



Area Planning Committee (South and West)

Date Thursday 16 February 2012
Time 2.00 pm
Venue Council Chamber - Teesdale House, Barnard Castle

Business

Part A

1. Declarations of Interest (if any)
2. The Minutes of the Meeting held on 19 January 2012 (Pages 1 - 6)
3. Applications to be determined
 - a) 6/2010/0410/DM - Hilton Moor Lane, Evenwood Gate (Pages 7 - 16)
Erection of agricultural worker's bungalow
 - b) 6/2011/0172/DM - Thorpe Farm, Greta Bridge, Barnard Castle (Pages 17 - 30)
Change of use of land for the siting of touring caravans, static caravans and camping pods, retention of timber construction building for use as site office, change of use of piggy parlour to amenity block together with landscaping, access and associated works
 - c) 6/2011/0370/DM - The Witham Hall, 3 Horsemarket, Barnard Castle (Pages 31 - 46)
Refurbishments and internal alterations to existing buildings. Proposed new link building extension and remodelling to library. Construction of new store and refuse store including landscaping works
 - d) 7/2011/0507/DM - Former Thrislington Partitions Building, Durham Way South, Aycliffe Industrial Park, Newton Aycliffe (Pages 47 - 58)
Change of use from industrial to indoor sport and leisure
4. Such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration.

Colette Longbottom
Head of Legal and Democratic Services

County Hall
Durham
8 February 2012

To: **The Members of the Area Planning Committee (South and West)**

Councillor M Dixon (Chair)
Councillor E Tomlinson (Vice-Chairman)

Councillors D Boyes, D Burn, M Campbell, K Davidson, P Gittins,
A Hopgood, E Paylor, G Richardson, J Shuttleworth, P Taylor,
R Todd, J Wilkinson, M Williams and R Yorke

Contact: Jill Errington

Tel: 0191 370 6250

DURHAM COUNTY COUNCIL

At a Meeting of **Area Planning Committee (South and West)** held in Council Chamber - Council Offices, Spennymoor on **Thursday 19 January 2012 at 2.00 pm**

Present:

Councillor M Dixon (Chair)

Members of the Committee:

Councillors E Tomlinson (Vice-Chairman), D Boyes, M Campbell, K Davidson, E Paylor, G Richardson, J Shuttleworth, R Todd, J Wilkinson, M Wilkes (substitute for A Hopgood) and J Blakey (substitute for M Williams)

Apologies:

Apologies for absence were received from Councillors D Burn, P Gittins, A Hopgood, P Taylor and M Williams

Also Present:

A Inch – Principal Planning Officer
A Caines – Principal Planning Officer
C Guskin – Legal Officer
D Stewart – Principal Highways Officer

1 Declarations of Interest (if any)

There were no declarations of interest received.

2 The Minutes of the Meeting held on 15 December 2011

The Minutes of the meeting held on 15 December 2011 were agreed as a correct record and were signed by the Chair.

3 Applications to be determined

**3a 7/2011/0488/DM - Old Park Hall Farm, Byers Green, Spennymoor
New Farm Workers Cottage**

Consideration was given to the report submitted in relation to the above application a copy of which had been circulated.

A Inch, Principal Planning Officer gave a detailed presentation which included photographs of the site. A site visit had been held that day and Members were familiar with the location and setting.

Members were advised that since the report had been submitted a further letter had been received from Spennymoor Town Council confirming that they had no objections to the proposal.

Councillor K Thompson, local Member spoke in support of the application. He stated that the applicants' farm was sustainable and environmentally friendly and had expanded to over 500 acres in size. The additional dwelling was essential for the operation of their business, ensuring that a farm worker was on site full time. He considered that Planning Officers had misjudged the applicants' needs, and that the application was in accordance with PPS7.

With regard to representations submitted in relation to the application, he referred to the additional correspondence received from Spennymoor Town Council which had also offered its support to the application. In addition he noted that a letter of support had been submitted from the village school but that Officers had considered that it did not address pertinent issues. The applicants were actively involved in the community, arranging activities such as school visits to the farm and he felt that this should be taken into account in reaching a decision.

He continued that the report referred to the omission of a landscaping scheme and advised that he had received an e-mail from the applicant stating that a landscape plan had been submitted and completed following the erection of the barn, and that there would be further landscaping, including hedgerow planting, if this application was approved.

Councillor B Ord, local Member also offered his support to the application. 600 houses had been built near to the farm that were also situated in the open countryside. The proposed dwelling would provide security for equipment and stock and it was essential to have a worker on site who would be on call in any emergencies. If approved the proposal would also help support the local economy through the employment of local builders.

Mr Edmenson addressed the Committee against the application. He was concerned that the proposed dwelling would constitute a serious interruption to the open countryside. There was alternative accommodation available for purchase and rent locally, and there were other buildings suitable for conversion on the site which would resolve the applicants' security concerns more effectively. There was also a bungalow on the farm which was rented out on a commercial basis.

Mr Taylor, the applicants' agent stated that the dwelling was for Mr and Mrs Gilson's son who had started work on the farm 10 years ago, and that there was clearly a functional need for the additional dwelling. The farm had expanded substantially in order to remain competitive and at least 2 farm workers were required for a farm of this size. The existing farmhouse was Grade II listed and therefore conversion of that building was not an option. The proposed dwelling was considered acceptable in design terms and would ensure the farm's future financial viability and security.

Mrs Gilson stated that the farm would be unable to expand and remain competitive without her son living on site. 2 people were required on the farm 24 hours a day to

look after the stock. With regard to the rented bungalow referred to by Mr Edmenson, this property did not belong to the farm and was part of Auckland Estate.

In responding to the comments made the Principal Planning Officer referred to the further correspondence from Spennymoor Town Council. The letter did not specify their support, but stated that the Town Council had been asked to write on behalf of the local Members who had expressed their support to the proposals. The Officer again highlighted the existence of other accommodation in the local area, and that if the dwelling were to be allowed, there would still not be two persons on the same part of the site for supervision purposes.

In deliberating the application Members were advised that the key issue for consideration was whether or not there was a functional need for the dwelling which would be located in open countryside and situated a considerable distance from the existing farmhouse.

Some Members were of the view that the application constituted development in the open countryside and to erect a further dwelling in this location appeared to be in conflict with the farm's principles of operating in a sustainable and environmentally friendly way. In addition there was alternative housing available nearby within the existing local housing market which would not place onerous demands on the applicants' son in terms of travelling to the site.

Other Members of the Committee considered that for a farm of this size it would be unacceptable to expect the son, as a key farm worker, to live off-site. Farm theft was an issue and it was essential that key workers were on-site to respond to emergencies. However it was suggested that if the application was approved a condition be included to ensure that the dwelling was for occupation by agricultural workers only.

Following discussion it was **RESOLVED**

That

- (i) the application be conditionally approved
- (ii) Officers be authorised to formulate appropriate conditions in consultation with the Chair and Vice-Chair of the Committee; such conditions to include the following:-

'The occupation of the dwelling house hereby approved shall be limited to a person solely or mainly employed, or last employed at Old Park Hall Farm in agriculture (as defined by Section 336 of the Town and Country Planning Act 1990) or a widow or widower of such a person, and to any resident dependents.'

The reason for conditional approval was expressed to be that there was adequate justification in terms of identified functional need, in accordance with PPS7.

**3b 3/2011/0234 - Bowlees Farm, Durham Road, Wolsingham
Formation of Fishing Pond and New Access Track**

Consideration was given to the report submitted in relation to the above application, a copy of which had been circulated.

A Caines, Principal Planning Officer gave a detailed presentation which included photographs of the site. He advised that the wording of condition 5 regarding the height of vegetation was to be amended.

RESOLVED

That the application be approved subject to the conditions outlined in the report and to condition 5 being amended to read as follows:-

'Prior to the fishing lake hereby approved being brought into use, vegetation upon all parts of the northern A689 highway verge, for a distance of 160m east of the A689 farm junction shall be reduced to a height of no greater than one metre above the level of the adjacent A689 carriageway and shall be maintained at a height of no greater than 1m above the level of the adjacent A690 carriageway during the period in which the development hereby approved is in use.'

**3c 3/2010/0333 - Westgate Filling Station, Westgate
Re-submission of 3/2009/0459 – 2 no. two bedroom apartments and 2
no. two – three bedroom duplexes**

Consideration was given to the report submitted in relation to the above application, a copy of which had been circulated.

A Caines, Principal Planning Officer gave a detailed presentation which included photographs of the site.

Councillor Shuttleworth stated that local residents were not against the principle of development on the site but considered that the proposed building was out of character with other properties in Westgate. In addition 6 car parking spaces were not enough for the number of units proposed. He asked that Members visit the site before making a decision.

In deliberating the application Members discussed density of the site, the provision of an on-site recreation area and surface water drainage. Members also discussed the merits of visiting the site but concluded that a decision could be made on the photographs and information provided by the Officer as part of his presentation.

In response to Members comments the Principal Planning Officer stated that other than the dormer windows which were small in scale and did not dominate the roof area, the design of the building was typical of other dwellings in the vicinity. The scale of the development was considered reasonable, and made good use of the site. He advised that surface water drainage would not be an issue as the majority of the site was currently hardstanding and the proposal included a grassed area to the front and side of the development. With regard to recreation the development

was on the edge of Westgate and would benefit from easy access to the open countryside.

In relation to parking provision the Principal Highways Officer stated that the development proposed 1.5 spaces per dwelling. This was in accordance with Council guidelines and was therefore deemed to be acceptable in highway terms.

Following discussion it was **RESOLVED**

That the application be approved subject to the conditions outlined in the report.

4 Appeal Update

PLANNING REF: 7/2011/0304/DM

**Site at Green Valley Stables, Salters Lane, Trimdon
Proposed mobile home to provide on-site facilities**

The Inspector had dismissed the appeal.

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Planning Services

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	6/2010/0410/DM
FULL APPLICATION DESCRIPTION:	Erection of agricultural worker's bungalow
NAME OF APPLICANT:	Mr David Lee
SITE ADDRESS:	Hilton Moor Lane, Evenwood Gate
ELECTORAL DIVISION:	Evenwood
CASE OFFICER:	Steve Teasdale, Planning Officer 03000 260834/ 261055 steve.teasdale@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

Site

1. The application site lies to the west of Hilton Moor Lane, Evenwood Gate, and forms part of several parcels of agricultural land with a combined area of approximately 11.9 hectares. This land is farmed as part of a larger farmstead of approximately 113 hectares based at Carr House Farm, Staindrop, some 3.5km to the south west.

Proposals

2. It is proposed to erect a three bedroomed agricultural worker's bungalow adjacent to an existing agricultural building. The bungalow would be approximately 13 metres long, and have an 'L' shaped footprint with a maximum depth of about 10 metres. It would be constructed of natural stone with slate covered pitched roofs and stone water tabling, with a ridge height of about 5.5 metres. A small single garage would be constructed to the northern gable. The bungalow would be accessed from Hilton Moor Lane from an existing access serving the existing fields.
3. The application is accompanied by documents to explain the relationship between these isolated parcels of land and the main farmstead at Staindrop, detailed business accounts, and evidence of security issues and previous thefts from the site.
4. This application is referred to committee at the request of the Elected Ward Member, Councillor Charlton. The request has been made on the grounds that the applicant has suffered from crime due to not having a permanent presence on the site.

PLANNING HISTORY

5. In 2000, outline planning permission (6/2000/0002/DM) for the erection of a bungalow was refused on the grounds that there was insufficient justification for a new dwelling in the countryside (policies 4 and 14 of the Durham County Structure Plan), the dwelling would adversely and unnecessarily affect an area of high landscape value (policy 64/64a of the Structure Plan), and there was insufficient foul drainage details (policy GD1 of the draft Teesdale District Local Plan. Planning permission was granted in 2002 (6/2002/0298/DM) for the change of use of the existing barn to winter storage of caravans.

PLANNING POLICY

NATIONAL POLICY

6. *Planning Policy Statement 1 (PPS1): Delivering Sustainable Development* sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system.
7. *Planning Policy Statement 7 (PPS7): Sustainable Development in Rural Areas* sets out sustainable development as the key principle underpinning rural land use planning, setting out criteria for development and conversion of buildings in the countryside and appropriate land uses. In particular, Annex A sets out the detailed tests against which applications for isolated new dwelling should be assessed. Elements of this advice have been revoked and replaced by alternate guidance in PPS4.
8. *The draft National Planning Policy Framework* sets out a presumption in favour of sustainable development to encourage economic growth and to achieve sustainable development.

REGIONAL PLANNING POLICY

9. *The North East of England Plan - Regional Spatial Strategy to 2021 (RSS)* July 2008, sets out the broad spatial development strategy for the North East region for the period of 2004 to 2021. In July 2010, however, the Local Government Secretary signalled his intention to revoke Regional Spatial Strategies with immediate effect, and that this was to be treated as a material consideration in subsequent planning decisions. This was successfully challenged in the High Court in November 2010, thus for the moment reinstating the RSS. However, it remains the Government's intention to abolish Regional Spatial Strategies when Orders have been made under section 109 of the Localism Act 2011, and weight can be attached to this intention.
10. The RSS sets out the region's housing provision and the priorities in economic development, retail growth, transport investment, the environment, minerals and waste treatment and disposal. Some policies have an end date of 2021 but the overall vision, strategy, and general policies will guide development over a longer timescale. The following policies are considered relevant:
11. *Policy 2 (Sustainable development)* requires new development proposals to meet the aim of promoting sustainable patterns of development.

12. *Policy 4 (The sequential approach to development)* requires a sequential approach to the identification of land for development.
13. *Policy 7 (Connectivity and accessibility)* planning proposals should seek to improve and enhance the sustainable internal and external connectivity and accessibility of the North East.
14. *Policy 24 (Delivering sustainable communities)* planning proposals, should assess the suitability of land for development and the contribution that can be made by design.

LOCAL PLAN POLICY:

15. *Policy H6 New housing in the open countryside* presumes against new housing development in the countryside unless it can be shown to be essential in any particular location to the needs of agriculture or forestry
16. *Policy ENV1 Protection of the countryside* seeks to protect the countryside from developments other than those where there is a demonstrable need and where such developments comply with other policies of the local plan
17. *Policy ENV3 Development within or adjacent to and area of high landscape value* does not permit developments which would detract from the area's special character and emphasises the need for buildings to be sited, designed and landscaped so as to accord with Policy GD1
18. *Policy GD1 General Development Criteria* sets design criteria for all development proposals.

