge shall be submitted to and agreed in writing with the Local Planning Authority prior to development commencing and thereafter implemented in accordance with the approved scheme.

**CITY OF DURHAM**

**APPLICATIONS DETERMINED UNDER PLENARY POWERS**

**PRINTED ON 11 April 2008**

**WEEK NO. 12/2008**

1. The following applications were **REFUSED** for the reasons set out in Appendix A.

Number and Applicant	Location	Proposal
*08/00016/FPA Mr Q Jiang	57 David Terrace Bowburn Durham DH6 5EF	Erection of two storey pitched roof extension to side of existing dwelling and 1.8 m fence to front
*08/00107/FPA G Robinson	22 Church Street Durham DH1 3DQ	Erection of two-storey pitched roof extension to rear of existing dwelling
08/00117/FPA G E And C Cooney	19 The Meadows West Rainton Durham DH4 6NP	Erection of two storey pitched roof extension to side and pitched roof to front of garage and existing flat roof offshot to front
08/00127/RM Mr E Allen	Land At Hallgarth Garage Front Street Low Pittington Durham DH6 1BQ	Reserved matters approval pursuant to outline application 04/01388 for the erection 4 no. dwellings including details of scale, appearance, means of access and landscaping (revised and resubmitted)
*08/00154/OUT Mr F Parker	Land To West Of 20 St Oswalds Drive Farewell Hall Durham	Outline application for the erection of 1 no. dwelling including details of layout and means of access (revised and resubmitted)
08/00172/FPA Ms H Attewell	80 Hastings Avenue Durham DH1 3QQ	Two storey pitched roof extension to side of existing dwelling

2. The following applications were **APPROVED** subject to the conditions set out in Appendix B.

Number and Applicant	Location	Proposal
07/01180/FPA Poundland Ltd	Unit 25 The Gates Durham DH1 4SL	Erection of new shopfront including roller shutters
*08/00096/FPA Mr And Mrs Clark	4 The Hallgarth Durham DH1 3BJ	Erection of two and single storey pitched roof extensions to rear of existing dwelling
*08/00097/FPA Mr And Mrs Clark	30 The Hallgarth Durham DH1 3BJ	Erection of two and single storey pitched roof extensions to rear of existing dwelling
*08/00098/FPA Mr And Mrs Clark	32 The Hallgarth Durham DH1 3BJ	Erection of two and single storey pitched roof extensions to rear of existing dwelling
08/00106/FPA Mr E Donnelly	45 Cypress Park Esh Winning Durham DH7 9JD	Erection of two storey pitched roof extension to side of existing dwelling
08/00112/FPA Mr K Whitfield	Whitfield Court Meadowfield Industrial Estate Meadowfield Durham	Erection of electricity sub station
08/00119/FPA Mr P Hails	16 Gloucestershire Drive Belmont Durham DH1 2DH	Erection of pitched roofs to existing flat roofs at front, rear and both sides of existing dwelling
08/00134/FPA Mr G Iseton	4 Blackgate West Coxhoe Durham DH6 4AJ	Erection of detached, flat-roofed double garage in rear garden
08/00136/FPA A Scorer	8 Rosemount Pity Me Durham DH1 5GA	Erection of single storey pitched roof extension to rear, and dormer window on front roof slope above existing integral garage

08/00140/FPA Mr K Richardson	14 Meldon Avenue Sherburn Durham DH6 1JX	Erection of first floor pitched roof extension to side of existing dwelling
08/00141/FPA Mr P Smith	14 Alexandria Crescent Durham DH1 4EE	Demolition of existing single storey extension and erection of replacement single storey pitched roof extension to rear of existing dwelling. Replacement of existing rooflights
08/00143/FPA Mr H Cave	4 Park Road Sherburn Durham DH6 1EA	Demolition of existing garage and conservatory and erection of single storey pitched roof extension to side and rear of existing dwelling
08/00149/FPA 3D Land And Property Ltd	15A Flass Street Durham DH1 4BE	Retention of two storey dwelling with proposed alterations to windows to sliding sash
08/00152/FPA Mr And Mrs P Lowden	Castle Lodge The Village Brancepeth Durham DH7 8DE	Partial demolition of out-buildings and formation of new opening with erection of single storey pitched roof extension to side of existing dwelling
08/00153/FPA Mr G Meale	12 Meldon Avenue Sherburn Durham DH6 1JX	Erection of first floor pitched roof extension to side of existing dwelling and single storey pitched roof extension to rear
08/00164/FPA Mr Cleaver	5 Newcastle Road Crossgate Moor Durham DH1 4AG	Erection of first floor pitched roof extension to rear of existing dwelling
*08/00167/FPA Mr J Taylor	Land To Rear Of Kepier Heights And West Of Wear View Durham	Erection of two storey detached dwellinghouse with detached garage/car port

08/00230/FPA  
Mr C M Brannan

5 Ritson Avenue  
Bearpark  
Durham  
DH7 7BE

Erection of single storey  
pitched roof extensions to  
rear of existing dwelling  
(revised and resubmitted)

\* Determined under Chairman and Vice Chairman Delegated Authority

3. Raise no objection to the County Matter listed below.

Number and Applicant	Location	Proposal
08/00290/CM Premier Waste Management Ltd	Coxhoe Quarry Quarrington Hill Road Coxhoe Durham DH6 4RT	Change of use of land at Coxhoe Quarry to composting of pre-shredded waste



**Applications recommended for refusal – reasons**

4/08/00016/FPA

The Local Planning Authority considers that the proposed two storey extension to side, by virtue of its design, size, massing and location represents a form of development which is clearly not subordinate to the host dwelling and in addition creates an obtrusive feature in the street scene. As a result officers consider that the proposal is contrary to Policy Q9 of the City of Durham Local Plan 2004.

The Local Planning Authority considers that the proposed fence of a maximum of 1.8m in height to be erected along southern and eastern boundaries causes a detrimental impact upon the character of the host property and the street scene which is currently characterised by the uniformity of lower, brick built boundary walls. As a result officers consider that the proposal is contrary to Policy Q9 of the City of Durham Local Plan 2004.

4/08/00107/FPA

The Local Planning Authority considers that by virtue of its scale, design, location and massing the proposed two storey extension to rear represents a form of development which is not sympathetic or clearly subordinate to the host dwelling. As a result the proposal represents an incongruous feature in the street scene and local area and fails to preserve the character of the Conservation Area. Officers therefore consider that the proposal is contrary to Policies Q9, E6 and E22 of the City of Durham Local Plan 2004.

