

DARLINGTON BOROUGH COUNCIL
PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 24th September 2008

Page

APPLICATION REF. NO: 08/00526/FUL

STATUTORY DECISION DATE: 26th August 2008

WARD/PARISH: MIDDLETON ST GEORGE

LOCATION: Stodhoe Farm, Neasham Road, Middleton St George, Darlington

DESCRIPTION: Conversion of existing pig farm building, redevelop site to form 3 No. residential dwellings with garage and car parking provision (Amended plans received 1 September 2008)

APPLICANT: H. WALTON AND SONS LIMITED

APPLICATION AND SITE DESCRIPTION

The application site consists of a range of redundant agricultural buildings situated to the west of the village. The buildings were until recently used for pig farming, however the applicant has this year stopped this element of the farming business, leaving only the arable crop farming of wheat, barley and oil seed rape, in the area of the land to the north of the site. The buildings themselves are no longer suitable for modern farming practices and now that they are unused, they are coming into a state of disrepair. To the south of the site is the main farmhouse associated with Stodhoe Farm. Access to the site is via an existing unadopted road, which is also a public right of way, from Neasham Road to the south of the application site.

Planning permission is sought for the conversion of the older buildings within the range to 3 No. Residential dwellings together with the provision of associated parking (six open parking spaces and five garages) and amenity space. A new farm track is proposed around the perimeter of the development in order to gain access to the farmland to the north and to afford access for maintenance of the Water Treatment Plant. The access to the site would be from the existing right of way from Neasham Road. Which is currently used for farm and livery access.

A Design and Access statement has been submitted as required by the Regulations.

PLANNING HISTORY

01/00150/TC – In March 2001 prior approval was granted for the erection of a 15m-monopole telecommunications mast and ground station.

PLANNING POLICY BACKGROUND

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

- E5 - Change of use of Buildings in the Countryside
- E11 - Conservation of Trees, Woodlands and Hedgerows
- E12 - Trees and Development
- E14 - Landscaping of Development
- E24 - Conservation of Land and Other Resources
- E29 - The Setting of New Development
- E46 - Safety and Security
- H7 - Areas of Housing Development Restraint
- H11 - Design and Layout of New Housing Development
- R1 - Designing for All
- T12 - New Development – Road Capacity
- T13 - New Development - Standards
- T24 - Parking and Servicing Requirements for New Development

The following national policy guidance is relevant: -

- Planning Policy Statement 1: Delivering Sustainable Development (2005)
- Planning Policy Statement 3: Housing (2006)
- Planning Policy Statement 9: Biodiversity and Geological Conservation (2005)
- Planning Policy Statement 7: Sustainable Development in Rural Areas (2004)
- Planning Policy Guidance 13: Transport (2001)
- Planning Policy Statement 23: Planning and Pollution Control (2004)

RESULTS OF CONSULTATION AND PUBLICITY

Two letters of objection have been received from a local resident, raising the following concerns:

- *Access road is in a poor state of repair, concerns regarding maintenance; Adequacy of passing places; Increased use;*
- *How will the road be improved?*

The existing access from Thorntree Gardens should remain closed in the interests of all residents as it was closed to vehicles by the applicant to prevent misuse of the access road.

Natural England has been consulted and has raised no objections to the proposed development.

The Council's Environmental Health Officer has been consulted and has raised no objections to the proposed development.

The Council's Rights of Way Officer has been consulted and has raised no objections to the proposed development.

The Council's Highways Officer has been consulted and has raised no objections to the proposed development.

The Council's Transport Policy Officer has been consulted and has made no comments on the application.

The Environment Agency has been consulted and has made no comments on the application.

Low Dinsdale Parish Council has been consulted and has made the following comments in respect of the proposed development on the following grounds:

Increase in traffic flow particularly problematic if entrance allowed through Thorntree Gardens, therefore suggest that access only from Neasham Road. Effect on existing public right of way.

PLANNING ISSUES

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

- Planning Policy
- Visual amenity
- Residential Amenity
- Highway Matters
- Nature and Conservation Issues
- Other Matters
- Section 17 of the Crime and Disorder Act 1998

Planning Policy

The site is situated outside of the development limits and the proposal is therefore subject to Policy H7 (Areas of Housing Development Restraint) and Policy E5 (Change of use of Buildings in the Countryside). These permit residential development in the open countryside where it involves the conversion of an existing structurally sound building *of countryside merit* without rebuilding and resulting in a fundamental change in the scale and character of the building, or that of its setting, and that the proposed use would not be intrusive in the countryside, nor create unacceptable traffic, amenity or disturbance.

