

**Development Control
(Hetton, Houghton and Washington) Sub-Committee**

SUPPLEMENT

9 December, 2010

Number:	S4
Application Number:	10/03311/FUL
Proposal:	Demolition of existing dwelling (Middle House) and commercial buildings and erection of 7 three storey dwellings. Conversion of existing barn into two dwellings and alterations to western site boundary.
Location:	Site Of Middle House, East Croft & Summerhouse Farm, South Street, East Rainton, Houghton-Le-Spring, DH5 9QR

Further to the main agenda report in connection with this application, additional consideration has been given to the design and highway issues and further amended plans have been received showing altered fenestration to the dwellings and barn conversion and alterations to the layout of the development to incorporate a central courtyard.

Amended Plans

Following preparation of the main report, as anticipated, amended plans have been received. The alterations can be summarised in three areas as follows; alterations to the fenestration of plots 4 and 5, alterations to the fenestration of the proposed barn conversion (plots 8 and 9) and alterations to the layout to form an internal courtyard.

With regard to plots 4 and 5, the changes relate to the removal of a first floor window to the rear and omission of the rear dormers and their replacement with roof lights. The window omitted from the rear at first floor level is proposed to be relocated to the side, where it would face towards the rear of the applicant's own dwelling at East Croft, as opposed to 2 Waterford Close as was previously the case. These amendments are considered to be satisfactory in order that the privacy amenities of the occupiers of 2 Waterford Close will not be adversely affected by the development and subject to the imposition of a condition requiring the window relocated to the side elevation to be fitted with obscure glazing, the impact of this secondary bedroom

window on the amenities of East Croft is also considered acceptable with regard to UDP policy B2 and the spacing standards as set out in the Residential Design Guide SPD. The proposed dormers to the rear of plots 6 and 7 remain and as these are not directly aligned with the rear elevation of nearby properties and are offset from the rear elevations of the nearest properties in Sutherans Yard and Waterford Close by distances of 22 and 24 metres respectively, positioned at oblique angles from these properties, it is not considered that overlooking issues, sufficient to warrant a refusal of planning permission would occur through the incorporation of these dormer windows.

The proposed barn conversion to form plots 8 and 9 has been slightly amended in order to retain the existing lintel details above the windows and make full use of existing openings to the rear of the building. The main alteration is to introduce a set of patio doors to the rear of plot 9 in the position of an existing set of double timber doors to the rear of the building, to avoid the need to infill this and insert a window. These amendments render the scheme more sympathetic to the existing barn, allowing its retention and incorporation into the scheme without detriment to the historic building. This element of the proposal is considered to be acceptable.

The internal courtyard area has been amended so as to group all car parking spaces in this area, removing the individual accesses to plots 1-3 from South Street and grouping car parking spaces logically into allocated bays for each property and three visitor spaces separately within the courtyard. Additionally, the plan shows a footpath across the frontage of the development along South Street, where one does not presently exist. The Executive Director of City Services (Transportation Team) has advised that the amended site layout is acceptable in making car parking provision in accordance with the Council's guidelines and UDP policies T14 and T22.

In light of the above, the proposed development is considered to be acceptable in terms of the design and layout, which would not impact detrimentally upon the visual amenities of the area or the visual or privacy amenities of neighbouring occupiers, whilst incorporating a layout, which makes adequate provision for car parking and internal circulation space around a central landscaped courtyard. It is therefore considered that the proposal accords satisfactorily with UDP policies B2, B5, HA16, T14 and T22 and the Council's Supplementary Planning Guidance in respect of car parking and separation distances between dwellings, as detailed in the main report.

Ecology and Wildlife Implications

The contents of the ecology report accompanying the application have now been examined and it is considered that the proposal is acceptable in this regard.

Should members be minded to approve the application, it is recommended that conditions be imposed requiring details of bat boxes, bricks and slates to be submitted for consideration, along with a detailed landscaping scheme and

external lighting details. It is also recommended that conditions be imposed requiring checking ecological surveys be submitted if development is not commenced before the next active bat and bird breeding seasons and also a condition that a working method statement in relation to ecology be issued to and adhered to by the contractor carrying out the development.

Subject to the imposition of such conditions, it is considered that the proposal accords with the requirements of UDP policies CN18 and CN22 as detailed in the main report and there will not be unacceptable impacts upon protected species.