The Local Planning Authority considers that by virtue of its size, scale and location the proposed two storey extension to rear shall cause detrimental impacts upon the residential amenity of neighbouring occupiers in No. 23 Church Street and the flats at Nos. 21 and 19 Church Street through the creation of an overbearing feature and through significant loss of outlook from and light entering main habitable rooms. Officers therefore consider that the proposal is contrary to Policy Q9 of the City of Durham Local Plan 2004.

The Local Planning Authority considers that by virtue of the windows proposed to habitable rooms within the western elevation of the extension unacceptable separation distances remain to windows within the eastern elevation of the flats at No. 21 Church Street with a subsequent failure to provide a level of privacy that occupiers can reasonably expect to enjoy contrary to Policy Q9 of the City of Durham Local Plan 2004.

4/08/00117/FPA

The Local Planning Authority considers that the proposed two storey extension to side, by virtue of its design, size, massing and location represents a form of development which is clearly not subordinate to the host dwelling and in addition creates an obtrusive feature in the street scene. As a result officers consider that the proposal is contrary to Policy Q9 of the City of Durham Local Plan 2004.

4/08/00127/RM

In the opinion of the Local Planning Authority the proposed siting of the dwellings are not in accordance with the outline planning permission 04/01388. Siting is not a matter to be considered in this reserved matters application and therefore a decision on this matter cannot be provided. As siting cannot be considered this is considered to be contrary to Policy Q8 of the City of Durham Local Plan 2004.

In the opinion of the Local Planning Authority siting, massing and scale of the proposed new dwelling on plot 1 will detract from the residential amenity of a nearby dwelling and lead to a development that creates overshadowing and is overbearing in scale and proximity. The proposed development is therefore contrary to Policies Q8 and H2 of the City of Durham Local Plan 2004.

4/08/00154/OUT

The Local Planning Authority considers that the application site is not previously-developed land and therefore the principle of residential development would be in conflict with Policy H2 of the City of Durham Local Plan 2004 and Planning Policy Statement 3: Housing.

The Local Planning Authority considers that the proposed dwelling would result in the development of land which forms an important buffer between the Farewell Hall residential estate and the A167, and which would have the effect of undermining both the character of the estate and its defined development boundaries and the important role which the site as a whole together with the landscaping to the south of the site provides in terms of the landscape setting of Mount Oswald-Elvet Hill parkland. The proposed dwelling would therefore be contrary to Policies H13 and E5(2) of the City of Durham Local Plan 2004.

The Local Planning Authority considers that the proposed dwelling would lead to the loss of and subsequent under-provision of off-street parking for No. 15 St Oswald's Drive, thereby resulting in increased off-street parking at the head of narrow cul-de-sac. Furthermore, the existing parking areas for No. 15 are such that there would be direct conflicts between vehicles manoeuvring in and out of these spaces and those movements associated with the proposed

dwelling. The layout of parking and means of site access would therefore lead to conditions which would be detrimental to highway safety, and in conflict with Policies T1 and H10 of the City of Durham Local Plan 2004.

4/08/00172/FPA

The Local Planning Authority considers that the design and scale of the proposed two storey side extension would result in an inappropriate form of development which fails to remain sympathetic and subordinate to the host property and thus considered contrary to Policy Q9 of the City of Durham Local Plan 2004.

The Local Planning Authority considers that the design of the front elevation of the two storey side extension due to its lack of fenestration is to the detriment of the host property and the wider streetscene and thus considered contrary to Policy Q9 of the City of Durham Local Plan 2004.



## APPENDIX B

City of Durham  
Applications Determined Under Plenary Powers  
Printed on 11 April 2008  
Week No.12/2008

### **Applications recommended for conditional approval – conditions**

4/07/01180/FPA

T1 Time Limit Full Approval 2004  
DT7A Complete Accord

4/08/00096/FPA

T1 Time Limit Full Approval 2004  
DT4 External Materials

4/08/00097/FPA

T1 Time Limit Full Approval 2004  
DT4 External Materials

4/08/00098/FPA

T1 Time Limit Full Approval 2004  
DT4 External Materials

4/08/00106/FPA

T1 Time Limit Full Approval 2004  
DT3 Finish of Materials  
DT7A Complete Accord

4/08/00112/FPA

T1 Time Limit Full Approval 2004  
DT4 External Materials  
DT7A Complete Accord

4/08/00119/FPA

T1 Time Limit Full Approval 2004  
DT3 Finish of Materials

4/08/00134/FPA

T1 Time Limit Full Approval 2004

DT7A Complete Accord  
RU4 Use as Private Garage Only

4/08/00136/FPA

T1 Time Limit Full Approval 2004  
DT3 Finish of Materials

4/08/00140/FPA

T1 Time Limit Full Approval 2004  
DT7A Complete Accord  
DT3 Finish of Materials

4/08/00141/FPA

T1 Time Limit Full Approval 2004  
DT7A Complete Accord  
DT4 External Materials  
DT11 Fenestration Details  
DT12 Windows in Reveal

Notwithstanding the submitted details, no development shall take place until full details of conservation type rooflights to be inserted into the proposed extension and existing front and rear elevations have been submitted to, and approved by the Local Planning Authority. Thereafter, the development shall not be carried out other than in accordance with the approved details

4/08/00143/FPA

T1 Time Limit Full Approval 2004  
DT3 Finish of Materials

4/08/00149/FPA

Within one month of the date of this permission full sample details and specifications of replacement timber slide and sash windows shall be submitted to and agreed in writing with the Local Planning Authority, and works to install the agreed replacement windows shall be carried out within three months of the date of this permission

4/08/00152/FPA

T1 Time Limit Full Approval 2004  
DT4 External Materials  
DT5 Materials Sample  
DT9 Specified Fences Walls Hedge  
DT11 Fenestration Details  
DT12 Windows in Reveal  
DT15 Roof Details  
DT19 Obscure Glazing

DT31	Rainwater Goods
LA4	Retention of Existing Trees and Hedges
LA5	Protection of Trees Hedges during Const
LB2	Examination of Hidden Features

The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans and specifications.

Notwithstanding the information shown on the submitted plan full joinery details drawn to a scale of 1:20 shall be submitted to and approved in writing by the Local Planning Authority before the development commences and thereafter implemented in accordance with the approved scheme.

4/08/00153/FPA

T1	Time Limit Full Approval 2004
DT7A	Complete Accord
DT3	Finish of Materials

4/08/00164/FPA

T1	Time Limit Full Approval 2004
DT3	Finish of Materials

4/08/00167/FPA

T1	Time Limit Full Approval 2004
DT4	External Materials
DT11	Fenestration Details
DT15	Roof Details
DT23	Drainage Scheme
DT28	Flues Vents and Extracts
DT31	Rainwater Goods
PD4	Removal of PD Extensions
DT27	Levels and or Retaining Structures
LA2	Landscaping Scheme Full Reserved Matter
LA4	Retention of Existing Trees and Hedges
LA5	Protection of Trees Hedges during Const

Details of any fences, walls or other means of enclosure including retaining walls or structures to be erected on any of the site boundaries, or within the site shall be submitted to and approved by the Local Planning Authority in writing before development commences. Development shall thereafter be completed in accordance with the approved details.

