

**DARLINGTON BOROUGH COUNCIL**

**PLANNING APPLICATIONS COMMITTEE**

**COMMITTEE DATE: 12 December 2012**

**Page**

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<b>APPLICATION REF. NO:</b>	12/00663/FUL
<b>STATUTORY DECISION DATE:</b>	11 December 2012
<b>WARD/PARISH:</b>	Heighington and Coniscliffe
<b>LOCATION:</b>	Former Walled Garden, Walworth Road, Walworth
<b>DESCRIPTION:</b>	Erection of a single storey holiday lodge with associated log/bike store and construction of vehicular access within existing boundary wall (Revised application)
<b>APPLICANT:</b>	Mr John Westmarland

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**APPLICATION AND SITE DESCRIPTION**

The application site lies on the corner of Walworth Road and Archdeacon Lane and it measures approximately 0.18 hectares. It is a former walled garden which was until recently part of the adjacent property known as Walworth Castle Gardens. Historically it has contained a fern house but it is now a cleared site enclosed by stone walls approximately 2.3 metres high rising to 3.4m on the north boundary. Walworth Castle Hotel lies to the south of the application site and two residential properties known as The Apple Barn and Walworth Castle Gardens lie to the east.

The proposal involves the creation of a vehicular access within the existing stone boundary wall and the erection of a single storey holiday lodge building within the site. The lodge would consist of four bedrooms, a bathroom, a kitchen and dining room/lounge and an entrance porch with a WC. The lodge would be available as holiday accommodation all year round.

The holiday lodge would be a rectangular building measuring approximately 8.2m wide; 15m long (excluding the entrance porch on the west elevation) with an overall height of 5m under a ridge roof. The building would be constructed from blue/black natural slates, reclaimed bricks, cast iron rainwater goods and softwood window frames. The entrance porch on the western elevation of the building would measure approximately 3.5m wide; 2m long with an overall height of 3.6m under a ridged roof and it would be constructed from materials to match the main building. The south facing elevation would incorporate a section of glazing that runs almost the full width of the building.

A detached log and bike store would be located in the North West corner of the application site and a gravel drive would lead from the access to a hard standing area surrounding the lodge. A

refuse store would be incorporated into the new boundary wall that forms the new access into the site.

The access into the site off Walworth Road would be created by removing 6metres of the western boundary wall. A new section of wall would be erected behind the existing boundary wall to create an off street parking area in front of a set of gates leading to the internal driveway. The new wall will be constructed out of existing salvaged stone and rebuilt with lime mortar and the copings would also be salvaged.

Traditional fruit trees would be planted to create an orchard to the south of the holiday lodge.

Walworth Castle Hotel is a Grade I listed building. The garden walls, gate piers and greenhouse (Walworth Castle Garden) to the north of the Hotel are Grade II listed buildings and the aforementioned garden walls form the eastern boundary of the application site. The Lodge which is within the grounds of Walworth Castle Hotel and its linking walls and gate piers are also Grade II listed buildings. The stone western boundary wall of the application site is curtilage listed due the relationship of the wall with the above listed gardens walls etc, greenhouse and Walworth Castle. A separate proposal (reference number 12/00664/LBC) seeking listed building consent for the vehicular access forms part of this Agenda

The application site is not within a conservation area

## **PLANNING HISTORY**

The most recent entries for the application site are:

11/00310/LBC In August 2011 listed building consent was GRANTED for the insertion of a gated access for pedestrian use

11/00310/CON In September 2011 the details reserved by condition 2 (colour scheme) and 4 (lintel and coping stones/material) attached to listed building consent 11/00310/LBC were APPROVED

11/00415/FUL In August 2011 planning permission was GRANTED for the insertion of gated access into existing stone boundary wall

11/00415/CON In September 2011 the details reserved by condition 2 (colour scheme) and 4 (lintel and coping stones/material) attached to planning permission 11/00414/FUL were APPROVED

12/00121/FUL An application for creation of a vehicular access within the existing boundary wall and the erection of one holiday lodge was WITHDRAWN