The above represents a summary of those policies considered most relevant in the Development Plan the full text, criteria, and justifications of each may be accessed at:
<http://www.durham.gov.uk/Pages/Service.aspx?ServiceId=6619>

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

19. *Northumbrian Water Limited* has no objections to the proposals.
20. *Highways Authority* were consulted but have not responded.

INTERNAL CONSULTEE RESPONSES:

21. *Landscape Section* has no objections, but comments made about protection and gapping up of hedges, new hedge planting, and surface treatment for the hardstanding.
22. *Planning Policy Section* is not convinced that there is a functional need for a new dwelling in this location, as required by PPS7.

PUBLIC RESPONSES:

23. The proposal was advertised via a site notice, and a letter sent to an adjoining landowner. There have been no public responses.

APPLICANTS STATEMENT:

24. The proposed bungalow is to be sited on land at Hilton Moor Lane, Hilton currently forming an agricultural holding of some 50 acres. A steel framed farm storage building occupies part of the site and is used in connection with farming of the land and this is to remain.
25. The proposed bungalow will provide a modest 3 bedroomed property of some 110sqm having an attached side garage. The external walls are to be of natural stone incorporating sawn stone heads and cills to the openings with the roof finished in natural slates. Doors and windows will be softwood with windows double glazed all to be set 75mm in reveal. Rainwater goods to be black plastic with guttering fixed on rise and fall brackets, no fascias.
26. The building of single storey will have a ridge line no more than 7m high. The existing hedging to the frontage will remain. The site already has good access provision the proposed dwelling would use this same access point with surface improvements undertaken.
27. As a result of my inspection of the property and the consideration of the functional need under PPS7 and based upon the facts presented to me, I am of the conclusion that the provision of a permanent dwelling is necessary at Carr House Farm in order to meet the functional need of a further full time worker.
28. The financial considerations provided within the Schedule as to the audited accounts indicate that the business has been profitable for all the last 4 years up to the 2006 year and able to sustain, as it does currently, 2 modest dwellings (one on the holding one away from the holding).
29. The farm business does not have any substantial borrowings and has the collateral to allow for the building of the dwelling which will be partially self built.
30. The proposed siting of the dwelling does not any way appear out of keeping with other similar units within the locality. The use of existing farm access and positioning close by existing agricultural buildings retain the settlement pattern for the area.
31. The proposed siting provides the best possible location on the holding taking into account all relevant factors to provide welfare and security for the holding and its livestock.
32. No other dwelling is considered suitable as to type or within reasonable sight and sound of the holding to meet the requirements for the management of land at Hilton Moor lane.
33. In conclusion it is my opinion that the most suitable option to meet the requirements for housing of the required farm workers is the proposed new

dwelling at Hilton Moor lane within field NZ1623 5927 as detailed within the application.

The above represents a summary of the comments received on this application. The full written text is available for inspection on the application file which can be viewed at <http://teesdale.planning-register.co.uk/PlanAppDisp.asp?RecNum=19738>

PLANNING CONSIDERATIONS AND ASSESSMENT

34. Having regard to the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004 the relevant Development Plan policies, relevant guidance and all other material planning considerations, including representations received, it is considered that the main planning issues in this instance relate to the principle of the development; siting design and access; and, landscape impact.

Principle of development

35. Policy H6 of the Teesdale District Local Plan states that new housing development in the open countryside will not be permitted unless it can be shown to be essential in any particular location to the needs of agriculture or forestry, and where the need cannot reasonably be accommodated within an existing town or village. Policy ENV1 seeks to generally protect the countryside from unnecessary development, and similarly states that development related to agriculture would be one of a range of exceptions subject to conformity with other local plan policies.

36. National policy expressed in PPS7 sets out criteria for assessment of proposed rural developments. Paragraph 1 states that new building development in the open countryside away from existing settlements, or outside areas allocated for development in development plans, should be strictly controlled. It goes on to say that the Government's overall aim is to protect the countryside for the sake of its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife, the wealth of its natural resources and so it may be enjoyed by all.

37. Paragraph 10 specifically says that isolated new houses in the countryside will require special justification for planning permission to be granted. There will be some cases where the nature and demands of the work concerned make it essential for one or more people engaged in the enterprise to live at, or very close to, the site of their work. Whether this is essential in any particular case will depend on the needs of the enterprise concerned and not on the personal preferences or circumstances of any of the individuals involved.

38. Applications should be scrutinised thoroughly to demonstrate that the enterprise is genuine, financially viable (and capable of being sustained for a reasonable period of time) and there is a clearly established functional need for the dwelling. For the Local Planning Authority to accept that there is a clear justification for a new dwelling (whether on a temporary or permanent basis), any application should robustly demonstrate that the tests set out in Annex A of PPS7 have been satisfied. These are:

(i) there is a clearly established *existing* functional need

(ii) the need relates to a *full-time* worker, or one who is primarily employed in agriculture and does not relate to a part-time requirement;

(iii) the unit and the agricultural activity concerned have been established for at least three years, have been profitable for at least one of them, are currently financially sound, and have a clear prospect of remaining so

(iv) the functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned; and

(v) other planning requirements, e.g. in relation to access, or impact on the countryside, are satisfied.

39. A functional test is necessary to establish whether it is essential for the proper functioning of the enterprise for one or more workers to be readily available at most times. Such a requirement might arise, for example, if workers are needed to be on hand day and night in case animals or agricultural processes require essential care at short notice, or to deal quickly with emergencies that could otherwise cause serious loss of crops or products, for example, by frost damage or the failure of automatic systems. However, Annex A makes it clear that whilst the protection of livestock from theft or injury by intruders may contribute on animal welfare grounds to the need for a new agricultural dwelling, it will not by itself be sufficient to justify one.

(i) there is a clearly established existing functional need

40. The planning application, along with supporting documents which include financial accounts over a ten year period and letters of advice from Durham Constabulary on security matters, has been considered by the Planning Policy Section. It is noted that the application site and its associated 11.9 hectares is situated approximately 3.5km from Carr House Farm, where the main farming activities take place on 113 hectares of land. It is clear however that the agricultural enterprise is farmed on a partnership basis within the applicant's family, and that the bungalow would be occupied by the applicant, who has for many years lived at Evenwood Gate, only 1km from the application site. It is considered that welfare of livestock could reasonably be managed on this basis and satisfy Annex A of PPS7.

41. It is also noted that the main justification put forward for a permanent dwelling on the site relates to actual or anticipated criminal activity and the emphasis of the evidence supplied is towards this aspect of case. Five 'Victims of crime' incident sheets have been supplied, but they are not dated and do not give details of the actual incidents. A letter dated 23rd December 2009 from the Police Crime Prevention Officer is also supplied. Whilst a general observation is made to the effect that a dwelling on the site would be a deterrent to criminal activity, it is apparent that many other preventative measures should be taken to increase security. These include checking perimeter hedging regularly and repairing any damage immediately, installing 'W' section palisade fencing to the compound with regular checking and immediate repair of damage, hedge planting adjacent to the compound fence, installation of perimeter lighting, installation of intruder

alarm system, and identification marking to tools and equipment with records of serial numbers. Whilst there is a working floodlight on the building and existing palisade fencing which is damaged, much of the police advice has not apparently been acted upon.

42. As it stands, the agricultural building on the site appears unused, and there has been no evidence of livestock on the land during site visits over recent months. On this basis, the proposal leans heavily on security issues.

43. It can only be concluded at the present time and having regard to existing circumstances that there is no clear functional need for a permanent dwelling on the site because:

- There are no agricultural activities on the land that essentially require permanent on-site presence for welfare of livestock or prevention of damage to, or loss of crops
- Other crime prevention measures appear not to have been implemented despite the advice of the Crime Prevention Officer
- The applicant already lives very close to the site and whilst this does not provide direct surveillance it allows access in emergencies in a matter of a few minutes.

(ii) the need relates to a full-time worker, or one who is primarily employed in agriculture and does not relate to a part-time requirement;

44. There is no dispute that the applicant farms in partnership with other members of his family, and it is not questioned that he is a full time agricultural worker for the purposes of Annex A.

(iii) the unit and the agricultural activity concerned have been established for at least three years, have been profitable for at least one of them, are currently financially sound, and have a clear prospect of remaining so.

45. PPS7 also requires a financial test to ensure that the existing agricultural enterprise is, and will remain viable. The financial accounts submitted relate to the whole enterprise, including the Carr House Farm land. On that basis, it is clear that the entire agricultural unit has been viable for at least 10 Years. It is a matter of some concern however that because Carr House Farm is leased from Raby Estates whilst the application site is owned outright, the relationship between the two could be broken at some point in the future, and it is much less likely that the limited amount of land on which the bungalow would be sited would be a viable agricultural unit in its own right.

(iv) the functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned;

46. Notwithstanding the above it is considered, in any event, that given the proximity of nearby settlements, there are a number of properties which are both suitable and available and which could just as easily provide a place of residence in close proximity to the application site.

47. A basic property search carried out on 31st January 2012 of nearby properties for rent and sale within an approximate 5 minute drive of the site revealed 88 properties for sale (based on a price range of £70,000 to £130,000, based on the equivalent approximate build costs for the proposed bungalow) and 42 properties to rent (based upon a 3-bed property). Results of this search are held on the planning case file and clearly demonstrate a large number of these houses fall within a far more affordable price range including at least 70 for under £100,000 and at least 25 rental properties at rates of less than £400pcm.
48. For the above reasons, the proposal is considered to be contrary to Policies H6 and ENV1 of the Teesdale District Local Plan, and national policy expressed in PPS7.

(v) other planning requirements, e.g. in relation to access, or impact on the countryside, are satisfied.

Siting, Design and Access

49. The bungalow would be sited adjacent to Hilton Moor Lane, accessed by way of an existing gateway and a new hard standing, which would be constructed in front of the existing compound to the agricultural building. The proposed siting adjacent to the agricultural building is considered acceptable.
50. The proposed bungalow is described as being stone-built, with natural slate roof and detailing which includes stone water tables and stone heads and cills to windows and doors. Painted softwood windows and doors are also proposed.
51. There are no comments from the Highway Authority. It is considered however that the use of an existing access point and provision of turning space within the site would be unlikely to give rise to adverse highway safety conditions, particularly as the entrance gate is set back from the road, providing acceptable forward visibility.
52. The proposed siting, design and access are considered to accord with Policy GD1 of the Teesdale District Local Plan.

Landscape impact

53. The application site lies within an area of high landscape value where all proposals are required to conserve and enhance the character and quality of the landscape. Policy ENV3 of the Local Plan presumes against proposals that would be detrimental to designated areas of high landscape value, and the policy builds upon Policy ENV1 which aims to protect the countryside from unnecessary development. Whilst it cannot reasonably be argued that the proposal is contrary to Policy ENV3 in its own right, ENV1 as the foundation policy requires that other policies of the local plan are complied with in order to be acceptable. In this case the proposal is considered to be contrary to ENV1 because it is fundamentally contrary to Policy H6.

CONCLUSION

54. It is a fundamental aim of both national and local planning policy to strictly control new building developments away from existing settlements and allocated development sites. The motive for this is the widely recognised aim to protect the countryside for its own sake from unnecessary development.

55. Whilst PPS7 also recognises the important and varied roles of agriculture, and the need to support the industry in appropriate ways, it does require individual proposals for new agricultural workers' dwellings to fulfil both functional and financial tests to ensure that there is an essential requirement for a new dwelling in the countryside in every case.

56. The current proposal has been analysed from both the functional and financial aspects and is considered not to meet the requirements of PPS7, and is therefore contrary to Policies H6 and ENV1 of the Teesdale District Local Plan.

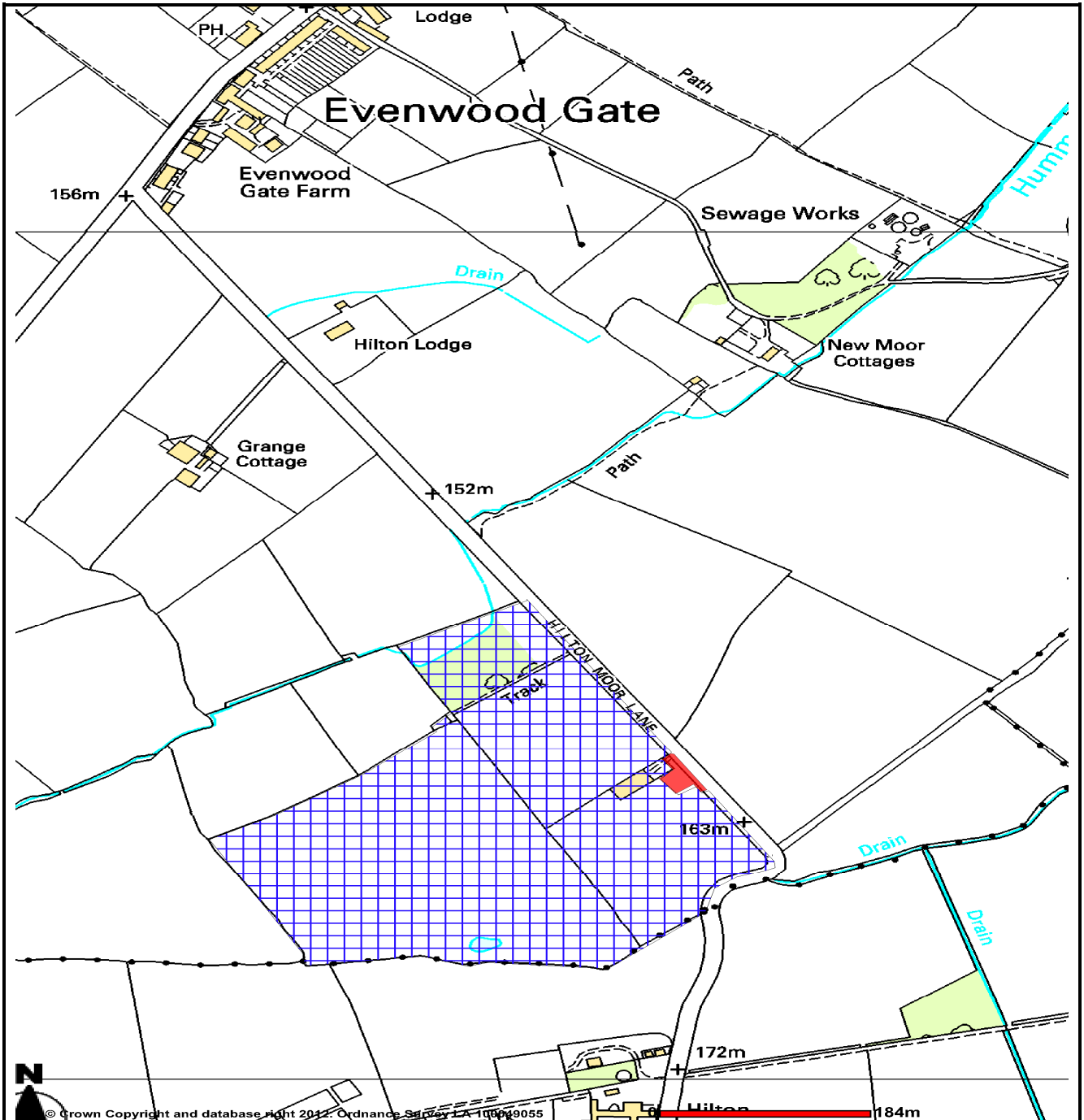
RECOMMENDATION

That the application be **REFUSED** for the following reason:

In the opinion of the Local Planning Authority the applicant has failed to demonstrate that there is an essential functional need for a full time agricultural worker to live permanently on the site and that the day to day welfare of animals and management of crops on the land immediately surrounding the site could be achieved from existing available accommodation nearby. The proposal is therefore considered to be contrary to the requirements of PPS7 and Policies H6 and ENV1 of the Teesdale District Local Plan 2002.