That notwithstanding the information shown on the submitted plans the windows of the two storey glazed link between the south and east elevations, the three bath/en-suite windows on the west elevation, and the wc window on the east elevation; hereby approved shall be obscure glazed to the satisfaction of the Local Planning Authority and shall remain so thereafter in accordance with the approved scheme.

The development permitted by this planning permission shall not be initiated by the undertaking of a material operation as defined in section 56(4)(a)-(d) of the Town and Country Planning Act 1990 in relation to the development, until the applicants and their agents have presented a full and comprehensive survey to ascertain land stability conditions and the presence of springs, or other elements which make effect the integrity of the site and its surroundings. This survey must be accompanied by a statement that provides a clear and concise strategy for protecting the site stability and that of adjacent land, structures and buildings - in particular the retaining walls to the rear of the garages in Hillcrest, the boundary with the adjacent allotment, and the retaining wall to the rear of 6 Kepier Heights and that dwelling, - both during construction works, and for the future site integrity, and include a methodology for site works and plant movements, to be agreed in writing by the local planning authority before development commences. The development including all works, working methods, plant deployment on site, and construction shall be carried out in accordance with the agreed details.

There must be no window to bedroom 4, on the first floor east elevation.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any order revoking or re-enacting that Order, no windows other than those shown on the approved plans (see condition 16), shall at any time, during construction works, at completion, or thereafter be inserted in any elevation of the dwelling house without the grant of further specific permission from the Local Planning Authority.

4/08/00230/FPA

T1	Time Limit Full Approval 2004
DT3	Finish of Materials
DT7A	Complete Accord



**CITY OF DURHAM**

**APPLICATIONS DETERMINED UNDER PLENARY POWERS**

**PRINTED ON 17 April 2008**

**WEEK NO.13/2008**

1. The following applications were **REFUSED** for the reasons set out in Appendix A.

Number and Applicant	Location	Proposal
07/01225/FPA Harrison Properties Limited	Durham Marble And Ceramic Tiles Ltd Unit 46 Dragonville Industrial Park Dragon Lane Durham DH1 2XU	Retrospective change of use from industrial unit (Classes B1, B2 and B8) to mixed use of storage (Class B8) and retail (Class A1) (resubmission)
07/01226/FPA Harrison Properties Limited	Ultimate Wallpaper And Paint Unit 47 Dragonville Industrial Park Dragon Lane Durham DH1 2XU	Retrospective change of use from industrial unit (Classes B1, B2 and B8) to mixed use of storage (Class B8) and retail (Class A1) (resubmission)
07/01227/FPA Harrison Properties Limited	Suite World Units 48 - 51 Dragonville Industrial Park Dragon Lane Durham DH1 2XU	Retrospective change of use from industrial unit (Classes B1, B2 and B8) to retail (Class A1) (resubmission)
*08/00168/FPA Mr A Whitley	Bracken Cottage Bank Foot High Shincliffe Durham DH1 2PD	Erection of two storey pitched roof extension to front of existing ancillary residential accommodation (revised and resubmitted)

2. The following applications were **APPROVED** subject to the conditions set out in Appendix B.

Number and Applicant	Location	Proposal
08/00083/FPA Mr And Mrs Barrett	15 Chandler Close Durham DH1 2TP	Retention of conservatory to rear elevation of existing dwelling
08/00093/AD Y C Ho	Lotus Garden 2 Cheveley Park Shopping Centre Belmont Durham DH1 2AA	Erection of 2 no. spotlights to existing shopfront sign
*08/00100/FPA Mr E Clark	17 Whinney Hill Durham DH1 3BE	Erection of two storey pitched roof extension to side and rear elevations and single storey extension to rear of existing dwelling
*08/00101/FPA Allergate Investments Ltd	5 High Wood Terrace Durham DH1 3DS	Demolition of existing single storey extension and erection of two storey pitched roof extension to rear of existing dwelling and conversion of loft involving insertion of 1 no. flat roof dormer to rear and 2 no. rooflights to front
*08/00113/FPA Mr C Colville	25 Oswald Court Durham DH1 3DH	Erection of two storey pitched roof extension to rear of existing dwelling
*08/00139/FPA Ms L V Dyson	32 Bridgemere Drive Framwellgate Moor Durham DH1 5FG	Erection of single storey pitched roof extension to rear and single and two storey pitched roof extension to side of existing dwelling
*08/00144/FPA Mr T Swinburn	Land Rear Of Rainton Lodge North Street West Rainton Durham	Erection of two storey detached dwellinghouse with double detached garage

08/00177/FPA Mr D Pepper	113 Musgrave Gardens Gilesgate Moor Durham DH1 1PJ	Erection of two storey pitched roof extension to rear of existing dwelling
08/00179/FPA Mr F Holborn	Fremar Mill Road Langley Moor Durham DH7 8HF	Erection of car port and single storey pitched roof extension to rear of existing dwelling and porch to front
08/00180/FPA New Brancepeth Residents Association	Playing Field New Brancepeth Durham	Provision of play facilities at existing recreation ground including additional football pitch, childrens play area and informal ball court
08/00181/FPA Mrs E Curry	19 Warkworth Road Newton Hall Durham DH1 5PB	Erection of pitched roof extension at first floor to side and rear of existing dwelling
08/00182/FPA Mr S Calladine	20 Aldin Grange Hall Bearpark Durham DH7 7AR	Erection of single storey pitched roof extension to side of existing dwelling
08/00183/FPA Mr Bailey	12 Kerryhill Drive Pity Me Durham DH1 5FN	Erection of conservatory to side elevation of existing dwelling
*08/00184/CAC Mr E Clark	5 High Wood Terrace Durham DH1 3DS	Demolition of existing single storey extension and rear yard wall in association with erection of two storey pitched roof extension to rear of existing dwelling

\* Determined under Chairman and Vice Chairman Delegated Authority



**Applications recommended for refusal – reasons**

4/07/01225/FPA

The Local Planning Authority considers that the submitted justification for the proposed use has failed to have regard to the impact upon other centres in the retail hierarchy and is therefore in conflict with the requirements of Planning Policy Statement 6: Planning for Town Centre's.

4/07/01226/FPA

The Local Planning Authority considers that the submitted justification for the proposed use has failed to have regard to the impact upon other centres in the retail hierarchy and is therefore in conflict with the requirements of Planning Policy Statement 6: Planning for Town Centre's.