12/00122/LBC An application for listed building consent for the creation of a vehicular access within a curtilage listed boundary wall to facilitate the siting of one holiday lodge was WITHDRAWN

## **PLANNING POLICY BACKGROUND**

The following national and local development plan policies are considered to be relevant;  
**National Planning Policy Framework 2012**

**Borough of Darlington Local Plan 1997**

- E2 Development Limits
- E4 New Buildings in the Countryside
- E9 Protection of Parklands
- E12 Trees and Developments
- E14 Landscaping of Development

**Darlington Core Strategy Development Plan Document 2011**

- CS1 Darlington's Sub Regional Role and Locational Strategy
- CS2 Achieving High Quality, Sustainable Design
- CS6 Vibrant, Cultural and Tourism Offer
- CS14 Promoting Local Character and Distinctiveness
- CS15 Protecting and Enhancing Biodiversity and Geodiversity
- CS16 Protecting Environmental Resources, Human Health and Safety
- CS17 Delivering a Multifunctional Green Infrastructure Network

**Other Documents**

Department for Communities and Local Government (DCLG) Good Practice Guide on Planning for Tourism (May 2006).

**RESULTS OF CONSULTATION AND PUBLICITY**

Four letters of objection have been received and they can be summarised as follows (The letter of objection from the owners of Walworth Castle has also been written on behalf of the occupiers of Walworth Lodge and Walworth Bungalow which are within the grounds of the Castle):

- *I believe that having a holiday lodge on the aforementioned site will be detrimental to the area and the Grade 1 and Grade 2 listed buildings within view of it. The Heritage Impact Assessment seems to focus much of the attention on the fact that the Castles gateway was widened however the entrance was always made for vehicles and not a pedestrian gateway as is the case at the proposed development*
- *The site is within a conservation area.*
- *I don't think a period of 12 days is suitable to assess the amount of traffic for a planning permission for an entrance which will be permanent. Having said that, there does appear to be a high number of vehicles passing the proposed entrance, some of which are travelling in excess of 60mph.*
- *The numbers of rooms in the hotel which look out onto the market garden are significant and make the impact of the proposal severely detrimental to this historic area. Many local residents have a view of Castle and this proposed development will spoil any views the residents currently have. The holiday cottage can be viewed from many rooms in the Castle and the West Wing and certainly from the Lodge*
- *In the Supporting Documents, it is claimed that a verbal agreement was made between the applicant and the Castle that we would allow access to the former market garden via the Castle. The applicant did request permission however this was refused prior to the sale of the Market Garden.*
- *As a resident of Walworth (Hill View) and overlooking the gardens I object to both planning applications for alterations to the wall and gardens. Not a place for a road into, nor a house to be built*

- *We are landlords/owners of Quarry Cottage who object to the above planning application. Our upstairs windows view can see right in these gardens. We therefore object that a holiday lodge should be placed in an area that should be retained as a Walled Garden. The Wall is listed and should remain a Wall. Permission should never have been given for a gate into this land via this wall. Also access at this point is dangerous on one of our only footpaths in the Hamlet. One lodge will lead to another. As per our comment via Elm House, this will never be a successful holiday lodge therefore I can only assume it will become a caravan site full of travellers. Walworth is a quiet Hamlet with little crime. I feel that access given would not only ruin a listed Wall but also increase the need for more Police activity due to possible crime that is associated with travellers.*
- *As per my objections last time I do not think permission should be given to knock through a listed wall for the purposes to put a holiday lodge. Permission to put a gate in the wall should not have been given in the first place. I feel that another access at this point for cars would be hazardous on one of the only pathways in our hamlet. This wall is part of Walworth Heritage and should be kept as a Wall. I would like to make a comment about a holiday lodge. Firstly I have no doubt that Mr Westmorland thinks that this would be a successful business for a holiday let, however let me inform you that we have tried this ourselves only recently in 2010 (Quarry Cottage next door). Whilst Walworth is a beautiful place to live, it has no pull for holiday makers as it's too far from North Yorkshire, Lakes etc where people tend to holiday. We put a lot of money behind what we called Castle View Cottage Walworth, website, leaflets, cards etc, we even promoted our cottage via "cottages4you" but the demand was not there. Therefore, my thoughts are that the lodge will purely attract travellers (as Neasham/Hurworth area caravan site) which would ruin Walworth and its unspoilt heritage.*