Ground Conditions/Contamination

As detailed in the main agenda report, the application is accompanied by a Geoenvironmental Site Investigation Report, which aims to establish whether the site is contaminated and whether any remediation works are required prior to the commencement of development. This report remains under assessment by the Director of City Services (Pollution Control Section), who has recommended that no works should commence on site, other than site investigation works until the desktop study and any required remediation strategy are approved. As such, members are recommended to impose conditions preventing work from taking place, until the strategy is agreed and also requiring the submission of further method statements should any previously un-encountered contaminants be discovered during construction works.

Subject to the imposition of these conditions, the proposal is considered to accord satisfactorily with UDP policy EN14 as detailed in the main report.

Conclusion

In light of the above and the issues detailed in the main agenda report, it is considered that the proposal is in full accordance with the UDP policies and supplementary guidance detailed in the main agenda report and as above.

Members are recommended to approve the proposal subject to the conditions set out below.

Recommendation: APPROVE, subject to the conditions set out below:

1) The development to which this permission relates must be begun not later than three years beginning with the date on which permission is granted, as required by section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 to ensure that the development is carried out within a reasonable period of time.

2) Unless otherwise first agreed in writing with the Local Planning Authority, the development hereby granted permission shall be carried out in full accordance with the following approved plans:

- The Ground Floor Plans Plots 1-3 – Drawing Number 1098 AL (0) 0001, received 30 September 2010;
- The First Floor Plans Plots 1-3 – Drawing Number 1098 AL (0) 0002, received 30 September 2010;
- The Second Floor Plans Plots 1-3 – Drawing Number 1098 AL (0) 0003, received 30 September 2010;
- The Elevations Plots 1-3 – Drawing Number 1098 AL (0) 0004, received 30 September 2010;
- The General Section Plots 1-3 – Drawing Number 1098 AL (0) 0005, received 30 September 2010;
- The Roof Plan Plots 1-3 – Drawing Number 1098 AL (0) 0006, received 30 September 2010;
- The Ground Floor Plans Plots 4-5 – Drawing Number 1098 AL (0) 0007, received 30 September 2010;
- The First Floor Plans Plots 4-5 – Drawing Number 1098 AL (0) 0008, Revision A, received 18 November 2010;
- The Second Floor Plans Plots 4-5 – Drawing Number 1098 AL (0) 0009, Revision A, received 18 November 2010;
- The Elevations Plots 4-5 – Drawing Number 1098 AL (0) 0010, Revision A, received 18 November 2010;
- The General Section Plots 4-5 – Drawing Number 1098 AL (0) 0011, Revision A, received 23 November 2010;
- The Roof Plan Plots 4-5 – Drawing Number 1098 AL (0) 0012, Revision A, received 18 November 2010;
- The Ground Floor Plans Plots 6-7 – Drawing Number 1098 AL (0) 0013, received 30 September 2010;
- The First Floor Plans Plots 6-7 – Drawing Number 1098 AL (0) 0014, received 30 September 2010;
- The Second Floor Plans Plots 6-7 – Drawing Number 1098 AL (0) 0015, received 30 September 2010;
- The Elevations Plots 6-7 – Drawing Number 1098 AL (0) 0016, received 30 September 2010;
- The General Section Plots 6-7 – Drawing Number 1098 AL (0) 0017, received 30 September 2010;
- The Roof Plan Plots 6-7 – Drawing Number 1098 AL (0) 0018, received 30 September 2010;
- The Ground Floor Plan Plots 8-9 Barn Conversion – Drawing Number 1098 AL (0) 0019, received 30 September 2010;
- The Lower Ground Floor Plan Plots 8-9 Barn Conversion – Drawing Number 1098 AL (0) 0020, Revision A, received 18 November 2010;
- The Existing Barn Elevations – Drawing Number 1098 AL (0) 0021, received 30 September 2010;
- The Elevations Plots 8-9 Barn Conversion – Drawing Number 1098 AL (0) 0022, Revision B, received 18 November 2010;
- The General Section Plots 8-9 Barn Conversion – Drawing Number 1098 AL (0) 0023, received 30 September 2010;
- The Roof Plan Plots 8-9 Barn Conversion – Drawing Number 1098