4/07/01227/FPA

The Local Planning Authority considers that the proposed change of use will undermine the Authority's economic strategy and result in the loss of industrial land contrary to the aims of Policy EMP8 of the City of Durham Local Plan 2004.

The Local Planning Authority considers that the proposal represents major retail development in an out of centre location without adequate justification in terms of need, sequential approach and impact and is therefore contrary to the requirements of Policy S9B of the City of Durham Local Plan 2004.

The Local Planning Authority considers that the submitted justification for the proposed use has failed to have regard to the requirements of Planning Policy Statement 6: Planning for Town Centre's in terms of need, scale, sequential approach and impact, and without such adequate justification, the proposal is in clear conflict with the requirements of Planning Policy Statement 6: Planning for Town Centre's.

4/08/00168/FPA

In the opinion of the Local Planning Authority the application site lies within the Green Belt where the construction of new development is inappropriate and will not be permitted unless it falls within specified categories. The current occupation of the application site (which was a former stable) is restricted to a person solely employed for security, maintenance or other function of the adjoining Bracken Hotel, or to those who are guests at the hotel. No functional justification has been provided for any identified need to extend these facilities, and the proposed use does not fall within any specified classes in the green belt and so conflicts with Policy E1 of the City of Durham Local Plan 2004.

In the opinion of the Local Planning Authority the application site lies within the Shincliffe Conservation Area and an Area of High Landscape Value. The proposed extension to the former stable building are considered to be disproportionate in size to the original building and the introduction of a dormer and balcony detracts from the design of the building. For these reasons the extension is considered to introduce an unacceptable suburban appearance to this rural area. For these reasons the application is not considered acceptable and is considered to conflict with policy E22 and E1 of the City of Durham Local Plan 2004.

**Applications recommended for conditional approval – conditions**

4/08/00083/FPA

T1 Time Limit Full Approval 2004  
DT3 Finish of Materials

4/08/00093/AD

TL3 Advert Approvals  
DT7A Complete Accord

The illuminated advertisement signs hereby approved shall be illuminated only during the business hours of the premises

4/08/00100/FPA

T1 Time Limit Full Approval 2004  
DT4 External Materials  
DT19 Obscure Glazing  
DT7A Complete Accord

4/08/00101/FPA

T1 Time Limit Full Approval 2004  
DT11 Fenestration Details  
DT34A Timber Windows  
DT35A Slates  
DT12 Windows in Reveal  
DT19 Obscure Glazing  
DT7A Complete Accord

No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Notwithstanding the information shown on the submitted plans the proposed rooflights in front and rear elevations hereby permitted must finish flush with the roofline, the precise details of which shall be submitted at a scale of 1:20 and approved in writing by the Local Planning Authority before development commences and thereafter implemented in accordance with the approved scheme

4/08/00113/FPA

T1 Time Limit Full Approval 2004  
DT3 Finish of Materials

That notwithstanding the information shown on the submitted plans, the proposed two new rear windows and the new west window at ground floor must match the other windows within the main building in terms of materials, style and finish and must have a matching soldier header and cill.

That notwithstanding the information shown on the submitted plans, the proposed new side door must be of a panelled timber construction to match the front entrance.

4/08/00139/FPA

T1 Time Limit Full Approval 2004  
DT3 Finish of Materials

4/08/00144/FPA

T1 Time Limit Full Approval 2004  
DT8 Enclosure Details to be Agreed  
DT10 Hardstanding Surface Materials  
DT19 Obscure Glazing  
LA4 Retention of Existing Trees and Hedges  
DT7A Complete Accord

No development shall take place until samples of the materials to be used in the construction of the external surfaces of the dwelling and garage hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

No works or development shall take place until a scheme for the protection of the trees has been submitted and agreed in writing with the Local Planning Authority.

This scheme shall include:

- a. A plan that shows the position, crown spread and root protection area (para. 5.2.2 of BS5837) of every tree on site.
- b. A schedule of tree works (if any) for all the trees on site specifying any pruning and other remedial or preventative work. All tree works shall be carried out in accordance with BS3998:1989, Recommendations for tree work.
- c. Written proof of the qualifications of the arboricultural contractor authorised to carry out the scheduled tree works.
- d. The details and positions (shown on plan at paragraph (a) above) of



the ground protection zones (section 9.3 of BS5837)

e. The details and positions (shown on plan at paragraph (a) above) of the Tree Protection Barriers (section 9.2 of BS5837) identified separately where required for different phases of construction work. The tree protection barriers must be erected prior to each construction phase commencing and remain in place, and undamaged for the duration of that phase. Such scheme as approved by the Local Planning Authority shall be implemented in its entirety for the full duration of works on site.

4/08/00177/FPA

T1	Time Limit Full Approval 2004
DT4	External Materials
DT19	Obscure Glazing
DT7A	Complete Accord

4/08/00179/FPA

T1	Time Limit Full Approval 2004
DT7A	Complete Accord
DT4	External Materials

4/08/00180/FPA

T1	Time Limit Full Approval 2004
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4/08/00181/FPA

T1	Time Limit Full Approval 2004
DT4	External Materials
DT7A	Complete Accord

4/08/00182/FPA

T1	Time Limit Full Approval 2004
DT7A	Complete Accord

4/08/00183/FPA

T1	Time Limit Full Approval 2004
DT3	Finish of Materials

4/08/00184/CAC

T1	Time Limit Full Approval 2004
DT7A	Complete Accord

Development of the site with an approved development scheme shall be undertaken within 6 months of the clearance of the site, or a scheme to tidy and secure the land must be submitted to an approved by the Local Planning

Authority, said scheme being implemented within 6 months of the clearance of the site.