One letter of support has been submitted. The comments can be summarised as follows:

- *I think this proposal is a great idea. Anything that will increase tourism to the area is a great opportunity, especially in times of economic uncertainty and should be backed fully. The proposed building would in no way have a detrimental effect on the area, I only see it as an asset and think that more of these types of holiday rental accommodations should be introduced when proved a worthwhile addition to the area.*

### **Consultee Responses**

**Northumbrian Water** has raised no objections to the proposed development

**Northern Powergrid** has raised no objections to the proposed development

**English Heritage** has not objected to the proposed development

The **Environment Agency** has raised no objections to the proposed development

**Northern Gas Networks** has raised no objections to the proposed development

The **Council's Environmental Health Officer** has raised no objections to the proposed development

The **Council's Traffic Manager** has raised no objections to the proposed development

**Durham County Council Archaeology Officer** has raised no objections

**Campaign to Protect Rural England** has objected to the application on the following grounds

- *The style of the development is out of keeping with the locality*
- *We are concerned there will be a negative impact of Walworth Castle*

**Walworth Parish Council** has objected to the application on the following grounds:

- *Visual impact of area and especially from Walworth Castle and other residential properties in the area*
- *Not in keeping with the surrounding area*
- *Design is more for residential property not holiday let. Conditions to be made if approved that the development should be non residential and nothing moiré than a holiday let*

## **PLANNING ISSUES**

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

Planning Policy  
Impact upon the Setting of the Listed Buildings  
Highway Safety  
Residential Amenity  
Archaeological Matters  
Landscaping  
Contaminated Land  
Foul Drainage  
Use of Planning Conditions

### **Planning Policy**

The proposed site is located in the open countryside beyond the development limits identified on the Local Plan Proposals Map. Policy E2 of the Local Plan indicates that development outside the development limits should be beneficial to the rural economy or to the needs of rural communities. Policy CS1 of the Core Strategy states that development outside the limits to development will be limited to that required to meet identified rural needs.

Paragraph 28 of the National Planning Policy Framework (NPPF) indicates that local plans should support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside, and that this should include supporting the provision of tourist facilities in appropriate locations

Policy CS6 of the Core Strategy states that to support the sustainable growth of tourism in Darlington, a range of visitor accommodation, including provision to meet the needs of disabled people, will be encouraged in appropriate locations, easily accessible by a choice of means of sustainable transport. It is considered that the site is in a sustainable location and it is accessible from cycle routes and Public Rights of Way

The applicant has stated that the proposal will provide family orientated holiday accommodation in a rural setting within close proximity to a number of tourist attractions in the Darlington District. The applicant believes that the holiday lodge will increase the tourism trade not only in Darlington but surrounding areas, thus helping to boost the local economy.

It is accepted that this proposal is in general accordance with the National Planning Policy Framework as well as Saved Policy E2 of the Local Plan and policies CS1 and CS6 of the Core Strategy.

Other general planning policies which are relevant to this proposal include those outlined below and the remainder of this Report shall consider them in more detail:

Policy CS2 which states that all development proposals should reflect or enhance the natural, built and historic characteristics that positively contribute to the character of the local area and its sense of place; should provide vehicular access suitable for its use and location and easily connect to key social and community facilities and incorporate appropriate utilities provision, promoting sustainable neighbourhoods

Policy CS14 of the Core Strategy states that the Boroughs built, historic, natural and environmental townscapes, landscapes and strong sense of place will be protected by protecting, enhancing and promoting the quality and integrity of Darlington's designated national or nationally significant built heritage

Policy CS16 of the Core Strategy states that new development should protect the general amenity and the health and safety of the community.

