

**DARLINGTON BOROUGH COUNCIL**

**PLANNING APPLICATIONS COMMITTEE**

**COMMITTEE DATE: 6 February 2008**

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| <b>APPLICATION REF. NO:</b>     | <b>07/01197/FUL</b>                                                 |
| <b>STATUTORY DECISION DATE:</b> | <b>1 February 2008</b>                                              |
| <b>WARD/PARISH:</b>             | <b>HEIGHINGTON AND CONISCLIFFE</b>                                  |
| <b>LOCATION:</b>                | <b>Broom Dykes Lodge, Houghton-Le-Side,<br/>Darlington, DL2 2XL</b> |
| <b>DESCRIPTION:</b>             | <b>Erection of agricultural store and stables</b>                   |
| <b>APPLICANT:</b>               | <b>MR G LEVY AND MISS B DEWING</b>                                  |

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**APPLICATION AND SITE DESCRIPTION**

The proposal involves the erection of an agricultural store and three stables within the curtilage of Broomdykes Lodge. The buildings would be attached to a detached double garage. The agricultural store would measure 5.7m long; 5.6m wide with an overall height of 5m under a ridged roof. The overall dimensions of the three stables measure 11.4m long; 4.4m wide and 4.4m high under a ridge roof. The adjacent paddock would be used for the keeping of horses, which would be incidental to enjoyment of the dwellinghouse and not a commercial enterprise.

Broomdykes Lodge is a detached property, formerly a farm building, which was converted to residential use. There is a detached double garage within its curtilage. (See Planning History) Access to the site is via the A68.

A Design and Access Statement has been submitted and considered by Officers

**PLANNING HISTORY**

89/00577/MISC - In February 1990 planning permission was GRANTED for the change of use and conversion of barn to dwellinghouse.

90/00732/MISC - In February 1991 planning permission was GRANTED to vary condition 1) of 89/00577/MISC to permit revisions to elevations.

91/00025/DM - In March 1991 planning permission was GRANTED for the erection of a private double garage.

94/00561/MISC - In October 1994, planning permission was GRANTED to vary condition 1) of 89/00577/MISC to permit an extension to accommodation at first floor level.

96/00503/MISC - In October 1996 planning permission was GRANTED for the rebuilding of barn to form dwellinghouse.

## **PLANNING POLICY BACKGROUND**

The following policies of the Borough of Darlington Local Plan 1997 are relevant:

E2 - Development Limits  
E4 - New Buildings in the Countryside  
E7 - Landscape Conservation  
E8 - The Area of High Landscape Value  
R15 - Horse Related Development

## **RESULTS OF CONSULTATION AND PUBLICITY**

Heighington Parish Council has objected to the application on the following grounds:

*Intrusion into countryside. Over development of the site in past years.*

## **PLANNING ISSUES**

The main issues to be considered are whether or not the proposed development is acceptable in the following terms:

- Planning Policy
- Visual Appearance and Character of the Area
- Residential Amenity
- Highway Matters

### **Planning Policy**

The application site lies outside of a development limit defined by the Borough of Darlington Local Plan. Policy E2 (Development Limits) states that "Most new development will be located inside the development limits" however, "development for countryside related sports or recreational activities will be permitted outside them provided that unacceptable harm to the character and appearance of the rural area is avoided".

Policy E4 (New Buildings in the Countryside) states that "new buildings in the countryside should wherever possible, be located with and be visually related to existing buildings".

Policy E7 (Landscape Conservation) requires development to "respect the character of its landscape setting in terms of its siting, design, materials, landscaping, protection of existing landscape features and relationship to adjoining buildings, having regard to the distinctive landscape characteristics of the locality".

Policy E8 (The Area of High Landscape Value) allows development acceptable under Policy E2 "to be permitted if it is of a high standard of design reflecting the scale and traditional character of buildings in the area and does not detract from the high landscape quality".

R15 (Horse Related Development) states that "development related to the keeping and riding of horses for recreational purposes and/or commercial purposes will be permitted in the countryside provided the development would not detract from the character and appearance of the locality or

from the amenity enjoyed by residents or people using the area for other recreational purposes, and would not be harmful to wildlife".

### **Visual Appearance**

The existing dwelling and detached garage are constructed from stonework with clay pantile roofs. The dwelling has its own curtilage, with a paddock beyond. Fencing and hedgerows enclose the curtilage of the dwelling and the paddock.

The proposed buildings would be attached to the existing double garage, and within the curtilage of the dwelling, which ensures that the proposal has a visual relationship with existing buildings. They would be constructed from materials to match the garage and dwelling and they have a rural appearance. The ridges of the roofs on the agricultural store and stables are set below the garage. The stable roofs step down from the store.

The proposal has been designed in such a manner to minimise its impact on the immediate surrounding area and the wider Area of High Landscape Value. The development would comply with the relevant policies of the Borough of Darlington Local Plan 1997.

### **Residential Amenity**

The nearest residential property is Broomdykes North located approximately 105m to the south of the application site and to the east of the entrance from the A68. It is not envisaged that the proposal would raise any residential amenity issues in relation to the property, however, officers have sought assurance from the applicant that the stables and the keeping of horses would not be a commercial enterprise. A suitable condition can be attached to any grant of permission.

### **Highway Matters**

Access to the site is from the A68 and the existing double garage would be retained as part of the development. No highway objections have been raised.

## **SECTION 17 OF THE CRIME AND DISORDER ACT 1998**

The proposed development has been considered in the context of the requirements placed on the Council by Section 17 of the Crime and Disorder Act 1998, namely, the duty on the Council to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. The proposed development does not give rise to crime and disorder issues.

## **CONCLUSION**

It is considered that the proposed development by reason of its size, position and appearance is in keeping with the external appearance of the applicant's property and associated buildings and will not cause significant harm to the character and appearance of the Area of High Landscape Value. The development has no significant impact on neighbouring dwellings. The proposal does not adversely affect car parking provision on the site nor impact on highway safety. No issues are raised in relation to crime prevention. The proposal is considered acceptable in the light of the following policies of the Borough of Darlington Local Plan 1997:

- E2 (Development Limits)
- E4 (New Buildings in the Countryside)
- E7 (Landscape Conservation)
- E8 (The Area of High Landscape Value)

R15 (Horse Related Development)

## RECOMMENDATION

THAT PLANNING PERMISSION BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

- 1) A3 Implementation Limit (Three Years)
- 2) B4 Details of Materials (Samples)
- 3) Notwithstanding the provisions of condition 2, precise details of the windows (to be fixed shut), doors and rainwater goods shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development. The development shall not be carried out otherwise than in complete accordance with the approved details.

REASON - In order to achieve a satisfactory form of development.

- 4) The development for which permission is hereby granted shall only be used for purposes incidental to the enjoyment of the dwelling house and not for commercial or residential purposes without the prior approval of the Local Planning Authority.

REASON - To enable the Local Planning Authority to retain control over the development.

- 5) B5 Detailed Drawings (Accordance with Plan)

## SUGGESTED SUMMARY OF REASONS FOR GRANTING PLANNING PERMISSION

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E7 (Landscape Conservation)  
E8 (The Area of High Landscape Value)  
R15 (Horse Related Development)