

DARLINGTON BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 30th July 2014

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APPLICATION REF. NO:	13/00799/FUL
STATUTORY DECISION DATE:	10/01/14
WARD/PARISH:	Sadberge and Whessoe
LOCATION:	West Newbiggin Farm
DESCRIPTION:	Change of use of agricultural barns to four dwellings.
APPLICANT:	Mr P Twizell

APPLICATION AND SITE DESCRIPTION

The buildings the subject of this application comprise a large group of traditional brick and pantile/slate disused pig rearing buildings which are located within the hamlet of West Newbiggin, some three miles east of north Darlington. Access is via an adopted single track lane off the Darlington Back Lane.

They are part of an active poultry/free range egg business and farmhouse; most of the modern buildings within this area have been demolished, but the poultry unit has been built on a separate area of land on the holding.

Planning permission was granted in 2008 to convert these buildings to nine dwellings and work on this application has commenced via some underpinning to unit one, which has been agreed by this Authority. The applicants do not consider the housing market will now support the approved scheme and so now have submitted a revised scheme to convert the buildings to four dwellings only. The existing planning permission however as it is effectively implemented is extant in perpetuity.

A structural survey has been submitted which confirms that the buildings are essentially sound and capable of conversion.

PLANNING HISTORY

07/01151/FUL – Conversion of redundant farm buildings to create 9 dwellings and associated garaging and car parking areas – approved April 2008. Pre commencement conditions discharged in January 2013. [Works commenced but not complete]

08/00857/FUL – Erection of free range poultry unit – approved January 2009.

PLANNING POLICY BACKGROUND

The National Planning Policy Framework (NPPF).
Darlington Local Development Framework Core Strategy – Policy CS2
Saved Local Plan Policy E5 Change of use of Buildings in the Countryside.

RESULTS OF CONSULTATION AND PUBLICITY

A site notice was posted and local residents consulted. Two letters of objection have been received raising the following issues:

- Increase of traffic problems on the single track road leading to the site – large vehicles use the track including commercial and agricultural vehicles. Passing places needed.
- No solutions for surface and foul water disposal have been provided – existing outfall pipe is at full capacity.
- The area floods on a regular basis (see accompanying photos of hamlet floods from 2008 onwards).
- Water supply to hamlet may not be able to take four more dwellings.
- Environment Agency conditions should be re imposed as before.

Consultee responses –

Environment Agency – No objection subject to conditions relating to the submission of full details of foul water disposal.

Environmental Health – No objections – requests conditions.

Parish Council – Agree with and support all the comments and issues raised by local residents above.

Northumbrian Water – No objections.

Transco – No objections.

CPRE – Object on grounds of potential for increased flooding caused by increased surface water run-off.

Highways Engineer - Comments awaited but requested passing places and other improvements to the track to the hamlet on the previous approval.

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County Archaeologist – No objections but requests conditions relating to archaeological survey work to be undertaken before development commences.

Ecology Officer – No objections – requests condition relating to submitted protected species survey

PLANNING ISSUES

The principle of conversion has already been established under the previous approval for nine dwellings therefore the principal issues to be considered are those of planning detail, relating to this application.

Visual impact the reduction in intensity of the development from 9 units to 4 has allowed for a reduced impact on the physical appearance of the buildings. The proposed alterations utilise existing openings and alterations are kept to a minimum to help to retain the relatively simple agricultural character of the buildings.

Two detached garages are proposed, designed in the manner of the existing barns, and small sections of the barns are to be demolished to create detached units of accommodation with their own private garden areas. There will be two shared private driveways, surfaced with porous gravel material.

The proposed materials to be used in the development are to match the existing buildings. It is however suggested that a landscaping scheme is required to be secured by condition.

Residential Amenity The proximity of the converted buildings to existing dwellings in the locality is as before. The impact of increased traffic in the locality will be substantially less than the approved scheme for nine dwellings, and it is considered appropriate to impose a condition relating to the improvement of the access road to the hamlet to avoid unacceptable levels of conflict between users of the road.

Surface water and foul sewage disposal Local residents have expressed concern that the proposed development will exacerbate flooding problems in the locality from increased surface water runoff and discharges of treated sewage into Newbiggin Beck. Photographic evidence has been supplied by an objector which demonstrates the extent of flooding in the vicinity in recent years. The previous approval indicated the use of a package sewage treatment plant (albeit in a different location) and this was accepted by the Environment Agency subject to full details being submitted. Similarly, surface water disposal details were required to be submitted prior to development taking place.

The current application if approved will result in some 50% less discharge of foul sewage and substantially less surface water runoff [less hard surfaces] than the approved scheme due to the reduction in numbers of dwellings proposed.

In the light of the concerns expressed by objectors in relation to the potential for flooding at the site, Officers' requested that the applicant commission a flood risk assessment report. This in turn has been scrutinised by Officers at Stockton Council who Darlington Borough Council officers work in partnership with utilising their experience in flooding matters... Their conclusions are summarised as follows.

- The proposed development will result in a substantial reduction in impermeable surface area.
- Three of the dwellings roofs will drain to an existing detention basin to the east of the site. (For the poultry unit nearby).
- Suggests a number of pre commencement conditions be attached to any planning permission to ensure minimal flood risk.

The applicant has pointed out that the surface water runoff from the buildings and concrete surfaces in place before they were demolished would have been substantially more than the current proposal which includes large areas of grassland/soil and porous driveways etc.

Conclusion

The application proposes the residential conversion of structurally sound disused agricultural buildings to four dwellings. [Permission has already been granted on a previous scheme for 9 dwellings] This reduction in intensity of development is considered to be acceptable and will result in a development that will have less impact on the character of the buildings, the surrounding landscape and the amenities of local residents. The design details of the conversions are considered to respect the character of the existing buildings and will ensure that they continue to contribute to the character of the locality in an acceptable manner. Officers are also satisfied, subject to the imposition of appropriate conditions, that the revised scheme will have a significantly reduced impact in terms of potential flooding due to the fact that there are less hard standing areas compared to the previous scheme.

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.

RECOMMENDATION

That Planning Permission be Granted with the following Conditions:

1. A3 – Implementation time
2. B4 – Details of materials
3. D5 – Accordance with plans
4. J2 – Contaminated land
5. The development hereby approved shall only be carried out in accordance with measures described within the “Bat and Barn Owl Report – Summer 2013” prepared by Ruth Hadden which was submitted with the planning application. REASON – To maintain the habitats of protected species.
6. No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been submitted and approved in writing by the Local Planning Authority. The drainage works shall be completed in accordance with the details and the timetable agreed and shall be designed in line with SuDS philosophy.

REASON: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.

7. No development approved by this permission shall be commenced until a scheme for the conveyance of foul drainage to a private treatment plant has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be brought into use until such treatment plant has been constructed and shall thereafter be retained throughout the life of the development.

REASON: To prevent pollution of the water environment “

8. Prior to the commencement of the development, precise details of the improvements to the existing adopted access road that include for provision of passing places, traffic calming and associated improvements to the existing carriageway shall be submitted to and approved in writing 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 highway safety.

9. 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.

10. 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.

11. The windows and doors approved under condition (9) 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.

12. 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.

13. C5 Restriction of PD Rights (Residential)

14. 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.

15. All doors and windows shall be recessed from the front face of brickwork in accordance with details to be submitted to and agreed in writing by the Local Planning Authority.

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

16. B9 Boundary treatment

17. E2 Landscaping

18. This permission shall be carried out in accordance with the recommendations of the Flood Risk Assessment prepared by RAB Consultants in May 2014.

REASON to prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.