Saved Local Plan Policy E4 also states that new buildings in the countryside should wherever possible be located with and be visually related to existing buildings.

Saved Local Plan Policy E9 shows that application site as being part of the wider Walworth Parkland. The policy states that development affecting parks and gardens of landscape or historic interest will not be permitted where it detracts from their appearance or character or prejudices the survival or reinstatement of historic features including designed plantations. Planning permission, if granted, will be subject to conditions aimed to ensure that such features are taken into account in the design and implementation of the landscaped works.

### **Impact upon the Setting of the Listed Buildings**

Adjacent to the site is the main walled garden with glasshouse, physically separated from the application site by a boundary wall. The application site is also within the setting of The Lodge, linking walls and gate piers to the west of Walworth Castle. These buildings and features are Grade II listed buildings. The historic garden walls contribute to the significance of the setting of Walworth Castle, which is a Grade I listed building. "Setting" is the surroundings in which a heritage asset is experienced.

Walled gardens often present a challenge to conservation, especially when they are in separate ownership to their original house, as is the case here. They need an associated viable use that can repair and maintain the walls whilst their intrinsic character as an enclosed but basically open space needs to be respected. Continued use in horticulture or as a garden is ideal but where new building within the garden is an option then retaining the significance of the space is best achieved through low-density development that uses a design that is low-scale and low-key and appropriate materials.

Historic Maps do provide evidence that there has previously been a building within the application site, most likely related to the horticultural activity within the walled garden. The lodge would be sited on the footprint of the previous building and replicates its linear position within the site. The design of the lodge has been amended since the previous submission in order

to reflect horticultural and greenhouse influences and it is not over domesticated in appearance. The building has been sited well and will still remain subservient to the garden wall, retaining the enclosure and therefore the significance of the walled garden and Walworth Castle.

The building will be visible above the line of the wall when viewed from Walworth Road but not to such a significant degree that it would adversely affect the walled garden or Walworth Castle or the general appearance of the locality. The building would visually relate to other buildings in the locality.

The log/bike store is a small scale addition to the site and subject to the building being constructed from appropriate materials it would not have an adverse impact upon the character or visual appearance of the site.

The design of the access has also been amended to alleviate concerns over the amount of wall to be lost. Visually, the revised design will minimise the appearance of a gap in the wall and protect the enclosed feel of the garden, both internally and externally. The use of lime mortar would be essential.

English Heritage also acknowledges that the lodge will be visible in full or part from within the site and beyond, but they consider that the design of the lodge better reflects the traditional qualities of the walled garden and local materials and it is an acceptable intrusion into what was historically a largely open space and it is akin to other small developments in this section of the Castle's former grounds.

With regard to the access, English Heritage considers that the revised design better addresses their previous concerns about the loss of fabric to the boundary wall. The amount of wall to be lost has been markedly reduced and is considered justifiable as a more active use of the walled garden which would help to preserve its structure in the long term.

It is considered that the proposal will retain the character of the former walled garden and will not harm the significance of Walworth Castle or the setting of the main walled garden or Lodge, walls and gate pier. The proposal would accord with the National Planning Policy Framework 2012, Saved Policy E4 of the Local Plan and Policies CS2 and CS14 of the Core Strategy.

It would be appropriate to impose a planning condition on any grant of planning permission to restrict the erection of any extensions to the building or the erection of any other buildings and fencing within the curtilage of the lodge.

### **Highway Safety**

The vehicular access onto Walworth Road has been revised to encourage traffic to enter and leave the site from/in a southerly direction, directing persons away from the junction at Archdeacon Lane. The access would be approximately 6 metres wide with gates set back into the site to allow space for vehicles to stop before entering or exiting the site without having to park on the public highway for longer than necessary. The distance between the proposed access and the existing Walworth Road/Archdeacon Lane junction to the north is approximately 25 metres.

Highways Officers have previously expressed concerns over the position of the access in relation to the existing junction to the north and that the required visibility splays could not be achieved.

