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**PROPOSED AMENDMENT OF PLANNING PERMISSION  
RELATED APPLICATION REF. NO. 05/00448/FUL  
MANOR FARM, 20 THE GREEN, BISHOPTON  
CONVERSION OF REDUNDANT AGRICULTURAL BUILDINGS INTO 3 NO.  
DWELLINGS AND ERECTION OF 2 NO. DETACHED DWELLINGS**

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**Background**

1. This report relates to the above planning application that was approved by members on 15 July 2005 and a request for officers to be permitted to accept an amendment to the plans for planning permission under the provisions of a planning condition attached to the permission.
2. The application is the subject of complaints from local residents. One of the solutions that is being suggested is to modify the planning permission. This, together with the applications for an access road to the livery at the rear of the site and the proposal to underpin the listed building (dealt with under planning permission reference number 07/01241/FUL and 07/00030/LBC respectively) would bring about a better planning solution through the retention of a listed building fronting on to the village green which could otherwise be partially demolished.

**Planning History**

3. On 15 July 2005 planning permission was granted for the conversion of a redundant agricultural building (herein referred to as the long-barn) on the south side of the Green within the Bishopton Conservation area, into three dwelling houses, together with the erection of two new detached houses to the rear of the barn at the south of the site. The barn itself is attached to Manor Farmhouse, a Grade II listed building, and is therefore a curtilage listed building. The application included the demolition of a section on the eastern end of the barn to accommodate an access road to the rear of the site in the same position of the existing, but in line with standard highway requirements for the aforementioned number of dwellings. Complainants felt that the demolition of a section of the listed long-barn was not justified. After some negotiation with the Council's Highways Officer, it is now considered acceptable to accept a relaxation of standard highway requirements to accommodate the full retention of the barn into the scheme. The application for the access road to the livery at the rear helps to facilitate this, since access to the livery would no longer be through the access adjacent to the long barn.

## Proposed Procedure

4. Officers have considered the issue and feel that the retention of the barn can be dealt with through a planning condition which allows for submission of revised plans. This would involve a simple procedure whereby the developer would submit a plan to show the development with the retention of the barn in its entirety. This would be treated as an amendment to the existing planning permission and would be dealt with by exchange of correspondence.
5. Condition 3 attached to the planning permission allows for changes to plans such as those in this specific case where the Local Planning Authority agrees them in writing. This condition states:

*The proposed development shall be carried out in all respects in accordance with the proposals contained in the application and the plans submitted therewith and approved by the Local Planning Authority, or as shall have been otherwise agreed in writing by the Local Planning Authority.*

*REASON – To ensure the development is carried out in accordance with the planning permission.*

6. Notwithstanding the permissions granted for demolition of part of the long-barn, its complete retention would be a preferable outcome because it would still allow the development to take place whilst complying fully with PPG15 (Planning and the Historic Environment) and the other planning policies listed at the end of this report
7. Neighbours and the Parish Council have been given the opportunity to comment on this and views will be reported at the meeting.
8. Views received from amenity societies on the application were generally opposed to the demolition, and so this change would better accord with their views.
9. This modification relates solely to the retention of the barn and the maintenance of the existing access. The remainder of the permission remains unaffected.

## Legal Implications

10. This report has been considered by the Borough Solicitor for legal implications in accordance with the Council's approved procedures. There are no issues which the Borough Solicitor considers need to be brought to the specific attention of Members, other than those highlighted in the report.

## Section 17 of the Crime and Disorder Act 1998

11. 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**

12. That the Assistant Chief Executive (Regeneration) be authorised to agree revised plans under Condition 3 of planning permission 05/00448/FUL, which involves the retention of the 'long-barn' referred to in this report

## **Reasons**

13. The recommendations are supported by the following reasons :-

The design and layout of the development complies with the relevant policy in the development plan. The development respects the amenity and character of the area. The proposal is not considered to raise any issues in relation to car parking provision, highway safety or crime prevention. The proposal complies with the relevant policies in the development plan and national guidance as set out below:-

### **National Policy Guidance**

PPG15 – Planning and the Historic Environment (1994)

PPS1 – Delivering Sustainable Development (2005)

PPS3 – Housing (2006)

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

E2 – Development Limits

E12 – Trees and Development

E29 – The Setting of New Development

E34 – Archaeological Sites of Local Importance

H3 – Locations for New Housing Development

H11 – Design and Layout of New Housing Development

T13 – New Development – Standards

T24 – Parking and Servicing Requirements for New Development

**Richard Alty,  
Assistant Chief Executive (Regeneration)**