

## **DARLINGTON BOROUGH COUNCIL**

### **PLANNING APPLICATIONS COMMITTEE**

**COMMITTEE DATE: 7<sup>th</sup> May 2014**

**Page**

---

<b>APPLICATION REF. NO:</b>	<b>14/00106/FUL</b>
<b>STATUTORY DECISION DATE:</b>	<b>17<sup>th</sup> April 2014</b>
<b>WARD/PARISH:</b>	<b>HURWORTH</b>
<b>LOCATION:</b>	<b>Skipbridge, Hurworth Moor</b>
<b>DESCRIPTION:</b>	<b>Erection of a detached chalet style bungalow for holiday accommodation.</b>
<b>APPLICANT:</b>	<b>Mr R Burnside.</b>

---

#### **APPLICATION AND SITE DESCRIPTION**

Members will recall considering this application in February 2013 [see planning history] This application is identical to the previous submission. It is before Members as the officer recommendation again is to Grant planning permission which is contrary to the wishes of the objectors and the Parish Council. In addition the applicant's agent has requested to address Members, prior to them determining this application

The application site is situated at Skipbridge, approximately midway between Darlington and Neasham.

The site comprises a small rectangular hard standing area on the edge of the former Skipbridge brickworks site. It is bounded to the west by a leisure park comprising some 80 static caravans for holiday accommodation which is still under construction on the former brickworks site. To the north of the site lie three residential conversions known as The Potteries (the former canteen building to the Skip bridge brickworks). Agricultural buildings are situated to the east and south.

The proposal seeks the placement of a timber chalet style building on the hard standing area for holiday accommodation.

#### **PLANNING HISTORY**

08/685 – In October 2008 planning permission was refused for the erection of a detached dormer bungalow.

09/306 – Planning permission was refused in July 2009 for the erection of a dormer bungalow and detached garage. A subsequent appeal was dismissed in November 2009.

12/00413 – Planning permission was refused (by Committee after Officer Recommendation to approve) for 1 holiday chalet bungalow in February 2013.

## **PLANNING POLICY BACKGROUND**

*Darlington Core Strategy Development Plan Document Policies: -*

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

*Borough of Darlington Local Plan Saved Policies: -*

E2: Development Limits

E4: New Buildings in the Countryside

E17: Landscape Improvement

## **RESULTS OF CONSULTATION AND PUBLICITY**

Two letters have been received objecting to the proposal on the following grounds: -

- This is an inappropriate development being a temporary structure that does not fit with existing dwellings in the area.
- A brick built building would be more in keeping with the current brick structures already in existence in the Potteries.
- If passed it will open the floodgates for people to apply for holiday homes on any spare piece of private ground and as a result it will lead to people who apply for this, or their relatives, living in this type of accommodation permanently without having to pay council tax, thus putting pressure on already strained council budgets.
- The applicant states that there is mains sewage available which is incorrect.
- It is claimed that there are no trees on the site when there are a number around the perimeter of the site.
- The applicant says that there is a weekly refuse collection and we would contend that this should only be available to people who pay council tax.
- The applicant states that measures can be put in place to ensure that it is a holiday home. We would contend that the Council is unable to control or enforce the necessary measures to ensure this. As is the case in the adjoining Leisure Park, the Council is unable or unwilling to properly monitor all the conditions and there is no way that the Council will investigate in any great detail to ensure that people are not using these holiday chalets as their main residences. We therefore see no reason why the same situation would not develop with this holiday chalet and that it will be used residentially, all year round.
- An identical application was refused permission last year – nothing has changed since then so this one should be refused.

**Hurworth Parish Council** has **objected** to the application for the following reasons: -

- We have received a number of objections from residents close to and adjacent to the proposed chalet. We have been to the site and totally agree with their objections.
- The proposed chalet is not in keeping with the surrounding residencies.
- This has been refused before and should be again.

**Campaign to Protect Rural England** has **objected** to the development on the following grounds:-

- The unit, which appears to be the modern type of chalet static caravan, is a temporary building out of keeping with the brick buildings in the close vicinity. It would be more appropriate on the nearby Lakeside Eco Park.
- The unit seems large to be on the site.
- It will have a negative impact on the amenities of nearby residences.

**Northern Power Grid** has **no objection** to the proposal.

**Northumbrian Water** has **no comment** to make on the application.

**The Highways Engineer** has **no highway objection** to the proposal but requests two on site car parking spaces be provided.

## **PLANNING ISSUES**

The main issues to be considered in the determination of this application are: -

- Planning Policy
- Visual Amenity
- Residential Amenity
- Highway Implications : and
- Other Matters

### **Planning Policy**

The site is located within an area designated for landscape improvement (Local Plan policy E17), the former Skipbridge Brickworks. Whilst this would not normally justify the granting of a residential use in the countryside, in a location hard to reach by public transport, the principle of building holiday accommodation in this particular area of landscape improvement is established by the adjacent holiday park.

The application site is located in the open countryside beyond the development limits identified on the Local Plan Proposals Map (saved Local Plan Policy E2). 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. 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.

The National Planning Policy Framework (NPPF) indicates that local plans should support sustainable rural tourism and leisure developments that benefit businesses in rural areas.

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.

### **Visual Amenity**

The site is not in a prominent location with regard to the local countryside. It is well screened by existing buildings and natural vegetation and is relatively secluded from view from the public highway at Neasham Road, approximately 220m to the south west. Consequently there is unlikely to be any harmful effects on the visual amenities of the surrounding area. Whilst it is noted that objectors would prefer a brick built structure the proposed chalet would be of a similar form to those on the adjoining leisure park and therefore it would be difficult to justify a refusal reason based on the grounds that the development is not in keeping with the immediate area.

### **Residential Amenity**

The spatial separation between the proposed holiday chalet and the nearest dwellings to the north (The Potteries) is such that there is unlikely to be any material harm to the amenities currently enjoyed by the occupiers of those properties.

### **Highway Implications**

No highway objections have been raised to the proposed development.

### **Other Matters.**

When considering the earlier application on this site the application proposed the disposal of sewage via the mains. However, following subsequent discussions with the applicant's agent it was recognised that there is no mains sewerage system nearby for the development to connect into. It was therefore proposed to connect into the non mains drainage system on the adjoining leisure park. The Environment Agency confirmed that those proposed arrangements were satisfactory and it is assumed that this will be the case this time around should permission be granted.

## **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 considered acceptable, subject to the imposition of suitable conditions to prevent permanent residential occupation of the chalet. The proposal would not result in any adverse impact on the visual amenity of the locality nor is the development likely to result in any material harm to the amenities of neighbouring residents. It would not give rise to any issues in relation to highway safety or crime prevention.

**RECOMMENDATION**

THAT PLANNING PERMISSION BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS: -

- 1) A3-Implementation Limit
- 2) B5 – Detailed Application
- 3) Notwithstanding anything shown in the application, precise details of the holiday chalet shall be submitted to, and approved by, the Local Planning Authority. The development shall not be carried out otherwise than in accordance with the approved details.

REASON – In the interests of visual amenity.

- 4) The chalet 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.

- 5) The chalet 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.

- 6) The owners/operators of the chalet shall maintain an up-to-date register of the names of all owners/occupiers of the chalet, 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.

- 7) Before development takes place, details of two on site car parking space provision shall be submitted to and approved in writing by the Local Planning Authority.

REASON – To ensure access to neighbouring properties is not obstructed.

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