Whilst advice within the Darlington Borough Council Design Guide recommends a desirable junction spacing of 90 metres for this category of road, the applicant has submitted findings of a Traffic Survey which revealed that average traffic speed on the road is 46.9mph and in such circumstances a visibility splay of approximately 120m in each direction is required.

The proposed access would meet the visibility requirements and the initial concern over the location of the access has been satisfied. The number of trips generated by a single holiday lodge is extremely low and therefore has minimal impact on the highway network at this location. The Council's Traffic Manager has raised no objections to the application.

### **Residential Amenity**

There are residential properties in the immediate locality of the application site (Apple Barn and Walworth Castle Gardens) and slightly further afield including The Lodge within the grounds of Walworth Castle Hotel and dwellings to the north west opposite the junction with Archdeacon Lane.

It is considered that the use of the site for the siting of one lodge would not significantly harm the amenities of the neighbouring dwellings in terms of noise taking into account the close proximity of the Hotel and its surrounds and that the former use of the site was part of a residential dwelling.

The single storey lodge has window openings in the north and south facing elevations only but any views from these windows would be screened by the existing boundary walls and also the proposed apple orchard to be planted to the south of the lodge. The building can be seen from a number of windows within Walworth Castle but the distances between the lodge and the Castle windows are such that there would be no significant loss of privacy for the occupiers of the lodge or the Castle. The proximity distances with the other neighbouring dwellings are considered acceptable.

It would be appropriate to secure the submission of a Construction Management to cover details such as dust, hours of construction etc

The proposed development is acceptable in residential amenity terms and would accord with policy CS16 of the Core Strategy

### **Archaeological Matters**

One of the principles of the National Planning Policy Framework states that planning should *"conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations"* Para 128 of the NPPF continues *"Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk based assessment, and where necessary, field evaluation"* Also, Policy CS14 of the Core Strategy requires that developments protect and enhance the quality and integrity of Darlington's archaeology.

The Scheduled Ancient Monument (SAM) of Walworth Village is located to the north of the application site and the Durham County Council Archaeology Section considered that it is plausible the deserted village extends south and into the application site. The application site is not part of the SAM but if buried archaeological deposits are shown to extend into the area they could be argued to be of similar significance.



This application has been supported by a Written Scheme of Archaeological Investigation which concludes that the evidence from three trial trenches suggests that the site contains no archaeological deposits of high significance and that any ground disturbance within the site for foundations, levelling or service trenches should be monitored by a suitably qualified archaeologist under watching brief conditions.

The Durham County Council Archaeology Officer agrees with the conclusion of the Report and has raised no objections to the proposal subject to the imposition of a planning conditions relating to the implementation of an archaeological programme and the publication and submission of any subsequent Reports.

### **Landscaping**

The site forms part of the wider Walworth Parkland as designated by Policy E9 of the Local Plan. The trees that were within the site have subsequently been cleared but the proposal involves the creation of an orchard in the south section consisting of a variety of apple trees. This feature would contribute towards the appearance of the site, minimise its domesticity, and contribute towards the parkland designation. The landscaping would need to be secured by a planning condition.

### **Contaminated Land**

Historic Maps show an old quarry approximately 100m to the North West and a tank adjacent to the southern site boundary. There is likely to be made ground present associated with the foundations of the previous building on the site and therefore the Council's Environmental Health officer has recommend that a condition relating to contaminated land be imposed on any grant of planning permission.

### **Foul Drainage**

The site does not have access to the public sewer and a Non Mains Drainage Treatment Plant would be used. The Environment Agency has no objections to the proposal.

### **Use of Planning Conditions**

The applicant wishes to have the lodge available for use all year round. There are no specific policies within the Darlington Core Strategy Development Plan Document in respect of the length of holiday occupation or length of holiday season. Such advice is contained within the National Planning Framework and guidance in the Good Practice Guide for Tourism.