- AL (0) 0024, Revision A, received 18 November 2010;
- The Extension Elevations Plots 8-9 Barn Conversion – Drawing Number 1098 AL (0) 0025, received 6 October 2010;
- The Boundary Treatment Details – Drawing Number 1098 AL (2) 0001, received 6 October 2010;
- The Existing Site Plan – Drawing Number 1098 AL (9) 0100, received 30 September 2010;
- The Proposed Site Plan – Drawing Number 1098 AL (9) 0200, Revision D, received 18 November 2010;
- The Proposed Landscape Plan – Drawing Number 1098 AL (9) 0201, Revision A, received 23 November 2010;
- The Schematic Drainage Plan – Drawing Number 1098 AL (9) 0202, Revision A, received 23 November 2010 and
- The Location Plan – Drawing Number 1098 AL (9) 01000, Revision A, received 6 October 2010.

In order to ensure that the completed development accords with the scheme approved and to comply with policy B2 of the adopted Unitary Development Plan.

3) Notwithstanding any indication of materials which may have been given in the application, no development shall take place until samples of the materials and finishes to be used for the external surfaces, including stone, slates, timber cladding and windows has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be carried out other than in accordance with the approved details; in the interests of visual amenity and to comply with policy B2 of the Unitary Development Plan.

4) Prior to the commencement of development, a specification and methodology for re-pointing of the stonework and any stonework repairs to the barn proposed to be converted to form plots 8 and 9 shall be submitted to and approved in writing by the Local Planning Authority. Once approved, development shall not proceed other than in complete accordance with the agreed details in the interests of visual amenity and to accord with policy B2 of the Unitary Development Plan.

5) No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping and treatment of hard surfaces which shall include indications of all existing trees and hedgerows on the land, and details for their protection during the course of development, in the interests of visual amenity and to comply with policy B2 of the Unitary Development Plan.

6) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season following the occupation of the buildings or the completion of the development whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with

others of a similar size and species, unless the Local Planning Authority gives written consent to any variation, in the interests of visual amenity and to comply with policy B2 of the Unitary Development Plan.

7) Before the development commences details of the method of containing the construction dirt and debris within the site and ensuring that no dirt and debris spreads on to the surrounding road network shall be submitted to and approved by the Local Planning Authority. These details shall include the installation and maintenance of a wheelwash facility on the site. All works and practices shall be implemented in accordance with the agreed details before the development commences and shall be maintained throughout the construction period in the interests of the amenities of the area and highway safety and to comply with policies B2 and T14 of the approved Unitary Development Plan.

8) No development, other than site investigation, shall be commenced until the application site has been subjected to a detailed desk study and site investigation and remediation objectives have been determined through risk assessment, and approved in writing by the Local Planning Authority and detailed proposals for the removal, containment or otherwise rendering harmless any contamination (the "Remediation Statement") have been submitted to and approved in writing by the Local Planning Authority, in the interests of the safe development of the site and to comply with policy EN14 of the Unitary Development Plan.

9) No development approved by this permission shall be commenced until the works specified in the Remediation Statement have been completed in accordance with the approved scheme and a report validating the remediated site has been approved in writing by the Local Planning Authority, in the interests of the safe development of the site and to comply with policy EN14 of the Unitary Development Plan.

10) Should any contamination not previously considered be identified during construction works an additional method statement regarding this material shall be submitted to the local planning authority for approval, in the interests of the safe development of the site and to comply with policy EN14 of the Unitary Development Plan.

11) No construction works required for the development hereby approved shall be carried out other than between the hours of 08.00 and 18.00 Monday to Friday and 08.30 and 13.00 on Saturdays and with no works to be carried out on Sundays or Bank Holidays, unless first agreed in writing with the Local Planning Authority, in the interests of residential amenity and to comply with policy B2 of the Unitary Development Plan.

12) Throughout the construction period, no deliveries of materials or equipment shall be made to the site except between the hours of 08.00 and 18.00 Monday to Friday and between the hours of 08.30 and 13.00 on Saturdays and at no time on Sundays or Bank Holidays in order to protect the amenities of the area and to comply with policy B2 of the Unitary

Development Plan.

13) Prior to the commencement of works on site, precise details of the bat mitigation measures to include bat boxes, bat bricks and bat slates and external lighting to be incorporated into the proposed development shall be submitted to and agreed in writing with the Local Planning Authority. Once approved, the agreed details shall be implemented to a timetable to be first agreed in writing with the Local Planning Authority and maintained as such thereafter in order to ensure a satisfactory form of development and to comply with policies CN18 and CN22 of the Unitary Development Plan.