BACKGROUND PAPERS

Submitted Application Forms, Plans and supporting documents
Planning Policy Statements PPS1 and PPS7
North East of England Plan Regional Spatial Strategy to 2021 (RSS) July 2008
Teesdale District Local Plan 2002
Consultation Responses



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Erection of agricultural worker's bungalow at Hilton Moor Lane, Evenwood Gate, County Durham (6/2010/0410/DM)

16 February 2012

Scale NTS



Planning Services

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	6/2011/0172/DM
FULL APPLICATION DESCRIPTION:	Change of use of land for the siting of touring caravans, static caravans & camping pods, retention of timber construction building for use as site office, change of use of piggy parlour to amenity block together with landscaping, access & associated works
NAME OF APPLICANT:	Mr Paul Barks
SITE ADDRESS:	Thorpe Farm, Greta Bridge, Barnard Castle
ELECTORAL DIVISION:	Barnard Castle West
CASE OFFICER:	Steve Teasdale, Planning Officer 03000 260834/ 261055 steve.teasdale@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

Site

1. Land at Thorpe Farm, Greta Bridge, comprising approximately 4.8 hectares of pasture land to the north of the existing farmstead, with existing access tracks and some peripheral tree planting. The overall agricultural holding extends to some 140 hectares of which 60 hectares is arable land farmed by contractors. The remaining 65 hectares of grassland and 15 hectares of woodland are managed by the applicant. Existing agricultural buildings on the site are used by both the applicant and contractors.

The Proposals

2. Planning permission is sought for the change of use of the land to allow the siting of static and touring caravans and camping pods, retention of existing timber chalet for site office, change of use of piggy parlour to amenity block, with associated landscaping, access and ancillary engineering operations. The retained building was erected without planning permission, so the application is part retrospective.
3. The specific type of static caravan is not described in the application, primarily because they come in different forms, although the planning statement does indicate they would be either finished in a green colour or possibly timber clad. For the purposes of this application, the legal definition of a caravan has been noted, including maximum size limitations of 20 metres length, 6.8 metres width and 3.05 metres internal ceiling height. The precise external appearance of the caravans could be controlled by condition.

4. The proposed camping pods are not fully specified either, but they are typically of timber construction, with a semicircular or half-oval shape, mounted on a timber deck to provide a small amenity area to the front. They are usually finished with stained or clear varnish, or left as natural timber. Their maximum size is likely to be around 4 metres long by 3 metres wide, with an overall height of about 3 metres. Again, their details could be reserved by way of condition.
5. The application is reported to committee as the proposals constitute major development.

PLANNING HISTORY

6. There is a comprehensive planning history associated with Thorpe Farm. Significant applications include: planning permission being granted for the use of woodland and fields to form a chalet development (2010/0108), conversion and new buildings to form 14 holiday cottages (2009/0178), the change of use to a touring caravan park (2008/0484), and the change of use of buildings and erection of new buildings for workshops, farm shop and tea rooms (2008/0453).
7. Other planning permissions have been granted for extensions and alterations to buildings, creation of butchers shop and bird of prey centre, antiques centre, and maize maze.

PLANNING POLICY

NATIONAL POLICY

8. *Planning Policy Statement 1 (PPS1): Delivering Sustainable Development* sets out the Government's overarching planning policies on the delivery of sustainable development through the planning System.
9. *Planning Policy Statement 4 (PPS4): Planning for Sustainable Economic Growth* sets out planning policies for economic development which should be taken into account alongside other relevant statements of national planning policy.
10. *Planning Policy Statement 5 (PPS5): Planning for the Historic Environment* sets out planning policies on the conservation of the historic environment.
11. *Planning Policy Statement 7 (PPS7): Sustainable Development in Rural Areas* sets out the national policies specific to planning in rural areas.
12. *Good Practice Guide on Planning for Tourism*: Sets out the national guidance on applications and documents related to the tourism industry.
13. *The draft National Planning Policy Framework* sets out a presumption in favour of sustainable development to encourage economic growth and to achieve sustainable development.

REGIONAL PLANNING POLICY

14. The North East of England Plan - Regional Spatial Strategy to 2021 (RSS) July 2008, sets out the broad spatial development strategy for the North East region

for the period of 2004 to 2021. In July 2010, however, the Local Government Secretary signalled his intention to revoke Regional Spatial Strategies with immediate effect, and that this was to be treated as a material consideration in subsequent planning decisions. This was successfully challenged in the High Court in November 2010, thus for the moment reinstating the RSS. However, it remains the Government's intention to abolish Regional Spatial Strategies when Orders have been made under section 109 of the Localism Act 2011, and weight can be attached to this intention.

15. The RSS sets out the region's housing provision and the priorities in economic development, retail growth, transport investment, the environment, minerals and waste treatment and disposal. Some policies have an end date of 2021 but the overall vision, strategy, and general policies will guide development over a longer timescale. The following policies are considered relevant:
16. *Policy 2 (Sustainable development)* requires new development proposals to meet the aim of promoting sustainable patterns of development.
17. *Policy 7 (Connectivity and accessibility)* planning proposals should seek to improve and enhance the sustainable internal and external connectivity and accessibility of the North East.
18. *Policy 16 (Culture and Tourism)* seeks to ensure that planning proposals promote culture and tourism including improving first impressions gained by visitors arriving and passing through the Region and which benefit the local economy. This includes supporting environmental improvements to gateways, whilst ensuring protection of natural, built and heritage environments, amongst other things to ensure that new tourism facilities benefit the local economy, people and environment without diminishing the attractiveness of the place visited.

LOCAL PLAN POLICY:

19. Policy GD1 (General Development Criteria), sets out the general design principles for development.
20. Policy TR3 (Camping, caravan and chalet sites in the countryside) sets out the policy considerations for certain types of tourism accommodation.
21. Policy ENV1 (Protection of the Countryside) is a general policy to limit development in the countryside.
22. Policy ENV3 (Area of High Landscape Value) sets policy out to protect area designated as AHLV and ensure development is suitable.
23. Policy ENV8 (Development affecting a protected wildlife species) seeks to ensure development does not adversely impact on protected species.
24. Policy ENV14 (Protection of Water Quality) seeks to protect water quality.

The above represents a summary of those policies considered most relevant in the Development Plan the full text, criteria, and justifications of each may be accessed at <http://www.durham.gov.uk/Pages/Service.aspx?ServiceId=6619>

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

25. *The Highways Agency* initially issued a direction to not determine the application until an acceptable trunk road signing strategy had been agreed for the site. That issue has now been resolved to the satisfaction of the agency and planning permission can be granted subject to appropriate conditions as directed by the Highways Agency.

26. *The Highway Authority* has raised no objection to the proposals.

27. *The Environment Agency* has no objections subject to conditions relating to flood risk.

INTERNAL CONSULTEE RESPONSES:

28. *Ecology Section* has no objection to the proposals.

29. *Landscape Section* has no objections subject to condition requiring submission of a detailed landscaping scheme

PUBLIC RESPONSES:

30. One objection has been received from the land agent for Rokeby Park on the grounds that the proposal would detract from the appearance and setting of the park and associated conservation area.

APPLICANTS STATEMENT:

31. The current application proposals relate to the change of use of land for the siting of touring caravans, static caravans and camping pods, retention of timber construction building for use as site office, change of use of Piggy Parlour to amenity block together with landscaping, access and associated works at Thorpe Farm, Greta Bridge, Barnard Castle.

32. The application proposals will result in the provision of a caravan and camping site that will complement the existing and approved range of uses within the wider Thorpe Farm complex to provide a unique tourist destination at this important gateway location, which offers excellent links with Cumbria, North Yorkshire, Teesside and the North East Region as a whole via the strategic road network. The applicant is committed to providing a high quality camping and caravan site, incorporating high specification static units and camping pods, as well as the implementation of a comprehensive landscaping scheme which will ensure that the site is well integrated into the wider landscape setting and will also result in an overall improvement in the biodiversity value of the site, which will help fulfil the expectations of consumers within this sector.

33. The proposed development will also support the local economy in terms of direct and indirect job creation and offering support to local businesses. This would include public houses, restaurants, local shops and services, as well as existing tourist attractions and places of interest within the local area. In addition, the proposal may generate additional job opportunities for local people in respect of the day-to-day running of the touring caravan site.
34. The extensive woodland planting that is proposed as part of the current application proposals will ensure that the completed development will have a limited number of impacts of a negative nature both in terms of landscape character and visual impact. Indeed, the wider landscape setting is identified as having a well-wooded character and the proposed woodland planting would therefore be complementary to the wider landscape setting and therefore, overall, may result in a positive impact in terms of landscape character and visual amenity and, accordingly, the proposed development will have a positive impact on the character of the AHLV.
35. This Planning Statement has also demonstrated that all other planning matters in terms of highways, design, foul and surface water drainage, flood risk and impact on residential amenity have been satisfied and there are no other material considerations that would warrant the refusal of this planning application.

The above represents a summary of the comments received on this application. The full written text is available for inspection on the application file which can be viewed at <http://teesdale.planning-register.co.uk/PlanAppDisp.asp?RecNum=20130>

PLANNING CONSIDERATIONS AND ASSESSMENT

36. Having regard to the requirements of section 38(6) of the Planning and Compulsory Purchase Act 2004 relevant guidance, development plan policies and all material planning considerations, including representations received, it is considered that the main planning issues in this instance relate to principle, impact upon the surrounding countryside, impact upon residential amenity, access and highway safety, and ecology.

Principle

37. The principle of developing tourist related facilities at Thorpe Farm has been previously established by a series of planning permissions. Some, but not all of those planning permissions have been successfully implemented. Policy TR3 of the Local Plan presumes in favour of caravan, camping and chalet developments in the countryside, provided they don't detract from the character of the area, they are adequately screened by topography and landscape features, they are of appropriate scale and materials, they provide adequate services and access, and would not adversely affect the amenities of neighbouring occupiers. It is clear that the proposal would conform to Policy TR3 subject to these caveats, which are discussed in the following sections of the report.

Impact on the countryside

38. Policies ENV1 and ENV3 of the Local Plan seek to protect and enhance the open countryside within the area. Policy ENV1 in particular supports development in countryside locations for tourism and recreation related activities where the

proposal conforms to other relevant policies in the Local Plan. As the site lies within the designated Area of High Landscape Value the provisions of Policy ENV3 are important considerations and it is recognised that the land has distinctive qualities which are worthy of special recognition. In these areas development will only be permitted where it does not detract from the area's special character. Particular attention must therefore be paid to the context of the site within the landscape, siting and design of buildings and caravans and landscaping enhancement proposals.

39. The site is situated within rolling countryside immediately to the north of the A66 trans-Pennine trunk road. The site is well screened from this busy route by not only the local topography, but also a range of buildings associated with Thorpe Farm and Thorpe Grange Farm, and existing mature trees and hedgerows. It is considered that existing topography, landscaping, and spatial relationships between the site and existing buildings all play a part in ensuring that the character of the area would not be adversely affected by the proposed development. The objector's reference to impact upon Rokeby Park is noted, but the edge of the park is some 600 metres to the west of the application site, with Rokeby Hall a further 800 metres to the North West. The nearest conservation area is Greta Bridge, 400 metres away to the south west, beyond the A66 trunk road. The Landscape Section asked for additional photographic representations so that the landscape impact of the development could be properly assessed. It is considered that there would be no significant impact upon the local heritage assets of Rokeby Park and the Greta Bridge Conservation Area.
40. As the site develops over time and the number of static caravans increases, additional tree planting within the site would be maturing. An indicative layout plan shows significant tree planting, and suggests 75% native species and 25% Pine, the latter maintaining some screening in the winter months when deciduous trees have shed their leaves. However, on the advice of the Landscape Section, a detailed landscaping scheme would need to be submitted to ensure that an appropriate scheme could be implemented in such a way as to further increase screening over time. This would ideally involve a higher percentage of evergreen trees and shrubs.
41. The site features an attractive pond in the centre, where there is a natural depression in the land. Around the eastern side of this pond would be sited fourteen camping pods, with up to 65 static caravans to the west and north. Further to the east and to the south would be 38 pitches for touring caravans. Whilst the touring caravan pitches would have space to park a car, the remainder of the parking capacity would be accommodated by 101 marked out spaces nearer to the farm buildings. This would not be visible from outside the site.
42. The proposal also includes the retention of an unauthorised timber chalet type building which appears somewhat out of keeping with its surroundings in its current context. Its retention would be for office use so that the administration of the proposed development would be close at hand. It is recognised that not only would the appearance of the surrounding area change as the site is developed, but the area around the office would be heavily landscaped. This change in visual context would result in the building being harmonised with its surroundings, particularly if its external colouration were to be changed. This could be dealt with by way of condition.