The National Planning Policy Framework paragraph 29 states that planning authorities should: -

*“Support sustainable rural and leisure development that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres”.*

The DCLG's *Good Practice Guide on Planning for Tourism* also supports a more positive approach to extensions of the holiday season in respect of caravan holiday homes and self catering accommodation generally. Annex B of the Guide which provides detailed advice in respect of seasonal and occupancy conditions states in paragraph 1: -

*“The nature of holidays in this country has become increasingly diverse, in location, in season and in duration. Many people go away several times a year, often for short breaks and not exclusively in the summer months. Much of this demand is for self catering accommodation –*

*whether in new or converted homes or in caravan holiday homes. This spread of demand improves the use that is made of this accommodation and so is advantageous to the businesses which provide it and to those host communities which are supported by the spending that it generates. It can help to reduce the disadvantages of seasonal employment, including the difficulties of retaining trained and experienced staff.”*

The proposal would seem to make it easier for occupiers of the lodge to live permanently on the site. However Annex B of the Guide indicates that it is possible through the imposition of a condition including three criteria to ensure that the lodge is only used by visitors and does not become part of the local housing stock. The first two criteria require the lodge to be occupied solely for holiday purposes and not as a person's main place of residence and the third criterion requires an up to date register of the names of all owners/occupiers of the lodge and their main home addresses to be maintained and made available to the local planning authority at all reasonable times.

There have been a number of successful appeal decisions elsewhere in respect of this issue for year round operation. Inspectors have considered that the imposition of the suggested conditions identified in the Guide, particularly the third criterion to be sufficiently adequate in preventing the holiday units from becoming permanent dwellings.

Planning permission has recently been granted at the Lakeside Eco Lodge Park, Neasham Road, Hurworth Moor to permit all year round occupation

In view of central government planning policy and guidance which supports a more flexible approach to the length of holiday occupation, officers consider that subject to the imposition of conditions described above then the proposal for 12 month holiday occupation of the lodge is acceptable.

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

The contents of this report have 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. It is not considered that the contents of this report have any such effect.

### **CONCLUSION**

The proposal is acceptable in general planning policy terms, subject to the imposition of planning conditions to control the occupation of the Lodge and it has been revised in order to overcome the concerns previously raised by the Local Planning Authority. It is considered that the proposal would not have an adverse impact upon the setting of the heritage assets in the locality due to the revised design of the both the lodge and the access arrangements. The lodge has no significant impact in terms of loss of daylight or sunlight to neighbouring dwellings and Walworth Castle and maintains adequate levels of privacy. The proposed access would meet the visibility requirements and the initial concern over the location of the access has been satisfied as the number of trips generated by a single holiday lodge is extremely low and therefore has minimal impact on the highway network at this location. No issues are raised in relation to crime prevention. No issues are raised in terms of archaeological matters and foul drainage. The proposal would accord with:

**National Planning Policy Framework 2012**

**Borough of Darlington Local Plan 1997**

- E2 Development Limits
- E4 New Buildings in the Countryside
- E9 Protection of Parklands
- E12 Trees and Developments
- E14 Landscaping of Development

**Darlington Core Strategy Development Plan Document 2011**

- CS1 Darlington's Sub Regional Role and Locational Strategy
- CS2 Achieving High Quality, Sustainable Design
- CS6 Vibrant, Cultural and Tourism Offer
- CS14 Promoting Local Character and Distinctiveness
- CS15 Protecting and Enhancing Biodiversity and Geodiversity
- CS16 Protecting Environmental Resources, Human Health and Safety
- CS17 Delivering a Multifunctional Green Infrastructure Network

**Other Documents**

Department for Communities and Local Government (DCLG) Good Practice Guide on Planning for Tourism (May 2006).

