

DARLINGTON BOROUGH COUNCIL
PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 5th February 2020

APPLICATION REF. NO: 19/00835/FUL

STATUTORY DECISION DATE: 9th December 2019

WARD/PARISH: SADBERGE AND MIDDLETON ST GEORGE

LOCATION: Land opposite 1 and 2 Barmpton Grange Cottages, Barmpton Lane, Barmpton

DESCRIPTION: Demolition of existing timber stables and storage building and construction of new stable block and outdoor arena with lighting columns and associated drainage works

APPLICANT: Mr and Mrs Cass

APPLICATION AND SITE DESCRIPTION

Planning permission is sought for the demolition of an existing timber stable block and storage building and for the erection of a replacement stable block and outdoor riding arena on land at the eastern end of Barmpton Village. The stable block and riding arena would be for the use of the applicants and their family who own the recently converted building immediately to the west of the site, Meadowside.

The existing stable block and storage building are located at the northern end of the site and are in a dilapidated state. They are situated on higher ground, roughly in line with Meadowside to the west, with the remainder of the application site sloping southwards towards the River Skerne.

The proposed replacement stable block would be built in a similar location at the northern end of the site and would measure approximately 19 metres wide by 10.9 metres deep, under a pitched roof 4.3 metres in height at ridge level. It is to be constructed of timber on a brick plinth, under a profile sheeted roof and will provide 6 no. stables, tack room, bedding and feed store and a mess room. The proposed riding arena is to be constructed on lower ground to the south east of the stable block. It is to measure approximately 40 metres by 20 metres, comprising a sanded surface enclosed by a 1.5 metre high timber post and rail fence. A total of 6 no. lighting columns are proposed around the perimeter of the arena, each 8 metres in height. Due to the sloping nature of the site earthworks will be necessary to provide a level site which will result some cut and fill in this part of the site.

The plans have been amended since first submitted to reduce the size of the arena and the extent of associated earthworks and to reduce the number and height of the lighting columns. A revised flood risk assessment has also been submitted to address the concerns of the Environment Agency.

Access to the application site will be via an existing access to the east of Meadowside, off Barmpton Lane. Footpaths no. 7 and 11 in Parish of Barmpton run to the north and east of the application site although would be unaffected by the proposed development. Part of the application site lies in Flood Zones 2 and 3.

PLANNING HISTORY

17/01148/FUL – Conversion of existing barn to form a detached 4 bedroom dwelling and the erection of a detached double garage. GRANTED 1 March 2018

RESULTS OF CONSULTATION AND PUBLICITY

Highway Engineer – No highway objection

Environmental Health Officer – Recommend condition be attached relating to the operation of the floodlights

Public Right of Way Officer – No objection

Environment Agency – Recommend conditional approval

Four letters of objection have been received from nearby residents raising the following issues:

- *The size of the stable block not in keeping with the existing stables, nor is it of similar construction*
- *Existing stables were intended to be demolished many years ago as they were unauthorised. This was never enforced*
- *If permission was never obtained for the existing stables, new stables should not be able to proceed*
- *Barmpton is a small village with other farm buildings and smallholdings, the proposal would be out of character*
- *Noise and disturbance arising from the keeping of horses and the use of the arena with added disruption from traffic at unsociable hours and using narrow lanes*
- *The addition of floodlighting, where there are no street lights in the village, will cause nuisance even if restrictions are put in place*

One letter of representation has been received which raises the following issues:

- *Understand some residents have concern regarding the size of the stables, increased traffic and the use of floodlights*
- *The stables have been derelict for a number of years and the land neglected. The proposal will be of benefit to the look, upkeep and the environment*

- *When the stables were active 12 years ago I did not notice any problems with traffic*
- *The floodlights should have a sensible switching off time.*

Following reconsultation on amended plans, a further two letters of objection were received raising the following additional comments:

- *The stables should be reduced in size to reduce impact on the village*

PLANNING POLICY BACKGROUND

The following policies are relevant to consideration of the application:

Saved Policies of the Borough of Darlington Local Plan 1997

E2 – Development Limits
E4 – New Buildings in the Open Countryside
E12 – Trees and Development
R15 – Horse Related Development

Darlington Core Strategy Development Plan Document 2011

CS2 – Achieving High Quality, Sustainable Design
CS15 – Protecting and Enhancing Biodiversity and Geodiversity
CS16 – Protecting Environmental Resources, Human Health and Safety