43. The existing piggy parlour would be converted to an amenities block without any significant change to its external appearance. Internal access roads would be constructed using porous surface materials to reduce surface water run-off, and lighting would be limited to low level markers only.
44. For all these reasons, it is considered that the proposal accords with Policies ENV1 and ENV3 of the Teesdale District Local Plan.

Impact upon residential amenity

45. It is recognised that the countryside contains residential uses which require appropriate protection from developments which might give rise to nuisance or disturbance. In this instance however, the site is some distance from the nearest settlement at Greta Bridge, and the nearest individual residential property is Thorpe Grange Cottage, some 350 metres to the south east. The occupiers of this property are very unlikely to be affected by the proposal, particularly in view of the existing noise from the busy A66 trunk Road. In this regard, the proposal would accord with Policy GD1 of the Local Plan.

Access and highway safety

46. The Highway Authority has offered no objections to the proposal. The Highways Agency, the highway authority for the A66 Trunk Road, initially directed that no decision be made on the application for 6 months, pending updating of the transport statement, agreement of an updated master plan for the whole Thorpe Farm development, and agreement of a signing strategy in the vicinity of the site. That has been achieved and the Highways Agency now has no objections, but has directed specific conditions to be imposed to ensure that there is no disruption to the trunk road network from vehicles entering and leaving the application site, in the interests of road safety.
47. The access arrangements and agreed signing strategy for the trunk road would ensure that highway safety would not be compromised in accordance with Policy GD1 of the Local Plan.

Impact on ecology

48. The proposal does not involve development that would damage or destroy wildlife habitat. Previous ecology surveys have been carried out in other parts of the site in relation to earlier proposals, primarily because of bat and barn owl issues with conversion of buildings. No such issues are relevant to the current proposal.
49. The principal concern has been that the feature pond in the centre of the site might have potential for colonisation by Great Crested Newts, a protected wildlife species. An appropriate survey report submitted with the planning application concludes that whilst there are a small number of smooth newts and amphibians present, there were no indications that Great Crested Newts have used the pond, and records do not reveal their presence within a 2km radius of the site. A general remark has also been made that existing trees on the site do not have potential for roosting bats.

50. The Ecology Section has confirmed that the risk to Great Crested Newts is low, and it is concluded that the proposal would not be in conflict with Policy ENV8 of the Local Plan or PPS9.

CONCLUSION

51. Diversification of Thorpe Farm originally started with a farm shop and tea rooms, but in recent years, many other similar facilities have developed along principal transport routes, not least the A66 trunk road. Supporting information within the planning application demonstrates that visitor numbers to Thorpe Farm are falling, and some previously approved uses on the site, such as the bird of prey centre and butchers shop, have ceased operation. The current proposal constitutes expansion of a previously approved touring caravan site and creation of a static caravan park in order to increase the viability of the business.

52. The proposal has been assessed as fulfilling the requirements of Local Plan policies ENV1, ENV3, ENV8, GD1 and TR3, as well as satisfying national planning policy expressed in PPS1, PPS4, PPS7 and the Good Practice Guide on Planning for Tourism. The proposal is also in line with regional policy on tourism as expressed in Policy 16 of the RSS.

RECOMMENDATION

That the application be **APPROVED** subject to the following conditions;

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission

Reason: By virtue of the provision of Section 91 of the Town & Country Planning Act 1990 (as amended)

2. The development shall be carried out in strict accordance with the following approved plans:

- Site Location Plan (Dwg. No. P2035/SITE)
- Proposed Site Plan (Dwg. No. P2035-1002 A)
- Master Proposed Site Plan (Dwg. No. P2035-1003)
- Piggy Parlour Proposed Plans and Elevations
- Proposed Site Office – Plans and Elevations
- Landscaping Plan (P2035-1004 A)

Reason: To define the permission and ensure that a satisfactory form of development is obtained in accordance with Policy GD1 of the Teesdale District Local Plan.

3. Prior to the siting of any static caravan, touring caravan or camping pod hereby approved, final details of a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is

brought into use. The scheme shall also include details of how the scheme shall be maintained and managed for the design life of the site

Reason: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity and ensure future maintenance of the surface water drainage system in accordance with Policy ENV14 of the Teesdale District Local Plan.

4. No development shall commence until a scheme for the provision of foul water drainage works has been submitted to and approved in writing by the Local Planning Authority. The drainage shall thereafter be completed in accordance with the agreed details.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity and ensure future maintenance of the surface water drainage system in accordance with Policy ENV14 of the Teesdale District Local Plan.

5. The approved static caravan units shall be occupied for holiday purposes only and no static caravan unit on the development site shall be occupied as a person's sole or main place of residence. The operators of the site shall maintain an up-to-date register of the names of all owners and occupiers of individual static caravan units and of their main home addresses, and shall make such information available at all reasonable times to the Local Planning Authority, upon request.

Reason: In order to prevent permanent residential occupancy in accordance with Policy ENV1 of the Teesdale District Local Plan.

6. Notwithstanding the submitted details, prior to the commencement of development hereby approved, a detailed scheme of hard and soft landscaping, including the surface materials, plot boundary treatment and planting of trees and shrubs, shall be submitted to and approved by the Local Planning Authority. Such a scheme shall specify materials, species, tree and plant sizes, number and planting densities and the time and implementation of the scheme, including any earthworks required.

Reason: To ensure the site is adequately screened in accordance with Policy TR3 of the Teesdale District Local Plan.

7. The landscaping scheme hereby approved shall be retained and maintained for the lifetime of the approved development. Any trees or other planting which dies within a period of five years from the completion of development, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species in accordance with details approved by the Local Planning Authority

Reason: To ensure the site is adequately screened in accordance with Policy TR3 of the Teesdale District Local Plan.

8. Prior to the siting of any static caravan unit hereby approved, a plan and method statement detailing the arrangements for the delivery of static caravan units to the site shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highways Agency. Thereafter, all static caravans shall be

delivered to the site in strict accordance with the approved plan and method statement.

Reason: To ensure highway safety on the A66 trunk road in accordance with Policy TR3 of the Teesdale District Local Plan.

9. Prior to the siting of any static caravan, touring caravan or camping pod hereby approved, details of a signing strategy, as illustrated on Figures 22 and 22 A in Appendix A of the Revised Transport Statement December 2011, shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highways Agency. The proposed works shall be the subject of a Stage 1 (Preliminary Design) and a Stage 2 (Detailed Design) Road Safety Audit. The Audits shall be carried out in accordance with DMRB HD 19/03 and shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highways Agency.

Reason: To ensure highway safety on the A66 trunk road in accordance with Policy TR3 of the Teesdale District Local Plan.

10. Prior to the occupation of any static caravan, touring caravan or camping pod hereby approved, the signing strategy will require a Stage 3 (Completion of Construction) Road Safety Audit. The Audit shall be carried out in accordance with DMRB HD 19/03 and shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highways Agency.

Reason: To ensure highway safety on the A66 trunk road in accordance with Policy TR3 of the Teesdale District Local Plan.

11. Stage 4 (Monitoring) Road Safety Audits shall be carried out using 12 months and 36 months of accident data from the time of the improvement works, the signing strategy, becomes operational. The Audits shall be carried out in accordance with DMRB HD 19/03 and shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highways Agency.

Reason: To ensure highway safety on the A66 trunk road in accordance with Policy TR3 of the Teesdale District Local Plan.

12. Prior to the siting of any static caravan or camping pod hereby approved, details of the dimensions, external appearance and materials to be used in the construction of the static caravan units and camping pods to include specification of colour(s) shall be submitted to and approved in writing by the Local Planning Authority and thereafter be retained for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the appearance of the area and to comply with Policy ENV1 of the Teesdale District Local Plan.

13. Prior to the siting of any static caravan, touring caravan or camping pod hereby approved, details of the surfacing treatment to all internal access roads, footpaths and parking areas shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full prior to the first siting of any static caravan, touring caravan or camping pod.

Reason: In the interests of the appearance of the area and to comply with Policy ENV1 of the Teesdale District Local Plan.

14. Prior to the siting of any static caravan, touring caravan or camping pod hereby approved, details of lighting to be used in all external areas shall be submitted to and approved in writing by the Local Planning Authority and shall thereafter be retained for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the appearance of the area and to comply with Policy ENV1 of the Teesdale District Local Plan.

15. Prior to the siting of any static caravan, touring caravan or camping pod hereby approved, details of an alternative colour specification for the building shown as 'Office' on the Proposed Site Plan (Dwg. No. P2035-1002 A) shall be submitted to and approved in writing by the Local Planning Authority and shall thereafter be implemented before the development is brought into use.

Reason: In the interests of the appearance of the area and to comply with Policy ENV1 of the Teesdale District Local Plan.

16. Prior to the siting of any static caravan, touring caravan or camping pod hereby approved, details of the means for the disposal and storage of refuse shall be submitted to and approved in writing by the Local Planning Authority and shall thereafter be retained for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority

Reason: To ensure a satisfactory form of development and to comply with Policy ENV1 of the Teesdale District Local Plan.

17. In the event that this planning permission is not implemented within 3 years of the date hereof, the timber office building shown as 'Office' on the Proposed Site Plan (Dwg. No. P2035-1002 A) shall be dismantled and removed from the land within one month of the lapse of the planning permission.

Reason: In the interests of the appearance of the area and to comply with Policy ENV1 of the Teesdale District Local Plan.

18. Before the use hereby approved is commenced details of the proposed car parking provision including layout, number of spaces, surface materials and drainage shall be submitted to and approved in writing by the Local planning authority. The approved scheme shall be implemented as part of the development in accordance with those details. Thereafter the car parking spaces shall be used and maintained in such a manner as to ensure their availability at all times for the parking of private vehicles.

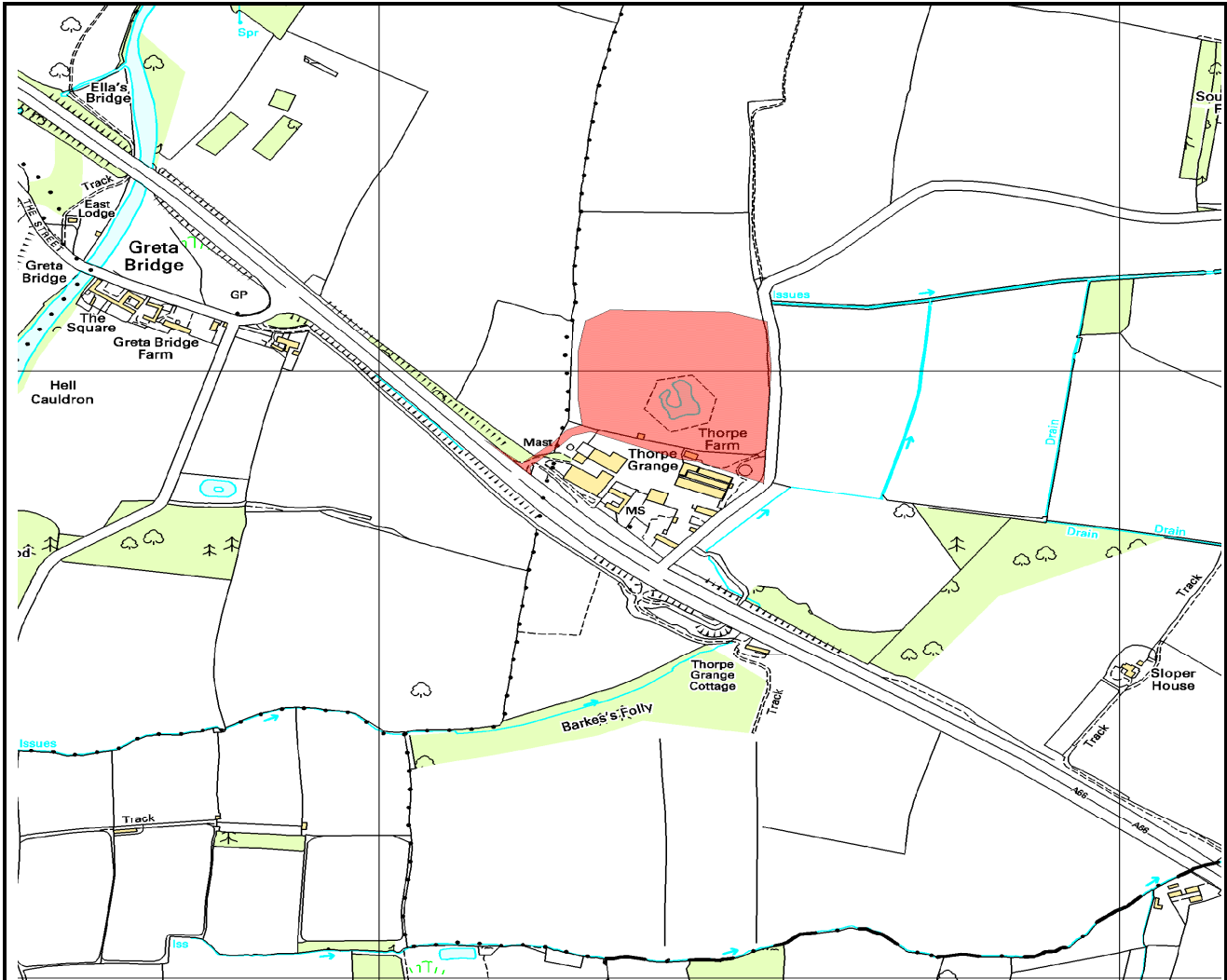
Reason: In the interests of highway safety and to comply with Policies GD1 and TR3 of the Teesdale District Local Plan.

REASONS FOR THE RECOMMENDATION

1. It is considered that the proposal would increase the availability of local tourist facilities without detriment to the countryside or area of special landscape value, and that it would not have an adverse impact upon biodiversity or highway safety. Accordingly, it is considered that the proposal accords with Policies GD1, TR3, ENV1, ENV3, ENV8 and ENV14 of the Teesdale District Local Plan.
2. Having assessed all relevant material planning considerations, it is not considered that the objection on behalf of a resident of Rokeby Park overrides the presumption in favour of granting planning permission.