**RECOMMENDATION**

PLANNING PERMISSION BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

1. A3 – Implementation Limit (Three Years)
2. The lodge shall be occupied for holiday purposes only.  
REASON: To ensure that the holiday accommodation is not used for unauthorised permanent residential accommodation in order not to prejudice Local Plan Policies of development in the open countryside.
3. The lodge shall not be occupied as a person's sole or main place of residence.  
REASON: To ensure that the holiday accommodation is not used for unauthorised permanent residential accommodation in order not to prejudice Local Plan Policies of development in the open countryside.
4. The owners/operators of the site shall maintain an up-to-date register of the names of all owners/occupiers of the lodge on the site, and of their main home addresses, and shall make this information available at all reasonable times to the Local Planning Authority.  
REASON: To ensure that the holiday accommodation is not used for unauthorised permanent residential accommodation in order not to prejudice Local Plan Policies of development in the open countryside.
5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order), no enlargement, improvement or other alteration of the lodge, including any additional structures/building/fencing within the curtilage of the site, shall be carried out without the prior consent of the Local Planning Authority, to whom a planning application must be made.

REASON: In order not to prejudice the amenities of the adjoining properties and in order that the Local Planning Authority is able to exercise control over future development of the site in the interests of the visual appearance and character of the locality

6. Notwithstanding any description of the external materials in the submitted application, details of all external materials for the lodge, the log/bike store and the refuse store (including samples and details of courses and pointing) shall be submitted to, and approved by, the Local Planning Authority in writing prior to the commencement of the development and the development shall not be carried out otherwise than in accordance with any such approved details.

REASON: In order that the Local Planning Authority may be satisfied as to the details of the development in the interests of the visual amenity of the area.

7. Notwithstanding any description of the external materials in the submitted application, details of the external materials for the new boundary wall (including samples, details of courses and pointing, repair work to existing sections) shall be submitted to, and approved by, the Local Planning Authority in writing prior to the commencement of the development and the development shall not be carried out otherwise than in accordance with any such approved details.

REASON: In order that the Local Planning Authority may be satisfied as to the details of the development in the interests of the visual amenity of the area.

8. Notwithstanding any description of the external materials in the submitted application, details of the main entrance gate shall be submitted to and approved by the Local Planning Authority in writing prior to the commencement of the development and the development shall not be carried out otherwise than in accordance with any such approved details.

REASON: In order that the Local Planning Authority may be satisfied as to the details of the development in the interests of the visual amenity of the area.

9. Notwithstanding the details shown on the approved plans, details of any external lighting on the lodge or within its curtilage shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the location and design of any lighting along with a Lighting Impact Assessment and the development shall not be carried out otherwise than in accordance with any such approved details.

REASON: In order that the Local Planning Authority may be satisfied as to the details of the development in the interests of the visual amenity of the area and to prevent light pollution and spillage of any neighbouring properties

10. Notwithstanding the details shown on the approved plans, details of any TV aerials and/or satellite dishes on the lodge or with the curtilage of the site shall be submitted to and agreed in writing with the Local Planning Authority prior to the occupation of the development and the development shall not be carried out otherwise than in accordance with any such approved details

REASON: In order that the Local Planning Authority may be satisfied as to the details of the development in the interests of the visual amenity of the area.

11. A landscaping scheme shall be submitted to, and approved in writing by, the Local Planning Authority prior to any works commencing and, upon approval of such schemes, it shall be fully implemented concurrently with the carrying out of the development, or within such extended period as may be agreed in writing by, the Local Planning

Authority. The details shall include the location, number, species and size of the trees and details of hard landscaped areas. Thereafter any trees or shrubs removed, dying, severely damaged or becoming seriously diseased shall be replaced, and the landscaping scheme maintained for a period of five years to the satisfaction of the Local Planning Authority.

REASON: To ensure a satisfactory appearance of the site and in the interests of the visual amenities of the area.

12. Prior to the commencement of the development a Construction Management Plan shall be submitted to and agreed in writing by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any such approved details. The Plan shall include the proposed hours of construction, a Dust Action Plan, routes for construction vehicles, warning signage.