PLANNING ISSUES

The following issues are to be taken in account in consideration of the application:

- Principle of Development
- Impact on Visual and Residential Amenity
- Flooding
- Highway Safety
- Land Contamination
- Ecology

Principle of Development

The application site is located on the edge of Barmpton village, just outside of the village development limits. Saved Local Plan Policy E2 (Development Limits) states that development for countryside-related sports or recreation activities outside of development limits will be permitted provided that unacceptable harm to the character and appearance of the rural area is avoided. Saved Policy E4 (New Buildings in the Countryside) further states that new buildings in the countryside, which are acceptable in principle under the terms of Policy E2, should wherever possible be located with and be visually related to existing buildings.

Saved Local Plan Policy R15 (Horse Related Development) is also relevant and is supportive of such development for recreational and/or commercial purposed provided the development would not detract from the character and appearance of the locality or from the amenity of local residents.

The proposed stable block and riding arena would replace existing buildings, would be sited adjacent to the applicants' property and would be for their own personal use. As such, the principal of development would comply with Saved Policies E2, E4 and R15, subject to consideration of the following issues of development management.

Impact on Visual and Residential Amenity

The stable block and arena would be located adjacent to the applicants' dwelling, Meadowside, and would also be seen in the context of existing dwellings on the north side of Barmpton Lane. The proposed stable block is acceptable in terms of its scale, design and use of materials. It will sit at a lower level to Meadowside and the dwellings opposite which are slightly elevated above Barmpton Lane. An existing timber fence adjacent to the proposed stable block is to be replaced and reinforced with hedgerow planting. A mature ash tree is to be felled to make way for the stable block although further compensatory tree planting is proposed elsewhere within the site, to be secured by planning condition. Existing trees further along the northern boundary of site, adjacent to the public right of way, are to be retained and will limit views of the proposed arena from this aspect, albeit the lighting columns will be visible above the trees.

Views from the south are more open and although most development within the village is located to the north of Barmpton Lane, there is some sporadic development to the south side, including another dwelling and smallholding to the west, and as such the proposed development would not appear as isolated features in the wider landscape. The size of the arena and the number and height of lighting columns has been reduced in order to reduce the visual impact of the proposal in the wider landscape and on the basis of these amendments, the proposal is considered to have an acceptable impact on the character and appearance of the surrounding area.

The stable block and arena are to be used by the applicants' and their family for their own personal use. This would be controlled by planning condition. As such, activity levels associated with the proposed development would be at a level appropriate to this edge of village location without adversely impacting upon the amenities of nearby properties in terms of the use of the arena and additional comings and goings of vehicles. The Environmental Health Officer recommends that a condition preventing the use of the floodlights between the hours of 21.00 and 07.00 daily be attached to minimise the impact of the lights and to ensure that residents are not disturbed from the floodlights during this period.

Flooding

The lower part of the application site is in Flood Zones 1 and 2 and part of the proposed arena would fall within the flood zone. A Flood Risk Assessment (FRA) has been submitted to assess the volume of flood water likely to be displaced as a result of the proposed arena and associated earthworks. The FRA recommends that a compensatory floodplain storage scheme be formed to the south west of the arena, which will require some further remodelling of this part of the site, although this will not necessitate any significant change in levels and the overall gently sloping nature of the site will still be evident.

On this basis, the Environment Agency raise no objection to the proposal subject to a condition to secure these works and the proposal complies with Policy CS16.

Highway Safety

Concerns regarding additional vehicular activity and the suitability of the existing single width road are noted. On the basis that the arena and stables are to be used for the applicants' personal use, the proposal is unlikely to generate a significant increase in vehicle movements. The Highway Engineer advises that there is sufficient space within the site for most vehicles and horseboxes to turn to leave the site in a forward gear and on this basis, no highway objection is raised.

Ecology

An Ecological Appraisal of the site has been submitted with the application which assesses the impact of the proposed development on the ecological value of the site. The Appraisal concludes that overall, the site is considered to be of low ecological value. The buildings to be demolished and the tree to be felled are of low to moderate value to roosting bats and nesting birds. The paddock, which comprises nettles, dock and common grass is also of low ecological value and of consequent low value to commuting and foraging badgers and reptiles. In order to further minimise impact to protected species, the appraisal sets out several mitigation and compensatory measures which are to be secured by planning condition. The proposal therefore complies with Policy CS15.