BACKGROUND PAPERS

Submitted Application Forms, Plans and supporting documents
Planning Policy Statements PPS1, PPS4, PPS7 and the Good Practice Guide on Planning for Tourism
North East of England Plan Regional Spatial Strategy to 2021 (RSS) July 2008
Teesdale District Local Plan 2002
Responses from Highways Agency, Highway Authority, Ecology Section, Landscape Section
Public consultation response



Planning Services

Change of use of land for the siting of touring caravans, static caravans & camping pods, retention of timber construction building for use as site office, change of use of piggy parlour to amenity block together with landscaping, access & associated works at Thorpe Farm, Greta Bridge, Barnard Castle (6/2011/0172/DM)

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Comments

Date 16 February 2012

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Planning Services

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	6/2011/0370/DM
FULL APPLICATION DESCRIPTION:	Refurbishments and internal alterations to existing buildings. Proposed new link building extension and remodelling to library. Construction of new store and refuse store including landscaping works.
NAME OF APPLICANT:	Trustees of Witham and Durham County Council
SITE ADDRESS:	The Witham Hall, 3 Horsemarket, Barnard Castle, County Durham, DL12 8LY
ELECTORAL DIVISION:	
CASE OFFICER:	Chris Baxter 03000 263944 chris.baxter@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

The site

1. The application site comprises of The Witham Hall building, the theatre/music hall building and the library building located at 3 Horsemarket in Barnard Castle. Witham Hall is a Grade II listed building and dates back to 1846. Witham Hall and the associated theatre/music hall building is a community facility which offers educational and social activities and events for all ages and serves people from all of the rural district of Teesdale. The library building which dates from the 1970's, comprises of a single storey adult and child library with staff facilities at first floor in a block facing Hall Street.
2. The west boundary of the site is formed by the frontage of the Witham building and is completely enclosed with no views into the site. The north boundary is formed by an existing stone boundary wall with the public pay and display car park and Morrison's supermarket beyond. The eastern boundary is formed by high stone walls to gardens at the rear of adjacent residential houses on George Street. The southern boundary of the site is formed by the continuous frontage of the Hall, theatre/music hall and library building.

The proposal

3. Planning permission is sought for the Witham Hall and theatre/music hall to undergo full refurbishment with the addition of a new 'linked' building to be constructed between the Hall and the theatre/music hall. The proposals also incorporate a redevelopment of the library facility which would increase the footprint of the facility and be extended to include a Customer Access Point. The proposed link building would be constructed from a mixture of stonework and glazing and would mainly be used as an informal meeting point. Toilet facilities

as well as meeting rooms are also incorporated into this space. The proposed redeveloped library building would be on the similar footprint to the existing and would be constructed from rubble stone at ground floor with the upper floor finished in vertically arranged larch cladding which would soften to a sliver grey.

4. A new entrance to the site is proposed which would be taken from the north boundary. This would open into the amenity area of the site which is to be redeveloped. The floor finish to the new hard landscaping will be of natural stone paving, with the line of the wall represented in cobbles. Service routes and areas will be finished in regular square paving whereas the pedestrian areas would be finished in random width paving.
5. This application is reported to committee as the floor space of the development exceeds 1000 square metres.

PLANNING HISTORY

6. Planning permission and listed building consent was granted in 2003 for extension, conversion and refurbishments to Witham Hall to provide new community facilities. A further application was submitted in May 2010 for the redevelopment of Witham Hall and the theatre/music hall and library building. This application was withdrawn due to funding issues and concerns raised by conservation officers.
7. A listed building application has also been submitted to accompany this planning application. The listed building consent is to be determined under delegated powers.

PLANNING POLICY

NATIONAL POLICY

8. *Planning Policy Statement 1: Delivering Sustainable Development (PPS1)* sets out the overarching planning policies on the delivery of sustainable development through the planning system.
9. *Planning Policy Statement 5: Planning for the Historic Environment (PPS5)* sets out the Government's planning policies on the conservation of the historic environment.
10. *Planning Policy Statement 9: Biodiversity and Geological Conservation (PPS9)* sets out planning policies on protection of biodiversity and geological conservation through the planning system.

REGIONAL PLANNING POLICY

11. The North East of England Plan - Regional Spatial Strategy to 2021 (RSS) July 2008, sets out the broad spatial development strategy for the North East region for the period of 2004 to 2021. The RSS sets out the region's housing provision and the priorities in economic development, retail growth, transport investment, the environment, minerals and waste treatment and disposal. Some policies have an end date of 2021 but the overall vision, strategy, and general policies will

guide development over a longer timescale. The overall objective for minerals policy in the Region, as set out in RSS, is to ensure the prudent use of the Region's indigenous natural resources in line with sustainable development objectives.

12. In July 2010, however, the Local Government Secretary signalled his intention to revoke Regional Spatial Strategies with immediate effect, and that this was to be treated as a material consideration in subsequent planning decisions. This was successfully challenged in the High Court in November 2010, thus for the moment reinstating the RSS. However, it remains the Government's intention to abolish Regional Spatial Strategies when Orders have been made under section 109 of the Localism Act 2011, and weight can be attached to this intention. The following policies are considered relevant:

13. *Policy 8: Protecting and Enhancing the Environment* states that planning proposals should seek to maintain and enhance the quality, diversity and local distinctiveness of the environment throughout the North East.

14. *Policy 32: Historic Environment* states that planning proposals should seek to conserve and enhance the historic environment of the Region.

LOCAL PLAN POLICY:

15. The following policies of the Teesdale District Local Plan are relevant in the determination of this application:

16. *Policy GD1: General Development Criteria* states that development will be permitted provided that it complies, where relevant to the proposal, with criteria set out in the local plan.

17. *Policy BENV1: Alterations, Extensions and Change of Use to Listed Buildings* states that alterations, extensions and changes of use to a listed building will only be permitted if the proposals are in keeping with the character and appearance of the building, or where it can be clearly proven that other uses which may bring about less damage to the building are not viable.

18. *Policy BENV4: Development within/or Adjoining Conservation Areas* states that development within/or adjoining conservation areas will only be permitted provided that:

A) the proposed location, design layout, materials and scale respects the quality and character of the area;

B) materials for buildings and hard landscaping must be appropriate to and sympathetic with the characteristics of the area;

C) the proposal does not generate excessive traffic, parking, noise or other environmental problems which would be detrimental to the character and appearance of the conservation area;

D) the proposal does not destroy trees, hedgerows, landscape features, views and undeveloped areas which contribute to the character or the appearance to the area and its settings;

E) any services which lead to the new development should wherever possible be located under ground;

F) proposals should meet the requirements of other relevant policies of the local plan.

The above represents a summary of those policies considered most relevant in the Development Plan the full text, criteria, and justifications of each may be accessed at <http://www.cartoplus.co.uk/durham/text/00cont.htm>.

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

19. *The Highways Authority* has stated that the pedestrian access proposed between the site and the Council car park to the north will understandably be a popular access route. It is however logical and safer to directly align the pedestrian access position with the existing DCC owned footway that links the site's car park boundary with the eastern end of Star Yard, rather than it terminate onto the car park carriageway. This footway is relatively narrow and it is recommend that a condition be attached requiring details to be provided of a directly aligned pedestrian connection, linking from the site, via a widened footway (within the car park), to the eastern end of Star Yard. The principle is acceptable to DCC's Car Parking Manager, together with relocation of the respective litter bin and salt bin from this section of the said footway. A proposed new fire exit door facing George Street will require the cycle parking stand in the public footway to be relocated. Details of cycle parking provision for the development as a whole is necessary. No objections are made to the proposal subject to conditions relating to revised footway arrangements and cycle parking provision.
20. *Northumbrian Water* have commented that their apparatus is located in/near to the development site. They require unrestricted access to this apparatus at all times and will not permit the erection of buildings or structures over or close to it. Any proposed crossing, landscaping, parking areas or tree planting must comply with the standard Northumbrian Water guidelines.
21. *The Coal Authority* has raised no objections to the scheme.
22. *The Environment Agency* has raised no objections.
23. *Barnard Castle Town Council* has raised no objections to the proposals.
24. *The Theatres Trust* has raised no concerns and urges that planning permission is granted.
25. *English Heritage* has raised no objections.

INTERNAL CONSULTEE RESPONSES:

26. *The Archaeology Officer* supports the application subject to three conditions relating to archaeological monitoring and recording works.
27. *The Landscape Architect* raises no objection to the principle of proposals, however concerns are raised to the lack of detail regarding landscaping. A landscaping condition is recommended should permission be granted.

28. *The Pollution Control team* have raised no concerns with regards to the acoustic report submitted with the application. Specific times and days have been suggested for site works in order to minimise disturbance to local residents.
29. *The Ecology Officer* is satisfied with the methodology and results of the bat survey, and it is noted that a roost has been located on both sets of chimneys on the Witham Building, and hence a license will be required prior to any works starting on site. A condition is recommended relating to the mitigation strategy detailed in the submitted ecology report. An informative relating to risk of impact on breeding birds is also suggested.
30. *The Design and Conservation Officer* states that overall the proposal is a sensitive and imaginative response to a significantly constrained site. The applicant should be commended for the thorough understanding of the site which has been developed and the way in which this has been interpreted in the response to brief. The proposal will signify the first major intervention in the townscape of Barnard Castle in the twenty first century and should be seen to set the standard for future civic scale developments. The Design and Conservation Officer has no hesitation in recommending that this application be approved subject to conditions including the provision of samples of all external construction materials, detailed landscaping plans including all hard and soft landscaping (to include materials specifications) details of all surface finishes including colour, the construction of stone sample panels on site for inspection.

PUBLIC RESPONSES:

31. Occupiers of the neighbouring properties were notified in writing of the proposals and a site notice was posted. The application was also advertised in the local press. One letter of observation have been received relating to security, noise and privacy issues. The letter also raises points in relation to the design and access statement.

APPLICANTS STATEMENT:

32. The proposal is essentially a restoration and access scheme. The Grade II listed Witham Music Hall and Testimonial buildings will be restored and refurbished. A new link building will provide much needed new front-of-house facilities including toilets and lift access to the first floor.
33. The whole project is being made possible by external funding secured by Barnard Castle Vision from Durham County Council, the European Regional Development Fund and the Heritage Lottery Fund. The provision of a new Customer Access Point, library and Council office accommodation is an integral part of the project, without which the Witham restoration would not be possible.
34. The Witham once provided the town's reading rooms and the current library building is on land that the Witham sold for this purpose. Together the new development will provide a new business and community hub for the town.

The above represents a summary of the comments received on this application. The full written text is available for inspection on the application file which can be viewed at <http://82.113.161.89/WAM/showCaseFile.do?action=show&appType=planning&appNumber=10/00955/PA>

PLANNING CONSIDERATIONS AND ASSESSMENT

35. Having regard to the requirements of section 38(6) of the Planning and Compulsory Purchase Act 2004 relevant guidance, development plan policies and all material planning considerations, including representations received, it is considered that the main planning issues in this instance relate to the impact upon conservation area and grade II listed building, highway/access issues, residential amenity, ecology and representations.

Impact upon conservation area and grade II listed building

36. The application site is located at the centre of the Barnard Castle Conservation Area, therefore the impact of this proposal on the character and appearance of the area and its significance should be a primary consideration in the determination of this application.

37. The principal designated asset, Witham Hall, is grade II listed and was constructed in 1845-46. The music hall and linking corridor to the rear were inaugurated in 1860. The list description has recently been amended to include specific reference to the music hall and linking corridor, the significance of which was identified as part of the research to support previous applications for the development of the site.

38. As stated in the submitted historic impact assessment the Witham is a relatively unaltered building which represents the growing trend for self improvement amongst the working classes and the growth of civic architecture in Victorian times. Incorporated within the building is an original library room which now forms the gallery and also a dispensary which was run by a charitable trust and provided funds for the provision of treatments etc. Overall the majority of the works proposed represent good guardianship and will lead to an enhanced experience of using the Witham Testimonial and will secure the fabric of the building for future generations whilst reintroducing a number of original features.

39. With regard to the link corridor its level of significance is clearly highlighted within the supporting information, especially the interesting roof structure. Whilst its retention would generally be desirable, detailed evaluation has highlighted that the structure was constructed sometime after the music hall and does not therefore form an intrinsic part of the architectural piece.

40. Policy HE9 of PPS 5 is perhaps of most relevance in the consideration of this application. HE9.1 states that there should be a presumption in favour of the conservation of designated heritage assets and the more significant the heritage asset, the greater the presumption in favour of its conservation should be. Loss affecting any designated heritage asset should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, should be exceptional.

41. Policy HE9.2 states that applications which result in the substantial harm to or total loss of significance should be refused unless it can be demonstrated that the criteria set out below have been met.

42. Policy 9.2(i) states that if the loss of significance is necessary in order to deliver substantial public benefits that outweigh the harm or loss consent may be granted. "For the loss to be necessary there will be no other reasonable means of delivering similar public benefits, for example through different design or development of an appropriate alternative site" (PPS5 Practice Guide)
43. It is considered in this case that the loss of the link building is necessary in order to deliver substantial public benefits which cannot be delivered in any other way. The loss of the link and its replacement with a high quality contemporary infill will not harm the significance of the designated conservation area, indeed the improved views of the rear elevation of the Witham may be said to have a positive benefit.
44. With regard to the overall design approach to the new building elements the link has been designed to be a lighter visually transparent contrast to the robust stone built buildings on the site and in the immediate area. The footprint of the building picks up on the historic plots within the area which are identified as such a strong part of the character of the conservation area in both the impact assessment and the Barnard Castle Conservation Area Appraisal. The link respects the scale of the adjacent buildings, whilst being subservient, and it is of a scale to make a statement in its own right. The library building is proposed to be extended and modernised using a twenty first century approach which has been led by strong references to traditional materials and the scale and massing of adjacent buildings.
45. Overall the proposals are considered to be sensitive in design and would not detract from the setting and appearance of the grade II listed building and would contribute and enhance the appearance and character of the Barnard Castle Conservation Area. The development would also deliver improved community and social facilities within Barnard Castle which would be to the benefit of local residents and the wider community of Teesdale. The proposals would not conflict with the aims of policies GD1, BENV1 and BENV4 of the Teesdale District Local Plan or policies detailed in PPS5.