REASON: In the interests of residential amenity and highway safety

13. J2 – Contamination

14. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work as defined in a specification prepared by the County Durham Archaeology Team. It will require a written scheme of investigation (WSI) setting out:

- a) Measures to ensure the preservation in situ or the preservation by record, of archaeological features of identified importance.
- b) Methodologies for the recording and recovery of archaeological remains including artefacts and ecofacts.
- c) Post-fieldwork methodologies for assessment and analyses, including final analysis and publication proposals in an updated project design where necessary.
- d) Report content and arrangements for dissemination.
- e) Archive preparation and deposition with recognised repositories.
- f) A timetable of works in relation to the proposed development, including sufficient notification and allowance of time to ensure that the site work is undertaken and completed in accordance with the strategy.
- g) Monitoring arrangements, including the notification in writing to the County Durham Archaeologist of the commencement of archaeological works and the opportunity to monitor such works.
- h) A list of all staff involved in the implementation of the strategy, including sub-contractors and specialists, their responsibilities and qualifications.
- i) The written scheme of investigation must be submitted by the developer, and approved in writing by the local planning authority. The written scheme of investigation shall be carried out in accordance with the approved details and timings.

REASON: To comply with Policy CS14 of Borough of Darlington Core Strategy Document (2011) as the site is known to contain features of local archaeological importance.

15. Prior to the development being beneficially occupied, a copy of any analysis, reporting, publication or archiving required as part of the mitigation strategy shall be deposited at the County Durham Historic Environment Record. This may include full analysis and

final publication. Reporting and publication must be within one year of the date of completion of the development hereby approved by this permission

REASON: To comply with paragraph 141 of NPPF to ensure that the developer records and advances understanding of the significance of the heritage asset to be lost (wholly or in part) in a manner proportionate to its importance and the impact, and to make this evidence (and any archive generated) publicly accessible.

#### 16. B5 – Detailed Drawings (Accordance with Plan)

### **SUGGESTED SUMMARY OF REASONS FOR GRANTING PLANNING PERMISSION**

The proposal is acceptable in general planning policy terms, subject to the imposition of planning conditions to control the occupation of the Lodge and it has been revised in order to overcome the concerns previously raised by the Local Planning Authority. It is considered that the proposal would not have an adverse impact upon the setting of the heritage assets in the locality due to the revised design of the both the lodge and the access arrangements. The lodge has no significant impact in terms of loss of daylight or sunlight to neighbouring dwellings and Walworth Castle and maintains adequate levels of privacy. The proposed access would meet the visibility requirements and the initial concern over the location of the access has been satisfied as the number of trips generated by a single holiday lodge is extremely low and therefore has minimal impact on the highway network at this location. No issues are raised in relation to crime prevention. No issues are raised in terms of archaeological matters and foul drainage. The proposal would accord with:

#### **National Planning Policy Framework 2012**

##### **Borough of Darlington Local Plan 1997**

- E2 Development Limits
- E4 New Buildings in the Countryside
- E9 Protection of Parklands
- E12 Trees and Developments
- E14 Landscaping of Development

##### **Darlington Core Strategy Development Plan Document 2011**

- CS1 Darlington's Sub Regional Role and Locational Strategy
- CS2 Achieving High Quality, Sustainable Design
- CS6 Vibrant, Cultural and Tourism Offer
- CS14 Promoting Local Character and Distinctiveness
- CS15 Protecting and Enhancing Biodiversity and Geodiversity
- CS16 Protecting Environmental Resources, Human Health and Safety
- CS17 Delivering a Multifunctional Green Infrastructure Network

##### **Other Documents**

Department for Communities and Local Government (DCLG) Good Practice Guide on Planning for Tourism (May 2006).

### **INFORMATIVE TO BE INCLUDED SHOULD PLANNING PERMISSION BE GRANTED**

#### **Highways**

The applicant is advised that works are required within the public highway, to construct new vehicle crossing and contact must be made with the Assistant Director : Highways, Design and Projects (contact Mr.S. Pryke 01325 388743) to arrange for the works to be carried out or to obtain agreement under the Highways Act 1980 to execute the works.

The applicant is advised that contact must be made with the Assistant Director: Highways, Design and Projects (contact Ms.P.Goodwill 01325 388760) to discuss naming and numbering of the development