A structural survey has been submitted with the application and this concludes that the buildings are structurally sound with no evidence of major damage. The buildings are traditional farm buildings, with the majority of late C19 construction, and are considered to have some countryside merit. The development is therefore considered to be acceptable in principle in the context of the above policy.

Planning Policy Statement 1: Delivering Sustainable Development (2005) sets out the key principles that should be applied in the determination of decisions on planning applications, in order to contribute to the delivery of sustainable development. The guidance places increased emphasis on the role of high quality and inclusive design in the achievement of the government's objectives.

The proposed development is also considered to be acceptable in the context of national policy in respect of new housing development in the countryside. In particular PPS3: Housing (2006) and PPS7: Sustainable Development in Rural Areas (2004). PPS7: Sustainable Development in Rural Areas (2004) in particular contains guidance on the re-use of buildings in the countryside and indicates a general support for such development taking into account suitability of the buildings, settlement patterns and impact on the building itself and the surrounding landscape. Whilst the guidance gives a clear preference towards re-use for economic development purposes, it states that residential conversion may be more suitable depending on the area and the type of building.

The proposal is considered to be acceptable in principle. The remaining issues to be considered in the determination of this application are all detailed matters of development control and will be addressed in the following sections of this report.

Visual amenity

In addition to the above reference policies, Policy E29 (The Setting of New Development) and Policy H11.1 (Design and Layout of New Housing Development) of the Borough of Darlington Local Plan, respectively require new development to respect the intrinsic character of its setting and to relate well to the surrounding area, respecting its predominant character and density. The conversion should ensure that the relatively simple appearance of the buildings remains unharmed subject to satisfactory detailing regarding doors and windows, which can be made conditional to any approval. Proposed amenity space is well contained within the site and cannot easily be seen from the surrounding landscape, ensuring that the domesticity of the countryside is avoided. In addition, a number of the ancillary buildings such as a cow byre, stable and modern pig sheds, would be removed as part of the development, thereby improving the overall visual appearance of the site.

It is recommended that a landscaping condition be attached to any approval to secure submission and agreement of the specific landscaping scheme to be implemented with the development.

Residential Amenity

The physical relationship of the buildings with the neighbouring farmhouse is such that no material harm would be caused to the amenities of existing residents. Similarly, it is considered that satisfactory levels of amenity would be provided for the occupants of the proposed dwellings.

The Council's Environmental Health Officer has recommended that a planning condition be attached to any approval in respect of any potential contamination as advised by national guidance.

Overall, it is considered that the proposed application is acceptable in respect of its impact on the residential amenities currently enjoyed by existing residents, and those to be provided for the future occupiers of the proposed scheme.

Highway Matters

Access would be afforded via the existing road running from Neasham Road, to the south east of the application site. An access also exists from Thorntree Gardens to the east, however this is now open only to pedestrians by request of the residents of Thorntree Gardens. The Council's Highways Officer has been consulted and has raised no objections to the proposed development subject to the submission, agreement and subsequent implementation of details of improvements to the existing access road, including passing places. As the proposal is likely to be less intensive than pig rearing, in respect of vehicular movements and types of vehicle, and in the interests of providing a sensitive conversion in the countryside, care will have to be taken as to the width of the proposed road in line with highway requirements to ensure minimal impact on the local landscape, and an increase to 3m is considered appropriate. In addition, it has been recommended that a maintenance regime be in place to ensure that the track is in sound condition before commencement of any works on site.

Nature and Conservation Issues

A Bat and Barn Owl survey has been submitted with the application, which recorded the results of a series of bat and barn owl surveys. The surveys recorded no evidence of any species of bat roosting or barn owls in the buildings. In line with good conservation practice mitigation, in the

interests of protecting the conservation interest of bats and owls in the locality, the report goes on to recommend a number of mitigation measures during development, including careful working practices, and the use of bat friendly chemicals for timber, together with careful removal of roofing materials. Natural England has been consulted and is satisfied that the proposal is unlikely to have an adverse impact on any protected species. The response recommends a planning condition to secure implementation of the mitigation features contained in the submitted report.

Other Matters

The application proposes to dispose of foul sewage via a package treatment plant into the watercourse some 580m from the site downstream of the pond. The Environment Agency has been consulted, however at the date of writing this report, has not responded. A response will therefore be reported verbally at the Planning Committee and it is likely that this issue can be dealt with by a planning condition requiring submission and agreement of the details of the bio disc treatment plant.