Highway/access issues

46. The County Highways Officer has been consulted on the proposals and no major objections have been raised. A new entrance access is proposed from the north which leads onto the public car park and Morrisons supermarket. The Highways Officer has requested that a condition be imposed which would ensure that a formal footway link is provided at the new entrance connecting with the existing footway at Star Yard. This condition is considered appropriate as the new entrance would open directly onto the car park, therefore for safety reasons it would be appropriate to provide a footway link for pedestrians entering and leaving the site. A condition is recommended accordingly.
47. The Highways Officer has also indicated that due to a proposed fire exit, the cycle parking provision would have to be relocated. The relocation of the cycle parking provision can be adequately achieved by details being submitted through a planning condition. A condition is therefore recommended.
48. Subject to the provision of a footway link at the north boundary and the relocation of the cycle parking provision, the proposal is considered to be acceptable in

highway terms. The accesses proposed in and around the site are appropriate and would not compromise pedestrian safety. The proposal would be in accordance with policy GD1 of the Teesdale District Local Plan.

Residential amenity

49. In terms of privacy issues in relation to the proposed development and surrounding residential properties, it is considered that the relationship would not be dramatically changed from the existing situation. The uses of the Hall, theatre/music hall and library are to remain as existing therefore the privacy relationship between these uses and the surrounding residential properties will also remain. It is noted that there is office accommodation proposed at first floor level in the library building and windows would look over neighbouring residential properties. It is considered however that the level of privacy for neighbouring residents would be at an acceptable level. Given the position and angle of the proposed link building in relation to neighbouring properties (in particular those properties on George Street), there would be no overlooking which would compromise residential amenity.
50. The proposed library redevelopment would involve raising the height for the building to two storey. Whilst it is acknowledged that there are residential properties within close distance, the proposed height of the library would be similar height to existing buildings in the area. It is not considered that the proposed library would have an adverse affect on neighbouring properties in terms of overshadowing or overbearing impacts.
51. An acoustic report was submitted with the planning application. This report has been assessed by the Council's Pollution Control team. The Pollution Control team have not raised any objections to the proposals in terms of noise generation. Suggested times of construction works has been recommended in order to minimise disruption during construction periods. Concerns have been raised by a neighbour with regards to potential noise disruption from vehicle and pedestrian movements to and from the premise, particularly in the evening. Given that a new access from the north is being proposed it is accepted that there is a potential for noise levels to increase at certain times. It is considered though that any increase in noise levels would be restricted to short periods before and after events while pedestrians and vehicles were arriving and leaving the premise. It is not considered that these periods of potential increased noise would have a significantly harmful impact on nearby residential amenities and any minor concerns in this respect would be outweighed by the wider public benefits the scheme would deliver. Concerns have also been raised to the potential for the outdoor area of the premise to be used as outdoor/evening events. It is noted that the use of the premise is not being altered and it is possible for outdoor/evening events to take place without the need for planning permission. The possibility of outdoor/evening events being undertaken from the site is not considered to be a reason which would warrant refusal of this application.
52. Overall, it is considered that the residential amenities of neighbouring properties would not be adversely affected to such an extent that the proposal could be considered unacceptable. The proposals would be in accordance with policy GD1 of the Teesdale District Local Plan.

Ecology

53. The roof of the Witham Building is used as an occasional roost by an individual or low number of common pipistrelles bats. Roosts have also been located on both sets of chimneys on the Witham Building. Bats are a European Protected Species. A European Protected Species (EPS) license will therefore be required from Natural England. Local planning authorities' responsibility in respect of European protected species was clarified in the case of Woolley vs Cheshire East Borough Council. Regard must be had to the requirements of the Conservation of Habitats and Species Regulations 2010 and the Habitats Directive, which contain three "derogation tests": the development must meet a purpose of preserving public health or public safety or other imperative reasons of overriding public interest including those of social or economic nature and beneficial consequences of primary importance for the environment; there must be no satisfactory alternative; and, favourable conservation status of the species must be maintained. Neither Circular 06/2005 nor indeed PPS9 provide any detailed advice on judging whether a development could be considered favourable against such tests.

54. Test 1: preserving public health/safety or other imperative reasons of overriding public interest

55. The development proposed is not required for any interests of public health or public safety. Natural England considers in its statement following the aforementioned case that overriding public interest would include those of social or economic nature and beneficial consequences of primary importance for the environment. There would be no public economic or social benefits provided by a private housing scheme of this nature. Beneficial consequences of primary importance for the environment however, may arise. The scheme as described elsewhere in this report is considered to enhance the character and appearance of the conservation area. In this case, there is considered to be a beneficial consequence to the Barnard Castle Conservation Area and the Grade II Listed Building, an interest of primary importance. It is considered that there is sufficient merit in the scheme as a whole that it satisfies the first of three derogation tests.

56. Test 2: there must be no satisfactory alternative

57. The only satisfactory alternative which would see the retention of the roost would be the retention of the existing roof. However, in order to preserve and subsequently enhance the historic quality of the Grade II Listed building, the replacement of the roof is required. The replacement of the roof is required and therefore it is considered that there is no satisfactory alternative available, and the second test is consequently met in this particular circumstance.

58. Test 3: favourable conservation status of the species must be maintained

59. In the process of removing and replacing the roof, there is a potential for bats to be injured or killed; however, mitigation and compensation strategy is proposed which would ensure bats are not harmed. Careful procedures are proposed through the submitted bat survey for when the roof is replaced to ensure that no bats are disturbed, injured or killed. Conditions are recommended to ensure that these mitigation measures are adhered to. The proposed mitigation is considered to be acceptable by the Ecology Section and should ensure that favourable

conservation status is both maintained during and following the implementation of the development proposed, and as such the third and final derogation test is considered to be met.

60. Given the above, it is considered that a license would be granted and the proposed development would not adversely affect protected species or their habitat and the proposal would therefore be in accordance with policy GD1 of the Teesdale District Local Plan and guidance contained within PPS9.

Representations

61. One letter of representation has been received which relates mainly to issues surrounding security, noise and privacy. The issues of noise and privacy have been discussed above. In terms of security, queries have been made in relation to whether there will be any locked gates on the accesses into the site. No details have been submitted indicating that gates would be placed at the entrance access points. There is however no indication that any lighting or cameras would be positioned either. This is not a material planning consideration. A further comment has been raised with regards to the location of a bin store. A condition is recommended for details of the bin store to be submitted to and agreed prior to works commencing on site, in the interests of visual amenity.
62. The letter of representation also raises a number of points relating to the submitted design and access statement. Most of the points raised have been covered in the assessment of the planning application.

CONCLUSION

63. The proposed works are considered to be sensitive in design terms and would not detract from the historic fabric of the Grade II Listed Building and would preserve and enhance the appearance and character of the Barnard Castle Conservation Area. The loss of the existing link corridor is considered justified as the loss is outweighed by the significant public benefits offered by the proposed development.
64. The new entrance access points and the proposed vehicular and pedestrian arrangements are considered acceptable and would not create any adverse impacts in terms of highway safety.
65. The residential amenities of existing and future occupiers of neighbouring residential properties would not be adversely compromised to an extent that would outweigh the wider public benefits delivered by the proposals.
66. It is not considered that the proposals would have an adverse impact on protected species or their habitats.

RECOMMENDATION

That the application be **APPROVED** subject to the following conditions;

1. The development should not be begun later than the expiration of three years from the date of this permission.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be carried out in strict accordance with the following approved plans:

Plan Ref No.	Description	Date Received
1492/P/1001	Site Location Plan as Proposed	23/11/2011
1492/P/1004	Proposed Ground Floor Plan	23/11/2011
1492/P/1005	Proposed First Floor Plan	23/11/2011
1492/P/1006	Proposed Roof Plan	23/11/2011
1492/P/1009	Proposed Demolitions Plan Ground Floor	23/11/2011
1492/P/1010	Proposed Demolitions Plan First Floor	23/11/2011
1492/P/1011	Ground Floor Interventions	23/11/2011
1492/P/1012	First Floor Interventions	23/11/2011
1492/P/1100	Proposed Sections	23/11/2011
1492/P/1200	Proposed North Elevation	23/11/2011
1492/P/1201	Proposed South Elevation	23/11/2011
1492/P/1202	Proposed East Elevation	23/11/2011
1492/P/1203	Proposed West Elevation	23/11/2011

Reason: To define the consent and ensure that a satisfactory form of development is obtained.

3. Prior to the commencement of the building works details of all external materials shall be submitted to and approved in writing by the Local planning authority. The development shall be constructed in accordance with the approved details.

Reason: In the interests of the appearance of the area and to comply with policies GD1, BENV1 and BENV4 of the Teesdale Local Plan.

4. Prior to the commencement of the building works a sample panel of the proposed stone and pointing to be used in the construction of the main walls of the building shall be erected on site for inspection. The written approval of the Local planning authority for the sample panel shall be received prior to the commencement of the building works and the sample panel shall be retained for reference on site throughout construction. The development shall be constructed in accordance with the approved details.

Reason: In the interests of the appearance of the area and to comply with policies GD1, BENV1 and BENV4 of the Teesdale Local Plan.

5. No development shall commence until a detailed landscaping scheme, including soft and hard landscaping and materials specification, has been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the visual amenity of the area and to comply with policies GD1, BENV1 and BENV4 of the Teesdale Local Plan.

6. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first available planting season following the practical completion of the development and any trees or plants which within a period of 5 years from the substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of the visual amenity of the area and to comply with policies GD1, BENV1 and BENV4 of the Teesdale Local Plan.

7. Prior to the commencement of the development details of the surface treatment and construction of all hardsurfaced areas shall be submitted to and approved in writing by the Local planning authority. The development shall be undertaken in accordance with the approved details.

Reason: In the interests of the appearance of the area and to comply with policies GD1, BENV1 and BENV4 of the Teesdale Local Plan.

8. No development shall take place unless in accordance with the mitigation detail within the protected species report 'Bat Method Statement Document 2: The Witham Buildings and Library, Hall Lane, Barnard Castle' by Barrett Environmental Ltd dated September 2011; including, but not restricted to the acquisition of Natural England bat license prior to works commencing on site; sensitive timing of destructive works to avoid hibernation season; hand search of roof structures by licensed bat worker immediately prior to roofing works commencing; supervised hand removal of roof material in vicinity of chimneys; installation of 1no. Schwegler 1WQ roost to south side of south chimney; restoration of confirmed roost sites and access points/routes once roof covering is replaced; and following strict timetable detailed in Section F of the report.

Reason: To conserve protected species and their habitat in accordance with Planning Policy Statement 9.

9. Before the development hereby approved is commenced a footway link from the north entrance to the footway at Star Yard shall be constructed in accordance with details which shall first be submitted to and approved in writing by the local planning authority. The footway shall thereafter be implemented in accordance with the approved details.

Reason: In the interests of highway safety and to comply with policy GD1 of the Teesdale District Local Plan.

10. Before the development hereby approved is commenced details for the relocation of the cycle parking provision shall be submitted to and approved in writing by the local planning authority. The cycle parking provision shall thereafter be implemented in accordance with the approved details.

Reason: In the interests of highway safety and to comply with policy GD1 of the Teesdale District Local Plan.

11. Before the development hereby approved is commenced details of the bin store shall be submitted to and approved in writing by the local planning authority. The bin store shall thereafter be implemented in accordance with the approved details.

Reason: In the interests of residential amenity and to comply with policy GD1 of the Teesdale District Local Plan.

12. No construction activities, including demolition, excavation, building and deliveries shall be carried out on the site on any Sunday or Bank Holidays or outside the hours of 08:00am to 06:00pm Mondays to Fridays, 09:00am to 02:00pm Saturdays.

Reason: To safeguard the occupiers of adjacent premises from undue noise or other associated disturbance. In accordance with policy GD1 of the Teesdale District Local Plan.