Land Contamination

The application has been submitted with a Phase 1 Desk Top Study which considers the risk of contaminated land impacting on the site. The Environmental Health Officer has considered the report and advises that in view of the nature of the proposed development, no further conditions are necessary relating to contaminated land. On this basis the proposal complies with the requirements of Policy CS16.

THE PUBLIC SECTOR EQUALITY DUTY

In considering this application the Local Planning Authority has complied with Section 149 of the Equality Act 2010 which places a statutory duty on public authorities in the exercise of their functions to have due regard to the need to eliminate discrimination and advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.

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 principle of erecting a stable block and riding arena for the applicants' use adjacent to their dwelling and in an edge of village location complies with relevant saved Local

Plan Policies. The scheme has been amended to reduce the size of the arena and the number and height of floodlights such that the proposal will not have an unacceptable impact on visual and residential amenity or on highway safety and conditions restricting the use of the stables and arena for purposes incidental to Meadowside, limiting the hours of use of the floodlight and securing ecological mitigation measures are proposed.

RECOMMENDATION

THAT PLANNING PERMISSION BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

1. A3 (Standard 3 year time limit)
2. PL (Approved plans)
 - (a) Proposed site plan and elevations, drawing number 190125 03 Rev. D
 - (b) Proposed plans and elevations, drawing number 190125 04 Rev. A
3. The development shall be carried out in accordance with the Proposed Site Plan and Elevations (19_00835_FUL-PROPOSED_SITE_PLAN_ELEVATIONS-1660059) and the Amended Flood Risk Assessment (19_00835_FUL-AMENDED_FLOOD_RISK_ASSESSMENT-1660063 by Flood Risk Consultancy LTD – Revision C – December 2019) and the following mitigation measures it details:
 - (a) A floodplain compensatory storage scheme providing 203.37m³ volume shall be positioned to the south-west of the site and must be fully implemented in advance of the equestrian arena development. The compensation shall be retained and maintained thereafter for the lifetime of the development.

REASON – To reduce the risk of flooding to the proposed development and future occupants and to ensure there is no net loss to floodplain capacity which could increase flood risk elsewhere.

4. The floodlights associated with the outdoor arena hereby approved shall not be used between the hours of 21:00 and 07:00 daily.

REASON – In the interests of residential and visual amenity

5. The stable building and riding arena hereby permitted shall be used only by the occupiers of the property known for the time being as Meadowside, Barmpton for purposes incidental to the use of the property and shall not be used a commercial enterprise.

REASON – The Local Planning Authority considers the proposal to be suitable for use only by the applicants and any future occupiers of Meadowside for purposes incidental to the enjoyment of the dwelling. Any commercial use is likely to increase the number of traffic movements from the site over than

generated by the existing dwelling and these additional traffic movements are likely to create conditions prejudicial to highway safety and residential amenity.

6. The ecological mitigation and enhancement measures set out in Section 5 of the Naturally Wild Preliminary Ecological Appraisal 'The Stables, Barmpton' AP-19-02 dated August 2019 shall be implemented in full. In addition, no development shall take place until precise details of the following have been submitted to and approved in writing by the Local Planning Authority:

- (a) Details of bird and bat boxes to be installed on the site
- (b) Details of compensatory tree planting scheme

Thereafter the approved details shall be implemented in full prior to the stable block and arena hereby permitted being first brought into use, and the bird and bat boxes shall be maintained in accordance with the approved details for the lifetime for the development. Any trees removed, dying, severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees or a similar size and species to those original approved and planted.

REASON – To comply with Core Strategy Policy CS15 (Protecting and Enhancing Biodiversity and Geodiversity)

THE FOLLOWING POLICIES AND DOCUMENTS WERE TAKEN INTO ACCOUNT WHEN ARRIVING AT THIS DECISION:

Saved Policies of the Borough of Darlington Local Plan 1997

- E2 – Development Limits
- E4 – New Buildings in the Open Countryside
- E12 – Trees and Development
- R15 – Horse Related Development

Darlington Core Strategy Development Plan Document 2011

- CS2 – Achieving High Quality, Sustainable Design
- CS15 – Protecting and Enhancing Biodiversity and Geodiversity
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