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

The application proposes the conversion of an existing building which is structurally sound. The approved scheme will not unacceptably impact on the character or appearance of the existing building or the surroundings, can be carried out without the requirement to significantly re-build or extend the building and would not be intrusive in the countryside nor impact on local amenity or highway safety. The proposed development accords with the relevant policies in the development plan, as listed below:

RECOMMENDATION

That planning permission be GRANTED subject to the following conditions:

1. A3 Implementation Limit (3 years)
2. B4 Details of Materials (Samples)
3. B5 Detailed Drawings (Accordance with Plan)
4. J2 Contaminated Land
5. E2 Landscaping
6. No development shall take place unless in accordance with the mitigation detailed within the protected species report 'Bat and Barn Owl Surveys for Outbuildings at Stodhoe Farm Middleton St George, including, but not restricted to adherence to timing and spatial restrictions; provision of mitigation in advance; adherence to precautionary working methods.

REASON – To conserve protected species and their habitat.

7. Prior to the commencement of the development the following details shall be submitted to, and approved in writing by, the Local Planning Authority.

- i) Joinery details (including doors and windows);
- ii) Details of flues, vents and meter boxes;
- iii) Fences, walls and gates;

The development shall not be carried out otherwise than in full accordance with the approved details.

REASON – To ensure that the details submitted are suitable for the conversion works proposed in the interests of visual amenity.

8. Prior to the commencement of the development, or within such extended period as may be agreed in writing by the Local Planning Authority, details of the external colour finish of the windows and doors shall be submitted to, and approved in writing by, the Local Planning Authority. The windows and doors shall be finished in accordance with the details as approved and maintained as such thereafter.

REASON – In the interests of visual amenity.

9. The windows and doors approved under condition (8) shall be permanently retained and not altered or removed unless previously agreed in writing by the Local Planning Authority.

REASON – To safeguard the character and appearance of the buildings and in the interests of visual amenity.

10. All gutters and rainwater down pipes shall be of cast iron fixed on metal brackets to either the rafters or the external brickwork and shall be painted in a colour to be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of the development. The gutters and rainwater down pipes shall be finished in accordance with the details approved and maintained as such thereafter.

REASON – To safeguard the character and appearance of the building and in the interests of visual amenity.

11. C5 Removal of Permitted Development Rights (Residential)

12. Prior to the commencement of the development, or such other period as may be agreed with the Local Planning Authority, details of the hard surfacing to be used on the site shall be submitted to and approved in writing by the Local Planning Authority, together with a timetable to implement the proposed works. The hard landscaping works shall then be implemented in accordance with the approved details and thereafter be so maintained.

REASON – To safeguard the setting of the building in the interests of visual amenity.

13. Prior to the commencement of the development, full details of improvements to the access road, to include widening, re-surfacing and passing bays, shall be submitted to, and approved in writing by the Local Planning Authority. The works shall be fully completed in accordance with the agreed details prior to the commencement of any clearance or development of the site.

REASON – In the interests of highway safety.

14. All doors and windows shall be recessed by 100mm from the front face of brickwork to from face of joinery framing.

REASON – In order to ensure a satisfactory appearance to the development in the interests of visual amenity.

15. The parking spaces and garaging indicated on plan dhh016/01/A shall be maintained as private parking purposes for the dwellings hereby approved and shall not be used, let or sold for any other purposes.

REASON – To ensure that satisfactory garaging and parking is provided for the approved dwellings.

16. The foul drainage from the approved dwellings shall be discharged to a package treatment plant in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development. The plant shall be in operation prior to occupation of the dwellings.

REASON – To prevent pollution of the water environment.

SUGGESTED SUMMARY OF REASONS FOR GRANTING PLANNING PERMISSION

The application proposes the conversion of an existing building which is structurally sound. The approved scheme will not unacceptably impact on the character or appearance of the existing building or the surroundings, can be carried out without the requirement to significantly re-build or extend the building and would not be intrusive in the countryside nor impact on local amenity or highway safety. The proposed development accords with the relevant policies in the development plan, as listed below:

Borough of Darlington Local Plan 1997

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National Policy Guidance

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- Planning Policy Guidance 13: Transport (2001)
- Planning Policy Statement 23: Planning and Pollution Control (2004)

INFORMATIVE TO BE INCLUDED SHOULD PLANNING PERMISSION BE GRANTED

The applicant is advised that contact must be made with the Highways Manager (contact Ms P Goodwill 01325 388760) to discuss naming and numbering of the development.