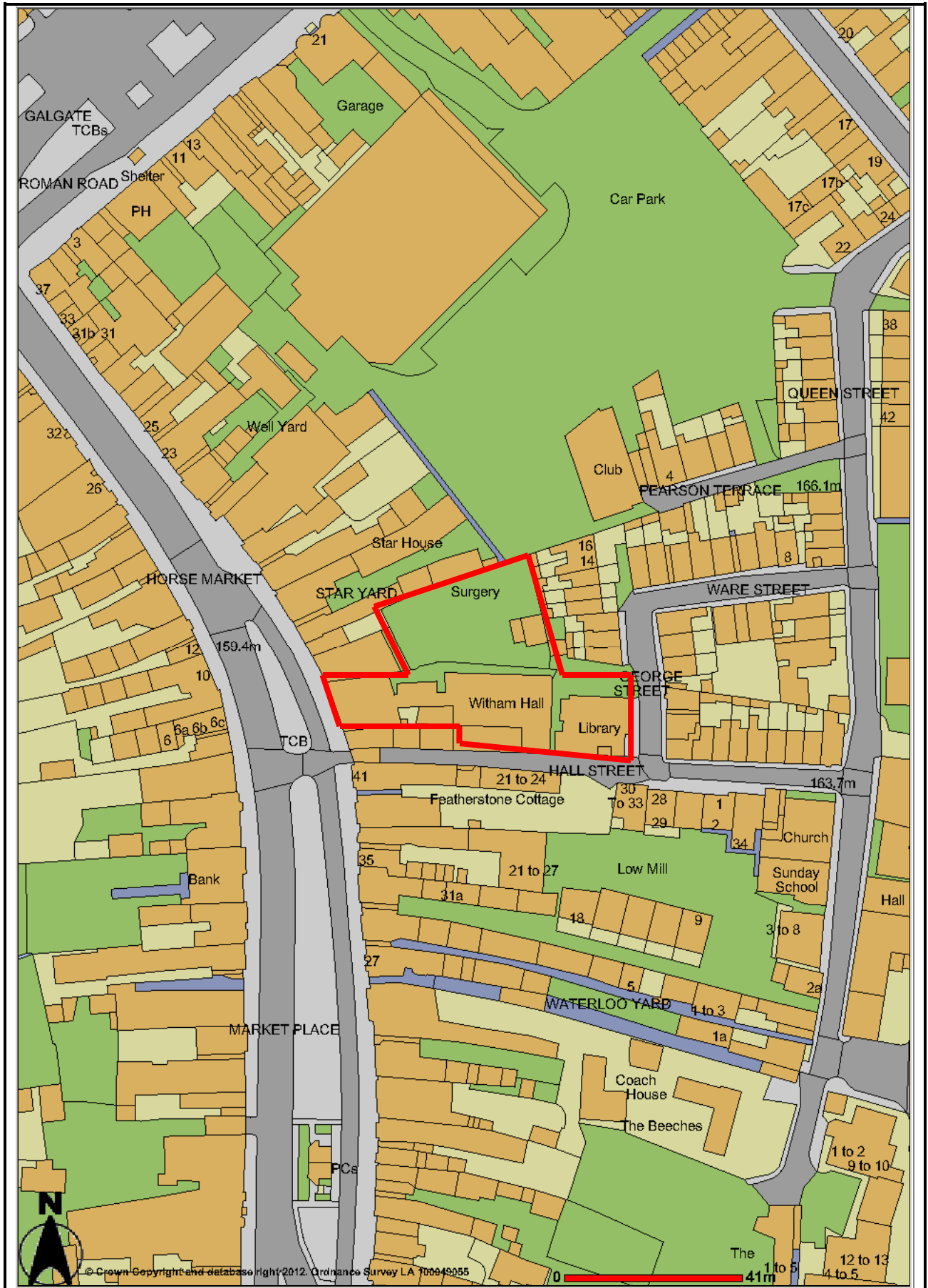
REASONS FOR THE RECOMMENDATION


1. The proposal is considered acceptable having regard to policies GD1, BENV1 and BENV4 of the Teesdale District Local Plan, and Policies 8 and 32 of the Regional Spatial Strategy for the North East.
2. The proposal would be of a sensitive design and would not compromise the heritage assets of the Grade II Listed Building and would enhance the character of the Barnard Castle Conservation Area. Highway and access issues are acceptable and the proposal would not compromise highway safety. Residential amenities of existing and future occupiers of neighbouring properties would not be adversely affected. The proposal would not have a detrimental impact on protected species or their habitats. The development would also deliver improved community and social facilities within Barnard Castle which would be to the benefit of local residents and the wider community of Teesdale.
3. The observations which have been received by a neighbouring resident have been given due consideration, however the issues raised do not provide sufficient justification for refusal of this application. On balance the scheme is considered to be acceptable. The proposals are considered to accord with both local and national planning policies, and would constitute an acceptable form of development subject to conditions.

BACKGROUND PAPERS

- Submitted Application Forms and Plans
- Design and Access Statement
- Bat Survey Report
- Planning Policy Statements: 1, 5, and 9.
- Draft National Planning Policy Framework

- North East of England Plan - Regional Spatial Strategy to 2021
- Teesdale District Local Plan
- Circular 06/2005
- Consultation Responses
- Public Consultation Responses



 <p>Planning Services</p>	<p>Refurbishments and internal alterations to existing buildings. Proposed new link building extension and remodelling to library. Construction of new store and refuse store including landscaping works at The Witham Hall, 3 Horsemarket, Barnard Castle, County Durham, DL12 8LY</p>	
<p>This map is based upon Ordnance Survey material with the permission of Ordnance Survey on behalf of Her Majesty's Stationary Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceeding. Durham County Council Licence No. 100022202 2005</p>	<p>Comments</p>	
	<p>Date 16th February 2012</p>	<p>Scale 1:1250</p>

Planning Services

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	7/2011/0507/DM
FULL APPLICATION DESCRIPTION:	Change of use from industrial to indoor sport and leisure
NAME OF APPLICANT:	Mr Dan Lewis
ADDRESS:	Former Thrislington Partitions Building, Durham Way South, Aycliffe Industrial Park, Newton Aycliffe, County Durham
ELECTORAL DIVISION:	Aycliffe East
CASE OFFICER:	David Gibson, Planning Officer 03000 261057, david.gibson@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

Site

1. The application site is located within the Aycliffe Industrial Park, which is situated on the south-eastern edge of Newton Aycliffe. The site is surrounded by industrial units of varying sizes and uses. The site consists of a single industrial unit with car parking for 40 cars. The site is currently vacant and the applicant has stated that he has an option to lease this unit, if planning approval were to be granted.

Proposals

2. The applicant seeks planning permission for the change of use the existing 7765sqm industrial building to an indoor leisure use focusing on 5 a side football, and for planning purposes, falls within Class D2 of the Use Classes Order, which covers such uses as cinemas, concert halls, skating rinks and gymnasiums. A small café area, changing facilities, meeting rooms and weight rooms take up about a third of the building. This accommodation would all be located on the ground floor.
3. The application is reported to committee as the proposal constitutes major development and represents a departure from the development plan.

PLANNING HISTORY

4. There is no relevant planning history for the application site.

PLANNING POLICY

NATIONAL POLICY

5. *Planning Policy Statement 1 (PPS1): Delivering Sustainable Development and Climate Change* sets out the Government's overarching planning policies on the

delivery of sustainable development through the planning system. The key principles including ensuring high quality development through good and inclusive design, and efficient use of resources.

6. *Planning Policy Statement 4 (PPS4): Planning for Sustainable Economic Growth* sets out the Government's comprehensive policy framework for planning for sustainable economic development in urban and rural areas.
7. *Planning Policy Guidance note 13 (PPG13): Transport* sets out the objectives to integrate planning and transport at the national, strategic and local level and to promote more sustainable transport choices both for carrying people and for moving freight.
8. The Government has recently published its draft National Planning Policy Framework (NPPF), which seeks to provide a consolidated and shorter framework of national policies covering much the same issues as currently found in Planning Policy Statements and Guidance Notes. Since the document is only in draft at this time, it can be afforded little weight; however, it is of note that the thrust of the framework insofar as it relates to business and economic development, is that to achieve sustainable economic growth, the Government's key objective is, amongst other things, to promote the vitality and viability of town centres, and meet the needs of consumers for high quality and accessible leisure and retail services.

REGIONAL PLANNING POLICY

9. The North East of England Plan - Regional Spatial Strategy to 2021 (RSS) July 2008, sets out the broad spatial development strategy for the North East region for the period of 2004 to 2021. In July 2010, however, the Local Government Secretary signalled his intention to revoke Regional Spatial Strategies with immediate effect, and that this was to be treated as a material consideration in subsequent planning decisions. This was successfully challenged in the High Court in November 2010, thus for the moment reinstating the RSS. However, it remains the Government's intention to abolish Regional Spatial Strategies when Orders have been made under section 109 of the Localism Act 2011, and weight can be attached to this intention.
10. The RSS sets out the region's housing provision and the priorities in economic development, retail growth, transport investment, the environment, minerals and waste treatment and disposal. Some policies have an end date of 2021 but the overall vision, strategy, and general policies will guide development over a longer timescale. The following policies are considered relevant:
 11. *Policy 2 (Sustainable development)* requires new development proposals to meet the aim of promoting sustainable patterns of development.
 12. *Policy 24 (Delivering Sustainable Communities)* sets out criteria for the assessment of land suitability of development having regard to locational factors and sustainability.
 13. *Policy 27 (Out-of-Centre Leisure Developments)* states that new out-of-centre leisure developments need to be considered and justified through the sequential approach and locational strategy to ensure developments are of an appropriate scale in relation to nearby settlements, and should not make provision for new out-of-centre leisure developments unless there are demonstrable benefits that would contribute to the sustainable growth of the local economy.

14. *Policy 54 (Parking and Travel Plans)* seeks to minimise parking provision for non-residential development and ensure travel plans are prepared for major developments.

LOCAL PLAN POLICY:

15. *Policy IB1 (Type of Industry and Business Areas)* states that the Council will normally approved development that maintain in appropriate locations a range of land available for industry and business.
16. *Policy IB2 (Designation of Type of Industrial Estate)* designates existing industrial estates as prestige business parks, general industrial areas or local industrial areas.
17. *Policy IB6 (Acceptable Uses in General Industrial Areas)* sets out that business, general industry and warehousing uses will normally be permitted in designated industrial areas, and that large food retail units will normally be refused, having regard to the purpose of the industrial area as set out under Policy IB1.
18. *Policy S1 (Promotion and Protection of the Role of Town Centres)* states that the role of the boroughs main town centres in Newton Aycliffe, Spennymoor, Ferryhill and Shildon as district shopping centres will be promoted and protected and will provide the aim locations for major retail developments.
19. *Policy D1 (General Principles for the Layout and Design of New Developments)* sets out several key principles for the layout and design of new developments.
20. *Policy D2 (Design for People)* requires developments to take account of personal safety and security of property, access needs of users and provision of appropriate facilities such as toilets, baby changing facilities, public seating etc.
21. *Policy D3 (Designed with pedestrians, cyclists, public transport)* aims to ensure that new developments are accessible and safe for pedestrians, cyclists, public transport, cars and other vehicles.
22. A number of other documents at a local level are considered relevant to the consideration of the proposals, and these include: County Durham Plan, Core Strategy Issues and Options (2010); Core Strategy Policy Direction (2011); County Durham Open Space Needs Assessment (2010); and, Durham Employment Land Review (2011).

The above represents a summary of those policies considered most relevant in the Development Plan the full text, criteria, and justifications of each may be accessed at: <http://www2.sedgefield.gov.uk/planning/SBCindex.htm>

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

23. *Great Aycliffe Town Council* has no objections to the proposal.
24. *The Highway Authority* considers the proposals to be acceptable in highway terms. The site and building would appear to be able to accommodate the proposed sport and leisure facility with little or no detrimental impact on the adjacent public highway. The 40 no. car parking spaces, 5 no. disabled persons car parking spaces and 5 no. cycle parking spaces would be deemed to be an acceptable level of provision for a facility of this size.

INTERNAL CONSULTEE RESPONSES:

25. *The Pollution Control Team* has no adverse comments to make on the proposals.
26. *The Planning Policy Section* notes that the sequential test that has been carried out identifying that no other alternative buildings / sites are currently available to meet the functional requirements of this particular proposal. Regarding local economy and health benefits the proposal would provide a service which appears to be poorly represented elsewhere across the town therefore potential benefits from the scheme are significant and similar town centre enterprises would not be impacted.

PUBLIC RESPONSES:

27. The application has been advertised by way of both press and site notices and by letter to surrounding industrial units. No comments have been received.

APPLICANTS STATEMENT:

28. The proposed development fully satisfies the sequential test in PPS4 Policy EC15. No alternative sites or premises in these centres are available, suitable and viable for the size and type of small leisure unit proposed. The vacant premises that are available in the centres could not accommodate the scale of development proposed in this scheme on one level as required.
29. There would not be an adverse impact on the viability and vitality of the town centre or the local centres. The scale of the development proposed is appropriate to the catchment area and to the particular site requirements.

The above represents a summary of the comments received on this application. The full written text is available for inspection on the application file.

PLANNING CONSIDERATIONS AND ASSESSMENT

30. Having regard to the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the relevant Development Plan policies, relevant guidance and all other material planning considerations, including representations received, it is considered that the main planning issues in this instance relate to the schemes compliance with national policy in terms of sequential site assessment and wider town centre impacts, the loss of employment land, the sites sustainability, whether there would be detriment to highway safety or neighbouring land uses, and the community/economic benefits.

Principle of development

31. As previously mentioned this planning application needs to be assessed against the provisions of the Development Plan and other 'material considerations'. In this instance, the Development Plan constitutes the saved policies of the Sedgfield Borough Local Plan and for the time being, the Regional Spatial Strategy for the North East. Other material planning considerations include PPS1: Delivering Sustainable Development, PPS4: Planning for Sustainable Economic Growth and PPG13: Transport
32. Policy IB2 of the Local Plan identifies Aycliffe Industrial Park as a general industrial estate. Local Plan Policy IB6 seeks to ensure that new development within Aycliffe

Industrial Park is within use classes B1, B2 and B8. The objective of general industrial estates is to support a wide range of industrial activities (uses falling within classes B1, B2 and B8) and other activities are only generally permitted where they are clearly complementary to the main uses in terms of their size and functional relationship in providing a service to existing businesses and employees already on the estate. This proposal would result in the creation of a non-class B use within Aycliffe Industrial Park, which has been designated in the Local Plan as a key employment area. The proposed leisure use is therefore a departure from the Local Plan.

33. However, more up-to-date development plan policy is contained within RSS, and Policy 27 in particular, which provides detailed criteria for the assessment of economic development proposals. It states that new out-of-centre leisure developments need to be considered and justified through the sequential approach and locational strategy to ensure developments are of an appropriate scale in relation to nearby settlements, and should not make provision for new out-of-centre leisure developments unless there are demonstrable benefits that would contribute to the sustainable growth of the local economy.
34. It is widely accepted that the manufacturing industry within the UK is in decline, and demand for industrial accommodation in the North East of England is currently low. This is highlighted by the slow take up rates of the undeveloped industrial land at Aycliffe Industrial Park. This demonstrates that uses away from the manufacturing sector (which are normally associated with industrial estates) must be considered as a way of regenerating and bringing empty land and buildings into active use.

Sequential assessment

35. PPS4 states that leisure and entertainment facilities, as proposed in this case, are town centre uses. Government guidance seeks to direct leisure and entertainment facilities to sites located within existing centres, with the aim of offering a wide range of services to communities in an attractive and safe environment, remedying deficiencies in provision and directing development into areas which can be easily accessed by a variety of transport modes.
36. As such, PPS4 requires all options in the town centre to be thoroughly assessed before less central sites are considered. Policy EC17 of PPS4 states that planning applications for main town centres uses that are not in an existing centre and not in accordance with an up to date development plan should be refused planning permission where the applicant has not demonstrated compliance with the requirements the sequential approach (Policy EC15); or there is clear evidence that the proposal is likely to lead to significant adverse impacts in terms of any one of impacts set out in policies EC10.2 and 16.1 (the impact assessment), taking account of the likely cumulative effect of recent permissions, developments under construction and completed developments.
37. The sequential test carried out by the applicant in support of this application considered various sites in and around Newton Aycliffe, Shildon, Durham, Darlington, Woodham and Rushyford. The particular characteristics of the use proposed are such that it requires an extremely large floor space of between 7,000 and 9,000 sq metres, which is not easily disaggregated, together with a large car parking area. Having considered the submitted sequential test and from consideration of a previous leisure use application within Aycliffe Industrial Park, it is apparent that at this time there are no suitable, available or viable alternative sites either within in any of the local town centres or within any edge-of-centre locations that are capable of accommodating a development proposal of this size or nature.