**CITY OF DURHAM**

**APPLICATIONS DETERMINED UNDER PLENARY POWERS**

**PRINTED ON 2 May 2008**

**WEEK NO. 14/2008**

1. The following applications were **REFUSED** for the reasons set out in Appendix A.

Number and Applicant	Location	Proposal
*08/00201/FPA Mr Mason	9 Bamburgh Road Newton Hall Durham DH1 5NW	Erection of two storey pitched roof extension to side, single storey extension to front and conservatory to rear elevation of existing dwelling
*08/00222/FPA Mr R Young	Land Adjoining 4 Auton Close Bearpark Durham DH7 7BJ	Change of use of field to private garden

2. The following applications were **APPROVED** subject to the conditions set out in Appendix B.

Number and Applicant	Location	Proposal
*07/01214/FPA Mr A Ardle	Land North East Of Aldin Grange Farm And North Of Durham Road Bearpark Durham	Erection of agricultural building (revised and resubmitted)
#08/00125/LB Mrs R Watson	Kepier Farm The Sands Durham DH1 1LB	Rebuilding of damaged portion of West Range Barns - new roof structure, new internal concrete floor and steel/timber mid floor and recovering of roof in slate to match remaining barn instead of pantiles

*08/00129/VOC El Coto Ltd	17 Hallgarth Street Durham DH1 3AT	Removal of condition 6 (personal permission) and variation of condition 7 to extend opening from 11:30 to 23:00 Monday to Saturday and from 11:30 to 20:00 on Sundays, both pursuant to approval 4/88/00832 (amended description)
08/00147/FPA Mr I T MacFeggan	49 Finchale Avenue Brasside Durham DH1 5SD	Erection of single storey pitched roof extension to rear of existing dwelling
*08/00162/FPA Mrs J Williamson	16 Meldon Avenue Sherburn Durham DH6 1JX	Erection of two storey pitched roof extension to side/rear of existing dwelling
08/00163/FPA Mr Peart	11 Copperfield Merryoaks Durham DH1 3QT	Erection of single storey pitched roof extension to rear of existing dwelling
08/00165/FPA Mr Hunt	27 Langley Crescent Langley Moor Durham DH7 8LU	Erection of single storey pitched roof extension to front of existing dwelling
*08/00170/FPA Mr And Mrs Everatt	3 Low Green Shincliffe Durham DH1 2NF	Erection of single storey pitched roof extension to side and rear of existing dwelling
08/00171/FPA Mr J Plews	5 Whitesmocks Avenue Durham DH1 4HP	Erection of two storey pitched roof extension to side/rear of existing dwelling including roof access to existing flat roof offshot with balustrade
08/00178/FPA Ms N Bowden	63 Woodland View West Rainton Durham DH4 6RH	Erection of single storey pitched roof extension to front of existing dwelling

08/00185/FPA Three Rivers Housing Association	Three Rivers Housing Association Three Rivers House Abbeywoods Pity Me Durham DH1 5TG	Creation of 11 no. additional parking spaces together with replacement landscaping provision
08/00195/FPA Mr And Mrs Bennett	4 Aykley Court Durham DH1 4NW	Erection of two storey pitched roof extension to side elevation of existing dwelling
08/00196/RM Ramside Estates Ltd	Ramside Hall Hotel Carrville Durham DH1 1TD	Reserved matters application pursuant to condition 2 of outline approval 4/04/00836 including details of layout, scale, appearance and access for the erection of a leisure facility comprising a two and single storey extension to the south-east corner of the existing hotel
08/00197/LB Ramside Estates Ltd	Ramside Hall Hotel Carrville Durham DH1 1TD	Erection of a leisure facility comprising a two and single storey extension to the south east corner of the existing hotel
08/00202/FPA Durham Villages Regeneration Company	Land At Commercial Street Brandon Lane / St.Agathas Close Brandon Durham	Proposed substitution of housetypes and 3 no. (45 no. total) additional houses to previously granted application for 42 no. houses - 4/07/00421
*08/00206/FPA Mr And Mrs J Naisbeth	43 Buckinghamshire Road Belmont Durham DH1 2BD	Erection of one and two storey pitched roof extensions to rear of existing dwelling
*08/00209/FPA Mr I Williams	5 Victor Terrace Bearpark Durham DH7 7DG	Erection of 2 no. dormer windows to both front and rear elevations of existing dwelling (revised and resubmitted)

08/00212/FPA Stray Aid	East Pasture House Cornforth Lane Coxhoe Durham DH6 4EL	Subdivision of existing dwelling to form veterinary surgery at ground floor with residential accommodation above
08/00215/FPA Mr C Burt	5 Barrasford Road Newton Hall Durham DH1 5NB	Erection of two storey pitched roof extension to rear of existing dwelling
08/00217/FPA Mr And Mrs C Storey	8 Farnley Ridge Durham DH1 4HB	Erection of pitched, hipped roof to existing garage/porch area of existing dwelling
08/00219/TPO Mr Gregory	Grey Lodge Whitesmocks Durham DH1 4LH	Crown lift 1 no. Beech and 1 no. Ash to 3m, crown lift 1 no. Horse Chestnut to clear BT lines
08/00221/FPA Mrs B Chesterman	32 Roman Road Brandon Durham DH7 8UF	Proposed single storey pitched roof extension to side of existing dwelling
08/00224/FPA Mr R Ferguson	34 Kell Crescent Sherburn Hill Durham DH6 1PP	Erection of two storey pitched roof extension to side of existing dwelling
*08/00225/FPA Mr N Swift	33 Whinney Hill Durham DH1 3BD	Erection of two storey pitched roof extension to side and rear of existing dwelling
08/00231/FPA Mr And Mrs Davies	Station House Wolsingham Road Brancepeth Durham DH7 8DL	Erection of two storey pitched roof extension to rear of existing dwelling
08/00235/FPA Mrs J Walker	8 Ennerdale Close Belmont Durham DH1 2UG	Erection of first floor pitched roof extension to rear of existing dwelling
08/00239/FPA Mr And Mrs D Kennedy	1 Hatfield Close Framwellgate Moor Durham DH1 5FD	Erection of first floor pitched roof extension and canopy over front door to front of existing dwelling house

08/00258/AD  
Whitbread Group Ltd

Broomside Park  
Belmont Industrial Estate  
Durham  
DH1 1GG

Erection and display of revised advertisements including internally illuminated signage to existing totem signs, 2 no. internally illuminated fascia signs to north elevation, 1 no. internally illuminated fascia sign to south elevation and 1 no. internally illuminated totem sign to car park entrance

08/00260/AD  
CWS Retail Financial Services

Co-op Foodstore  
Prince Charles Avenue  
Bowburn  
Durham  
DH6 5DJ

Erection of 2 no. externally illuminated fascia signs and 1 no. externally illuminated projecting sign to front elevation of existing foodstore

08/00265/FPA  
Mr And Mrs Jenkins

16 Plantation Avenue  
Littleton  
Durham  
DH6 1PY

Erection of two storey pitched roof extension to rear of existing building

3. Raise no objection to the County Matter listed below.

Number and Applicant	Location	Proposal
08/00307/CM Durham Community Business College	Durham Community Business College Ushaw Moor Durham DH7 7NG	Construction of additional parking and revised layout of existing car park
08/00311/CM Durham County Council	Sherburn Hill Primary School Front Street Sherburn Hill Durham DH6 1PA	Erection of single storey extension to existing school to form Sure Start Centre with associated landscaping and means of enclosure

\* Determined under Chairman and Vice Chairman Delegated Authority

# To be ratified by G.O.N.E





**Applications recommended for refusal – reasons**

4/08/00201/FPA

The Local Planning Authority considers that by virtue of its size, scale and location just 8m from the rear elevation of No. 7 Bamburgh Road, the proposed first floor extension to side shall cause a detrimental impact upon the residential amenity of the occupiers of No. 7 Bamburgh Road through the creation of an overbearing feature and through an additional loss of outlook from main habitable rooms. The proposal is therefore considered to be contrary to the requirements of Policy Q9 of the City of Durham Local Plan 2004.