14) The development shall be carried out in complete accordance with a working method statement in respect of protected species, which shall be submitted to and approved in writing by the Local Planning Authority and issued to the developer and building contractors working on site, prior to the commencement of development, in order to ensure a satisfactory form of development and to comply with policies CN18 and CN22 of the Unitary Development Plan.

15) Notwithstanding the submitted Ecology Report, should the development hereby approved not commence prior to the next active season, an appropriately qualified ecologist shall undertake a checking survey immediately prior to the commencement of works to ascertain the presence or absence of protected species as recommended in the submitted ecology report, dated July 2010. This checking survey shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development and work shall not proceed other than in complete accordance with the agreed details, in the interests of avoiding harm to a protected species and to comply with the requirements of policies CN18 and CN22 of the Unitary Development Plan.

16) Notwithstanding the approved details, should works be proposed to be carried during the bird breeding season (April to August inclusive), an appropriately qualified ecologist shall undertake a checking survey immediately prior to the commencement of works to confirm that no active nests are present. This checking survey shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development and work shall not proceed other than in complete accordance with the agreed details, in the interests of avoiding harm to a protected species and to comply with the requirements of policies CN18 and CN22 of the Unitary Development Plan.

17) No demolition/development shall take place until a programme of archaeological building recording has been completed, in accordance with a specification provided by the Local Planning Authority. A report of the results shall be submitted to and approved in writing by the Local Planning Authority prior to any development or demolition work taking place in order to provide an archive record of the historic buildings and to accord with PPS5.

18) No groundworks or development shall commence until a programme of

archaeological fieldwork (to include evaluation and where appropriate mitigation excavation) has been completed. This shall be carried out in accordance with a specification provided by the Local Planning Authority as the site is located within an area identified as being of potential archaeological interest. The investigation is required to ensure that any archaeological remains on the site can be preserved wherever possible and recorded in accordance with PPS5 and policies B13 and B14 of the Unitary Development Plan.

19) The buildings shall not be occupied/brought into use until the final report of the results of the archaeological fieldwork undertaken in pursuance of condition 18 has been submitted to and approved in writing by the Local Planning Authority as the site is located within an area identified as being of potential archaeological interest. The investigation is required to ensure that any archaeological remains on the site can be recorded in accordance with PPS5 and policies B13 and B14 of the Unitary Development Plan.

20) The buildings shall not be occupied/brought into use until a report detailing the results of the archaeological fieldwork undertaken has been produced in a form suitable for publication in a suitable and agreed journal and has been submitted to and approved in writing by the Local Planning Authority prior to submission to the editor of the journal as the site is located within an area identified in the Unitary Development Plan as being of potential archaeological interest and the publication of the results will enhance understanding of and will allow public access to the work undertaken in PPS5.

21) Notwithstanding the approved plans, the first floor bedroom window proposed to the side (west elevation) of the dwelling hereby approved on plot 4 shall be fitted with non-opening obscure glazing prior to occupation of the dwelling and shall be retained as such at all times thereafter in the interests of residential amenity and to accord with policy B2 of the Unitary Development Plan.

22) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, or any statutory instrument revoking and re-enacting the said order, no additional windows shall be installed in the side or rear elevations of the dwelling hereby approved on plot 4, without the prior written consent of the Local Planning Authority, in the interests of residential amenity and to accord with policy B2 of the Unitary Development Plan.

23) No development shall take place until a scheme of working has been submitted to the satisfaction of the local planning authority; such scheme to include, siting and organisation of the construction compound and site cabins, routes to and from the site for construction traffic, and measures to ameliorate noise, dust, vibration and other effects, and so implemented, in the interests of the proper planning of the development and to protect the amenity of adjacent occupiers and in order to comply with policy B2 of the Unitary Development Plan.

24) No part of the development shall be occupied until the off street parking provision has been constructed, surfaced and made available in accordance with the approved plans. This parking area shall then be retained and permanently reserved for the parking of vehicles to ensure that adequate and satisfactory provision is made for the off street parking of vehicles and to comply with policies T14 and T22 of the Unitary Development Plan.