Impact assessment

38. It is considered that the preferred location of this development would be in a town centre where this would help support the range of existing retail and other town centre uses. Policy S1 of the Local Plan states that the role of the former boroughs main town centres, including Newton Aycliffe, will be promoted and protected and that major retail and other town centre uses, such as the proposal, should be directed towards main town centres.
39. The more up-to-date PPS4 Policy EC16 requires that applications for main town centre uses that are not located within a centre and are not in accordance with an up-to-date development plan are assessed against various impacts such as vitality and viability of town centres and impacts of the proposal on in centre trade. Significant levels of trade diversion from a centre can seriously undermine its vitality and viability resulting in reduced footfalls and increased vacancies of units. PPS4 Policy EC17 requires an assessment of the impacts listed in Policy EC16.
40. As identified in the submitted statement accompanying the application, the surrounding town centres do not currently offer a similar facility that this development would compete with. It is therefore considered that the proposed development would be unlikely to have a demonstrable harmful effect on the vitality and viability of surrounding town centres that would justify refusal of the permission on these grounds, in the same way that out of town retailing might result in some trade diversion from town centres. It is considered that the development would not pull trade from these town centres as the proposed users for this development would generally have to travel outside of the area to use a service such as this. It is therefore considered that the development is in accordance with Policies EC15, EC16 and EC17 of PPS4.
41. Across the county and further afield across the north east, these types of facilities are prevalent within industrial estates. Most notably, “Soccarena” is located within the Dragonville Industrial Estate on the outskirts of Durham City, whilst “Soccer Sensations” is located within Bowesfield Industrial Estate outside of Stockton Town Centre and “Goals” is located on former railway sidings outside of Middlesbrough Town Centre.
42. Although this particular use is considered acceptable due to its specific circumstances in terms of the likelihood of limited trade diversion impacts and that the specific use is not easily disaggregated, other uses within the D2 use class would not necessarily be considered acceptable. For this reason, if Members are minded to approve the application, it would be appropriate to condition any planning permission specifically to a five-a-side football facility. This would help to protect the vitality and viability of the town centre from uses which might otherwise divert trade, and would help with the broader regeneration aims of Durham County Council by removing the ability to open such uses as a cinema, a bingo hall or skating rink outside of the town centre without specific justification.

Sustainability

43. Compared to a town centre location this site is considered to perform poorly in sustainability terms. Although a number of bus routes serve Aycliffe Industrial Park, the timing of these services are infrequent with provision currently limited so that staff or visitors travelling to and from the premises are likely to be heavily reliant on the

private car, particularly on evenings and weekends when the facilities are likely to be most heavily used. More frequent bus services currently operate via Aycliffe village which is approximately 600m walking distance from the application site.

44. The Government is seeking to reduce the need to travel, reduce the number of car journeys and to encourage the use of public transport and reduce the reliance on private car use. It is also a key aim of the Government to facilitate multipurpose journeys and to ensure that everyone has access to a range of facilities.
45. Aycliffe Industrial Park employs a large number of people and it is envisaged that this use could provide a valuable service for the people employed in the area. It is within walking distance or a short car journey from thousands of people who would otherwise have to drive into the town centre on a lunch time or after work to play five-a-side football or use the gym. This development would therefore reduce the number of car journeys.
46. In accordance with Policy 54 of the RSS, in order to improve the sustainability credentials of this proposal further, a planning condition should be attached requiring the applicant to formulate a Green Travel Plan for the business prior to the commencement of use which would improve accessibility to and from the site and promote access via a range of transport modes. The Green Travel Plan would be likely to encourage car sharing and may, for instance, include other measures including the potential provision of a bus shuttle service between the site and adjacent areas. The content of the Green Travel Plan would need to be discussed in detail with the applicant, in order to maximize the effectiveness of any agreed scheme. It is considered that this would accord with RSS Policy 54 and PPG13.

Loss of employment land

47. Although this proposal would lead to a reduction in the amount of industrial floor space available on Aycliffe Industrial Park, it is considered that the proposed change of use would not harm the Council's employment objectives due to the large number of vacant units in the Industrial estate with this specific unit has been vacant for a number of months now. The draft Employment Land Review highlights the fact that there is a general over supply of industrial land within County Durham, and as such, the change of use to a leisure use would not have a detrimental impact on the supply of this land.
48. Finally, because of the nature of this proposal the existing building could, if necessary, be converted back to its current industrial use. It is therefore considered that this aspect of the proposal fully accords with Policy EC10 of PPS4.

Access and car parking

49. The application currently benefits from 40 car parking spaces and 5 disabled spaces. The Highway Authority is satisfied that the existing road system can accommodate the anticipated traffic flows arising from a proposal of this type and that the proposed level of car parking provision is acceptable and as such, they raise no objection to the proposed use. The proposed development is therefore considered to fully accord with Policies D1 and D3 of the Local Plan.

Impact on neighbouring properties

50. Given the commercial nature of the surrounding sites and the activities proposed as part of the development it is not considered that the proposed scheme would result in

any significant impacts on the amenity of the neighbouring occupants so as to justify refusal of the application.

Community/economic benefits

51. The County Durham Open Space Needs Assessment undertaken in 2010 sought to identify areas of weakness, in terms of open space and play provision. Great Aycliffe Town Council identified that there were a number of areas of weakness, including that there were insufficient football pitches, poor quality playing pitches, and not enough facilities for teenagers. The proposed development would provide a year round football facility which would be particularly attractive to teenagers. As such, there would be therefore be substantial benefits to the community in terms of increased access to sporting facilities for the town residents, whilst addressing an area of identified shortfall.
52. The applicant has stated that the proposed development would create 4 full time jobs. The potential employment opportunities would, of course, be welcome in order to assist with the economic regeneration of the area.

CONCLUSION

53. Whilst a town centre or edge of centre site would have been the preferred location for this leisure development the applicant's sequential assessment has not identified any suitable, available or viable alternative sites that would be capable of meeting the applicant's requirements. It is, therefore, considered that this proposal accords with the policies EC10, EC11, EC13, EC15, EC16, EC17 of PPS4 which in this instance is more up to date than Policies IB2 and IB6 of the Local Plan, and from which the scheme would depart.
54. The proposal would provide a range of leisure facilities which are not currently available to residents within this area.
55. Whilst there are some reservations regarding the sustainability credentials of the scheme, these reservations are on balance outweighed by the job creation and economic benefits the development could potentially bring to the area. It is considered that the implementation of a robust Green Travel Plan would help to improve accessibility to the site by encouraging visitors and staff to utilise a variety of modes of transport rather than relying upon the private car.
56. Bearing in mind the large number of vacant units on the Aycliffe Industrial Park the proposal would not have a detrimental impact on the future employment capabilities of the Industrial Park, and the proposal does offer the potential to create a number of employment opportunities with more in the future if the proposed use is successful.
57. It is considered that the proposal is a departure from Local Plan policies IB1, IB2 and IB6 as a non-industrial use within a defined industrial estate, however, the proposal accords with Policies S1, D1, D3 of the Local Plan and the more up to date Policies EC10, EC11, EC13, EC15, EC16 and EC17 of PPS4 and Policies 2, 24, 27 and 54 of the Regional Spatial Strategy, and therefore, on balance, is considered to be acceptable.
58. Approval of the application is therefore recommended, however, in accordance with section 5 of the Town and Country Planning (Consultation) (Direction) England 2009, the application represents defined 'development outside town centres' exceeding 5000sqm, and as such the application must be referred to the Secretary of State.

RECOMMENDATION

That Members be **MINDED TO APPROVE** the application subject to referral of the application to the Secretary of State through the National Planning Casework Unit; and, in the event that the application is not called in by the Secretary of State that it be **APPROVED** subject to the following planning conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:
1001 – 02

Reason: For the avoidance of doubt and in the interests of good planning.

3. Prior to the implementation of the approved use, a Green Travel Plan shall be submitted to and approved in writing by the Local planning authority. The development shall thereafter be implemented in accordance with the approved details.

Reason: In order to encourage sustainable means of travel in accordance with PPG13 (Transport) and RSS Policy 54.

4. Notwithstanding the provisions of the Town and Country Planning (Uses Classes) Order 1987, (or any Order revoking or re-enacting that Order with or without modifications), the premises shall be used for an indoor football facility only and for no other purpose, including any other activity within the same class of the schedule to that Order.

Reason: To ensure that a town centre use is not opened up within the Aycliffe Industrial Park without specific justification, in accordance with Policies EC16 and EC17 of PPS4 Planning for sustainable economic growth.

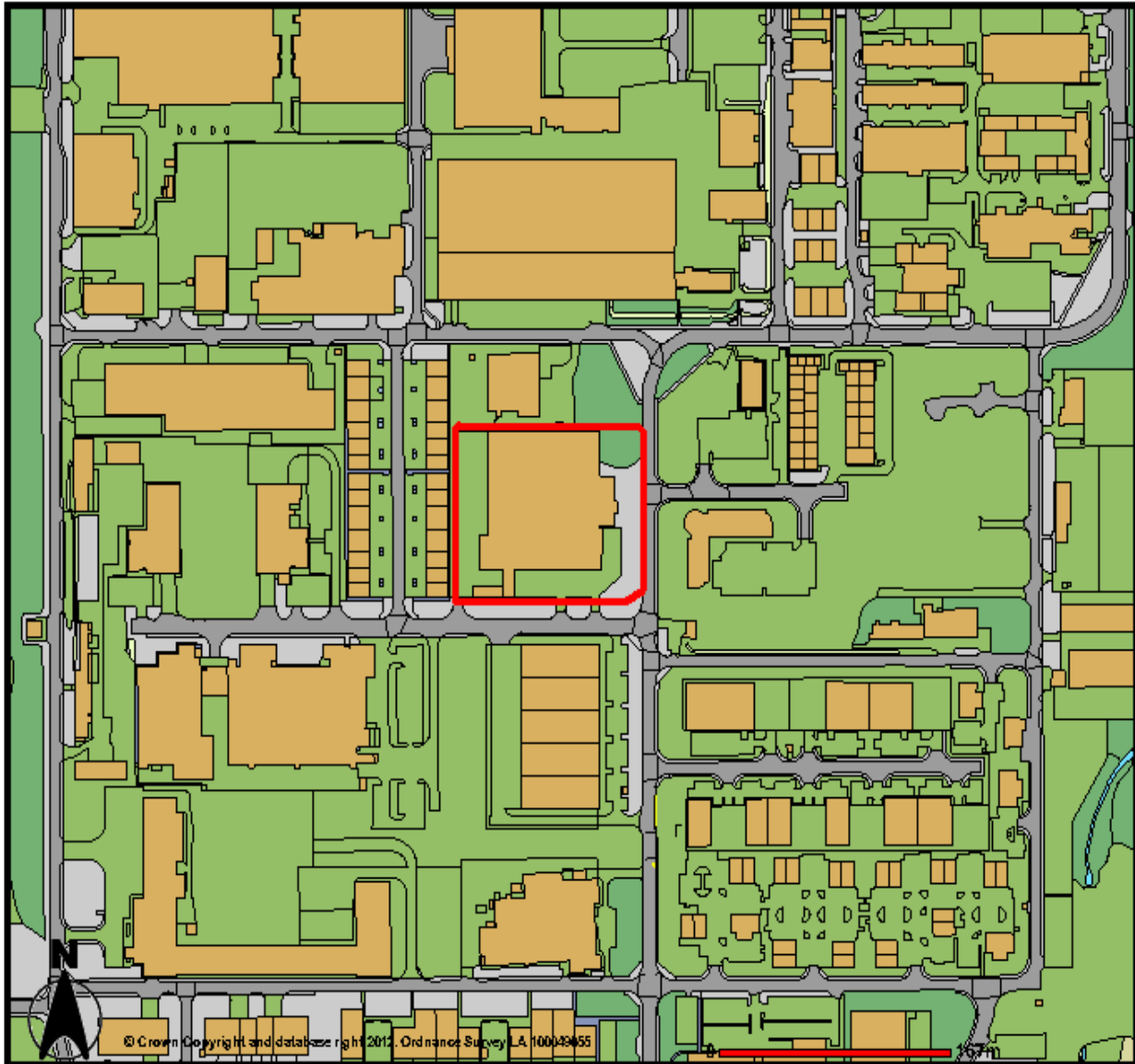
REASONS FOR THE RECOMMENDATION

1. The proposed change of use to a five-a-side football facility is considered to be acceptable having regard to the sequentially preferable location of the site, the limited overall impact on other centres that would arise and the employment opportunities created by the development. As such the proposals are considered to comply with of Policies S1, D1, D2 and D3 of the Sedgefield Borough Local Plan 1996 (which is a saved plan in accordance with the Secretary of States Direction under paragraph 1 (3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004), Policies 2, 24, 27 and 54 of the North East of England Plan - Regional Spatial Strategy to 2021, and with the specific requirements of Policies EC10, EC11, EC13, EC15, EC16, EC17 of PPS4.
2. In particular the development is considered acceptable having regard to the availability, suitability and viability of other alternative development opportunities

within the identified catchment areas. Although a departure from Policies IB1, IB2 and IB6 of the Sedgefield Borough Local Plan on balance it is considered that the proposal represents an acceptable form of development due to the proven need to be situated in this location and to the employment benefits arising from this scheme which would involve the bringing back into use a vacant unit and would assist in the economic regeneration of the area.

BACKGROUND PAPERS

- Submitted Application Forms, Plans and sequential test
- Sedgefield Borough Local Plan 1996
- Regional Spatial Strategy
- Planning Policy Statements/Guidance notes: PPS1, PPS4 and PPG13
- Responses from Great Aycliffe Town Council, Highway Authority, Environmental Health and Planning Policy Section



Planning Services

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Change of use from industrial to indoor sport and leisure at Former Thrislington Partitions Building, Durham Way South, Co Durham

Comments

Date 16 February 2012

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