4/08/00222/FPA

The Local Planning Authority considers that the change of use of land to garden with associated enclosure with fencing has failed to maintain the openness of the Green Belt and therefore constitutes inappropriate development which is harmful to the Green Belt. The change of use is therefore considered to be contrary to the requirements of Policy E1 of the City of Durham Local Plan 2004.



**Applications recommended for conditional approval – conditions**

4/07/01214/FPA

T1 Time Limit Full Approval 2004  
DT7A Complete Accord  
DT4 External Materials  
LA2 Landscaping Scheme Full Reserved Matter

The building hereby approved shall only be occupied by agricultural livestock together with feed and machinery solely for use in association with agricultural livestock and for no other purpose.

4/08/00125/LB

T1 Time Limit Full Approval 2004  
DT4 External Materials  
DT5 Materials Sample  
DT31 Rainwater Goods  
LB2 Examination of Hidden Features

The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans and specifications.

Notwithstanding the information shown on the submitted plans, full details of the proposed treatment to the wall post to the south of the southern most first floor opening on the east elevation, to include details of the proposed brickwork reconstruction, method of attachment to existing stonework and proposed joint type, shall be submitted at scale 1:10, and approved in writing by the Local Planning Authority before the development commences, and thereafter implemented in accordance with the approved scheme.

Notwithstanding the information shown on the submitted plans, full details of the proposed treatment to the existing truss ends, to include details of the proposed lead casing and method of protection, shall be submitted to and approved in writing by the Local Planning Authority before the development commences, being thereafter implemented in accordance with the approved scheme.

4/08/00129/VOC

The restaurant shall only be open to the public between the hours of 11.30 to 23.00 Monday to Saturday and from 11.30 to 15.00 on Sunday.

Before the extended opening hours are commenced full details of the facilities for the storage and collection of refuse shall be submitted to the Local Planning Authority and approved in writing. The refuse storage and collection shall then be implemented in accordance with the approved details.

Before the development commences full details of the management of the restaurants customers smoking requirements should be submitted to the Local Planning Authority and approved in writing. The scheme shall then be implemented in accordance with the agreed details.

4/08/00147/FPA

T1 Time Limit Full Approval 2004  
DT3 Finish of Materials

4/08/00162/FPA

T1 Time Limit Full Approval 2004  
DT3 Finish of Materials  
DT7A Complete Accord

No (further) windows, doors or openings of any kind shall be inserted in the flank elevations of the development hereby permitted without prior, express planning permission of the Local Planning Authority

4/08/00163/FPA

T1 Time Limit Full Approval 2004  
DT3 Finish of Materials

4/08/00165/FPA

T1 Time Limit Full Approval 2004  
DT3 Finish of Materials

4/08/00170/FPA

T1 Time Limit Full Approval 2004  
DT4 External Materials  
DT11 Fenestration Details  
DT7A Complete Accord

4/08/00171/FPA

T1 Time Limit Full Approval 2004  
DT3 Finish of Materials  
DT7A Complete Accord

4/08/00178/FPA

T1 Time Limit Full Approval 2004  
DT3 Finish of Materials

4/08/00185/FPA

T1 Time Limit Full Approval 2004  
LA3 Landscape Implementation Submitted Sche  
DT7A Complete Accord

4/08/00195/FPA

T1 Time Limit Full Approval 2004  
DT4 External Materials

4/08/00196/RM

DT7A Complete Accord  
DT4 External Materials  
DT11 Fenestration Details  
DT12 Windows in Reveal  
DT28 Flues Vents and Extracts  
LA2 Landscaping Scheme Full Reserved Matter

4/08/00197/LB

T1 Time Limit Full Approval 2004

4/08/00202/FPA

TL1 Time Limit Full Approval  
DT4 External Materials  
DT8 Enclosure Details to be Agreed  
DT10 Hardstanding Surface Materials  
DT11 Fenestration Details  
DT12 Windows in Reveal  
DT18 Schedule of Joinery Details  
LA2 Landscaping Scheme Full Reserved Matter  
PD7 Removal of PD Hardstandings  
LA5 Protection of Trees Hedges during Const

Notwithstanding the information shown on the submitted drawings, full details of all proposed retaining walls shall be agreed in writing with the Local Planning Authority prior to construction, and be subsequently built in full

accordance with that agreement.

Prior to their construction, full details of all garage elevations facing St Agatha's Court shall be agreed in writing with the Local Planning Authority. These garages shall be subsequently built in full accordance with that agreement.

Development shall not begin until a scheme to deal with contamination of the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include an investigation and assessment to identify the extent of contamination and the measures to be taken to avoid risk to the public, the buildings, and the environment when the site is developed. Development shall not commence until the measures approved in the scheme have been implemented and a verification statement produced.

The proposed garages shown on the approved drawings shall be implemented in accordance with the agreed details, and retained thereafter for the parking of private vehicles, and shall not be used as or converted into habitable accommodation, unless otherwise agreed in writing with the Local Planning Authority.

#### 4/08/00206/FPA

T1	Time Limit Full Approval 2004
DT3	Finish of Materials
DT19	Obscure Glazing
DT7A	Complete Accord

#### 4/08/00209/FPA

T1	Time Limit Full Approval 2004
DT4	External Materials
DT7A	Complete Accord

#### 4/08/00212/FPA

T1	Time Limit Full Approval 2004
DT6	Alterations
DT10	Hardstanding Surface Materials

Unless otherwise agreed with the Local Planning Authority the flat shall only be occupied by a person solely or mainly employed or last employed by the kennels or a dependent of such person residing with him / her or a widow or widower of such a person.

#### 4/08/00215/FPA

T1	Time Limit Full Approval 2004
DT3	Finish of Materials

4/08/00217/FPA

T1 Time Limit Full Approval 2004  
DT4 External Materials  
DT7A Complete Accord

4/08/00219/TPO

T1 Time Limit Full Approval 2004  
LA7 Tree Surgery

4/08/00221/FPA

T1 Time Limit Full Approval 2004  
DT7A Complete Accord  
DT7A Complete Accord

4/08/00224/FPA

T1 Time Limit Full Approval 2004  
DT3 Finish of Materials

4/08/00225/FPA

T1 Time Limit Full Approval 2004  
DT7A Complete Accord  
DT4 External Materials

4/08/00231/FPA

T1 Time Limit Full Approval 2004  
DT5 Materials Sample  
DT11 Fenestration Details  
DT7A Complete Accord

No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

4/08/00235/FPA

T1 Time Limit Full Approval 2004  
DT3 Finish of Materials

4/08/00239/FPA

T1 Time Limit Full Approval 2004  
DT3 Finish of Materials

4/08/00258/AD

TL3            Advert Approvals

4/08/00260/AD

TL3            Advert Approvals

DT7A          Complete Accord

4/08/00265/FPA

T1            Time Limit Full Approval 2004

DT3            Finish of Materials



# List of Approvals

From 27/03/2008 to 05/05/2008

Number and Applicant	Location	Proposal
07/02859/DIS Mr & Mrs Bean	18 Carrsdale Carrville Durham DH1 1BD	Disabled bathroom and bedroom
08/00154/OTHDOM Mr Anthony Walker	18 &19 Ferndale Belmont Durham DH1 2AW	Pitched tiled roof over existing flat front projection (Application to cover both 18 & 19 Ferndale)
08/00179/PARTNR Durham County Council	Deaf Hill Primary School Deaf Hill Trimdon Station County Durham TS29 6BP	Provision of new pupil accessible toilet and female staff toilet
08/00200/PARTNR Paula Rae	Middlestone Moor Sure Start Rock Road Spennymoor Durham DL16 7DB	Proposed single storey adult training centre with car parking provisions
08/00222/OTHC Paula Rae	Sherburn Hill Primary School Front Street Sherburn Hill Durham DH6 1PA	Extension to existing school to form Day Care Facilities
08/00267/DEX Mr A Lake	14 Leyland Close Bowburn Durham DH6 5DD	Rear Extension (Single Storey)
08/00276/DEX Mr McCretton	1 Panfield Terrace New Lambton Sunderland	Porch and Workshop extension
08/00312/DRO Mr B Waiting	West Acre Foxes Row Brancepeth Durham DH7 8DH	Attic Conversion
08/00322/DEX Peter Hersey	31 Field House Lane Durham City DH1 4LT	2 storey side extension plus single storey rear extension

Number and Applicant	Location	Proposal
08/00325/DEX Lorraine Neil	18 Bolton Close Newton Hall Durham DH1 5PH	Proposed bedroom extension and garage conversion to living room
08/00350/DEX Mr E Donnelly	45 Cypress Park Esh Winning Durham DH7 9JD	Ground Floor and First Floor Extension
08/00370/DEX P & A Bird	2 Wearside Drive Durham City DH1 1LE	Alterations/Extension
08/00373/DEX Hope Estates	Dunholme Whinney Hill Durham City DH1 3BD	Rear Extension, attic conversion and alterations
08/00375/DOM A Bimbi	Site Of 1A Rogerson Terrace Croxdale Durham DH6 5HJ	New Dwelling and extension to 1A
08/00377/DEX Iain Parkinson	15 Gloucestershire Drive Belmont Durham DH1 2DH	Erection of two storey side extension with single storey offshoot to rear
08/00378/OTHDOM Mr & Mrs Scothon	31 Elvet Crescent Durham City DH1 3AP	Changes to internal layout
08/00387/DEX Miss Sarah Owens	2 Kepier Villas Gilesgate Durham DH1 1JP	Demolition of existing rear buildings and rebuild as shown (extension)
08/00388/DEX Mr & Mrs A Patterson	12 Beaumont Close Framwellgate Moor Durham DH1 5FF	Extension to first floor bedroom
08/00389/DRO Mr & Mrs G Allen	1 Alston Walk Sherburn Durham DH6 1JU	Loft Conversion with Dormer Windows
08/00390/DEX Mr & Mrs Middleton	12 Holmlands Crescent Framwellgate Moor Durham DH1 5AR	Extension to provide garage with bedroom over

Number and Applicant	Location	Proposal
08/00412/PARTNR Durham County Council	Market Place Crook County Durham DL15 8QH	Replacement of windows and door
08/00413/OTHDOM Durham University	St Marys College Williamson Building Elvet Hill Road Durham City DH1 3LR	Replacing copper sheet roof with insulated isngle ply membrane roof
08/00415/OTHC Durham County Council	County Hall Aykley Heads Durham DH1 5UL	Creation of additional office accommodation
08/00417/DEX Mr & Mrs Lavelle	27 Beechfield Rise Coxhoe Durham DH6 4SB	Single storey extension to rear of property
08/00418/DEX Mr Brian Rooney And Mrs	6 Heathways High Shincliffe Durham DH1 2PG	Two Storey side extension (to side of property)
08/00419/DEX Mr M Petterson	6 Newcastle Road Crossgate Moor Durham DH1 4AG	Rear Extension
08/00427/DEX Mr Firth	5 Talisman Close Sherburn Durham DH6 1RJ	Sunroom and wc
08/00429/DEX Mr Jonks	2 Fairfalls Terrace New Brancepeth Durham DH7 7HB	Hall Extension
08/00430/DEX Mr Lowes	8 Beaumont Close Framwellgate Moor Durham DH1 5FF	Bedroom and Garage
08/00432/DEX Mr Watson	1 Langdale Crescent Carrville Durham DH1 1AN	Dining Room Extension
08/00433/DEX Mr Skelton	7 Bamburgh Road Newton Hall Durham DH1 5NW	Kitchen Utility and Sun Room and tiled roof to front elevation bay

<b>Number and Applicant</b>	<b>Location</b>	<b>Proposal</b>
08/00434/DEX Mr Sibbald	34 Dinsdale Drive Belmont Durham DH1 2TS	Porch, Ensuite & WC Extension
08/00435/DEX Mr Hobson	14 Red Ridges Brandon Durham DH7 8QP	Kitchen/bedroom/bathroom extension
08/00436/PARTNR Mr Proctor	27 Lansbury Way Castletown Sunderland Tyne & Wear	Garage, Bedroom & En-suite Extension
08/00437/PARTNR Mrs Warwick	27 Briarwood Street Fencehouses Sunderland Tyne & Wear	Lounge and Porch Extension
08/00438/DEX Antony Hodgson	19A Wearside Drive Durham City Durham DH1 1LE	Kitchen and sunroom extension
08/00464/OTHC University Hospital	University Hospital North Road Durham DH1 5TW	The internal refurbishment/re- modelling of the medical records department into dermatology department.
08/00466/DRO Hope Estates	6 New Street Durham DH1 4DH	Loft conversion and infill extension to rear
08/00467/DEX Warren Colby	17 Rosemount Pity Me Durham DH1 5GA	Erection of single storey glazed structure and single storey pitched roof extension to rear of existing dwelling
08/00481/OTHC Mr Alan Corbridge	County Hall Aykley Heads Durham DH1 5UL	Conversion of the existing bar.Lounge area into three new members rooms
08/00484/DEX Mr P Blenkinsop	19 Woodlands Washington Tyne & Wear NE38 9HD	Bedroom extensions and porch and relocate bathroom.
08/00486/DEX Mr A Hewitson	42 Welby Drive Ushaw Moor Durham DH7 7GA	Sun Room and Study Extension

Number and Applicant	Location	Proposal
08/00487/DRO Lee Bishton	1 Friars Row Gilesgate Durham DH1 1HF	Proposed conversion of roof space into 2 habitable bedrooms and a bathroom
08/00489/DEX Dr Prasad	6 Larches Road Durham City DH1 4NL	Kitchen and Study Extension and pitched roof to garage
08/00493/DEX Anthony Garbutt	96 Alnwick Road Newton Hall Durham DH1 5PD	Extension to side of garage and new bedroom above garage
08/00494/OTHC BNP Paribas, Jersey Trust	17 High Street Durham DH1 3UJ	Redevelopment of Core 5 vennel, non window openings to SU18, non advertising cabinets, lighting and wall
08/00495/DEX Mr C Parker	7 Barrasford Road Newton Hall Durham DH1 5NB	Erection of 2 storey extension to side of dwelling
08/00499/PARTNR Durham County Council	Ferryhill Branch Library North Street Ferryhill DL17 8HX	Access Improvements
08/00507/PARTNR Gary Roberts	54 Runswick Drive Seaham Co Durham DH1 2AN	Rear ground floor sun lounge extension
08/00509/OTHC Durham County Council	County Hall Aykley Heads Durham DH1 5UL	Conversion of store room into office
08/00510/PARTNR S Waters	47 Appledore Road South Beach Blyth Northumberland NE24 3TG	Ground floor extension and pitched roof over existing garage
08/00514/DEX Mr Pears	41 Hamilton Row Waterhouses Durham DH7 9AU	Two Storey Extension

Number and Applicant	Location	Proposal
08/00515/PARTNR Jonathan Ball	Seaham Harbour Nursery School Bottleworks Road Seaham Harbour Seaham SR7 7NN	Extension to staffroom and existing store rooms
08/00518/DEX Mr & Mrs Ridland	12 Oatlands Way Pity Me Durham DH1 5GL	Rear Extension
08/00519/OTHDOM Mr & Mrs C Storey	8 Farnley Ridge Durham DH1 4HB	Replace existing flat roof with pitched roof to garage area
08/00527/DEX Hope Estates Ltd	46 Whinney Hill Durham City DH1 3BD	Single storey extension to rear of dwelling
08/00528/DEX Hope Estates Ltd	45 Whinney Hill Durham City DH1 3BD	Single storey extension to rear of dwelling
08/00530/OTHC Kevin Watt	Durham Fire And Rescue Brigade County Durham & Darlington Fire & Rescue Brigade Headquarters Finchale Road Framwellgate Moor Durham DH1 5JR	Shower Refurbishment
08/00531/DEX Hope Estates Ltd	36 Whinney Hill Durham City DH1 3BD	Erection of a single storey extension to rear of dwelling
08/00532/DEX Hope Estates Ltd	37 Whinney Hill Durham City DH1 3BD	Single Storey Extension to rear of dwelling
08/00540/OTHC Miss Tanya Walton	The Beauty Spot Saddlers Yard Saddler Street Durham City DH1 3NP	Create new Beauty Room

# List of Regularisations

From 27/03/2008 to 05/05/2008

<b>Number and Applicant</b>	<b>Location</b>	<b>Proposal</b>
08/00483/OTHDRG Mrs Nicola Tomaney	3 Ellam Avenue Durham City DH1 4PG	Kitchen and dining room into one room. Wall moved approx 50 cm upstairs.
08/00497/GLAZRG Mark Ferguson	7 The Crescent West Rainton Durham DH4 6SB	Replacement of PVC bathroom window





# Building Notices

Between 27/03/2008 and 05/05/2008

**Number of cavity wall insulation applications** 24

<b>Number and Applicant</b>	<b>Location</b>	<b>Proposal</b>
08/00383/OTHDBN Dawn Murray	9 Brecken Way Meadowfield Durham DH7 8UZ	Change garage into sitting room
08/00414/OTHDBN Robert V Bach	9 Rosedale Road Belmont Durham DH1 2AS	Build toilet in the front door porch area and build up living room window from ground level
08/00416/OTHDBN Gregory Isted	66 Esh Wood View Ushaw Moor Durham	Conversion of integral garage into a utility room and an additional reception room.
08/00465/OTHDBN Mrs Carol Rolling	43 High Street Carrville Durham DH1 1AT	Re roofing house with some alteration to design of roof and re building porch
08/00468/OTHDBN Mr Robert Gray	East Garden Cottage 5 South View Hett Durham DH6 5LT	Conversion of garage into living area/playroom
08/00482/OTHDBN Mrs Nicola Tomaney	3 Ellam Avenue Durham City DH1 4PG	Velux window put in to roof at rear of the house.
08/00498/GLAZBN Darren Crosby	29 Priestburn Close Esh Winning Durham DH7 9NF	Replace existing timber windows and resi doors with UPVC windows and doors
08/00511/OTHDBN William Richardson	Ash Villa Nevilles Cross Bank Durham City DH1 4JS	Formation of doorway (inculding lintol) in external wall
08/00512/OTHDBN Mrs F Brown	48 Chalfont Way Meadowfield Durham DH7 8XA	Garage Conversion
08/00513/OTHDBN K & N Crossley	14 Blackcliffe Way Bearpark Durham DH7 7TJ	Removal of internal wall, replace with catnic load bearing lintol

Number and Applicant	Location	Proposal
08/00516/OTHDBN Kokou Frank Abaya	15 Burn Street Bowburn Durham DH6 5AN	1 Ring circuit for master bedroom, 1 new circuit for cooker and 1 ring for kitchen
08/00524/OTHDBN Mr P Walton	2 The Chains Durham DH1 1QZ	New consumer unit and shower
08/00537/OTHDBN Linepave Ltd	Grove House Grove House Drive Gilesgate Durham DH1 1UP	Conversion of existing dwelling to 4 no. Apartments and erection of 2no. Domestic garage blocks
08/00538/GLAZBN Mr & Mrs G A Openshaw	30 Heaviside Place Gilesgate Durham DH1 1JH	Replace UPVC windows