



## Planning Services

# COMMITTEE REPORT

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### APPLICATION DETAILS

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Application No:	DM/23/01617/FPA
Full Application Description:	Change of use from former field centre to single private dwelling
Name of Applicant:	Mr and Mrs Sparrow
Address:	Field Centre, Baldersdale Barnard Castle DL12 9UU
Electoral Division:	Barnard Castle West
Case Officer:	Jill Conroy Planning Officer 03000 264 955 <a href="mailto:jill.conroy@durham.gov.uk">jill.conroy@durham.gov.uk</a>

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### DESCRIPTION OF THE SITE AND PROPOSAL

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#### The Site

1. The application site relates to a disused residential centre for educational purposes (field centre), located in Baldersdale to the southwest of the County. The site occupies an isolated location, sited some 2 miles to the west of Cotherstone Village, with Blackthorne Reservoir lying approximately 470m to the south of the site.
2. The field centre is set within a triangular plot of land measuring 0.25 ha in area and comprises a stone building, a car park and a modest garden space. The original building has been previously extended with the addition of a flat roof to the rear (roadside elevation), which provides additional first floor accommodation. The building has also been extended to the side, adjacent to the parking area, with a single wing providing toilet and shower facilities and a rear annex providing additional bedroom accommodation.
3. The building currently provides 7no bedrooms, 3no of which are located on the first floor, along with W.C and showering facilities. The building also contains a

meeting room, boot room and a classroom. Externally there is a car park to the west, which can accommodate a minimum of 3no vehicles and a small parking area to the east of the building which can accommodate a further vehicle. Directly to the south is a timber decked area.

4. In terms of planning constraints, the building is considered a Non-Designated Heritage Asset (NDHA), it is also located within the North Pennines Area of Outstanding Natural Beauty (AONB) and also lies within the Teesmouth and Cleveland Nutrient Neutrality constraint area. Public Footpath No. 24 (Hunderthwaite) passes through the car park, whilst Public Right of Way No 28 (Hunderthwaite) lies directly to the south of the site.

#### The Proposal

5. Full planning permission is sought for the Change of Use of the Field Centre (C2 Use Class) to a single residential dwelling (C3 Use Class). There are no external changes proposed as part of the application other than repair works to the building which in themselves wouldn't require planning permission.
6. The resultant dwelling would provide 3no large bedrooms, 2no of which would be located on the ground floor along with a bathroom, a home office, a kitchen, snug and a lounge. The upper floor would contain a bedroom with en-suite, a dressing room and a second home office. The car park and external areas are proposed to remain unchanged.
7. The application is being reported to planning committee at the request of Councillor Bell, to allow consideration of the issues around the loss of a community facility and impact on local businesses.

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## **PLANNING HISTORY**

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8. No relevant planning history.

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## **PLANNING POLICY**

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### **National Policy**

9. A revised National Planning Policy Framework (NPPF) was published in July 2023. The overriding message continues to be that new development that is sustainable should go ahead without delay. It defines the role of planning in achieving sustainable development under three overarching objectives – economic, social and environmental, which are interdependent and need to be pursued in mutually supportive ways
10. *NPPF Part 2 Achieving Sustainable Development* - The purpose of the planning system is to contribute to the achievement of sustainable development and therefore at the heart of the NPPF is a presumption in favour of sustainable development. It defines the role of planning in achieving sustainable development under three overarching objectives - economic, social and environmental, which are interdependent and need to be pursued in mutually supportive ways. The application of the presumption in favour of sustainable development for plan-making and decision-taking is outlined.

11. *NPPF Part 4 Decision-making* - Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
12. *NPPF Part 5 Delivering a Sufficient Supply of Homes* - To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.
13. *NPPF Part 8 Promoting Healthy and Safe Communities* - The planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Developments should be safe and accessible; Local Planning Authorities should plan positively for the provision and use of shared space and community facilities. An integrated approach to considering the location of housing, economic uses and services should be adopted.
14. *NPPF Part 9 Promoting Sustainable Transport* - Encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. Developments that generate significant movement should be located where the need to travel will be minimised and the use of sustainable transport modes maximised.
15. *NPPF Part 12 Achieving Well-Designed Places* - The Government attaches great importance to the design of the built environment, with good design a key aspect of sustainable development, indivisible from good planning.
16. *NPPF Part 14 Meeting the Challenge of Climate Change, Flooding and Coastal Change* - The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.
17. *NPPF Part 15 Conserving and Enhancing the Natural Environment* - Conserving and enhancing the natural environment. The Planning System should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests, recognising the wider benefits of ecosystems, minimising the impacts on biodiversity, preventing both new and existing development from contributing to or being put at unacceptable risk from Page 73 pollution and land stability and remediating contaminated or other degraded land where appropriate.
18. *NPPF Part 16 - Conserving and Enhancing the Historic Environment* - Heritage assets range from sites and buildings of local historic value to those of the

highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

<https://www.gov.uk/guidance/national-planning-policy-framework>

### **National Planning Practice Guidance:**

19. The Government has consolidated a number of planning practice guidance notes, circulars and other guidance documents into a single Planning Practice Guidance Suite. This document provides planning guidance on a wide range of matters. Of particular relevance to this application is the practice guidance with regards to; design process and tools; determining a planning application; healthy and safe communities; land affected by contamination; housing and economic development needs assessments; housing and economic land availability assessment; natural environment; noise; public rights of way and local green space and use of planning conditions.

<https://www.gov.uk/government/collections/planning-practice-guidance>

### **Local Plan Policy:**

The County Durham Plan (CDP)

20. *Policy 10 (Development in the Countryside)* states the development will not be permitted unless allowed for by specific policies in the Plan or Neighbourhood Plan or unless it relates to exceptions for development necessary to support economic development, infrastructure development or development of existing buildings. The policy further sets out 9 General Design Principles for all development in the Countryside.

Provision for development of existing buildings includes; changes of use of existing buildings, intensification of existing use through subdivision; replacement of existing dwelling; or householder related development.

21. *Policy 21 (Delivering Sustainable Transport)* requires all development to deliver sustainable transport by: delivering, accommodating and facilitating investment in sustainable modes of transport; providing appropriate, well designed, permeable and direct routes for all modes of transport; ensuring that any vehicular traffic generated by new development can be safely accommodated; creating new or improvements to existing routes and assessing potential increase in risk resulting from new development in vicinity of level crossings. Development should have regard to Parking and Accessibility Supplementary Planning Document.
22. *Policy 26 (Green Infrastructure)* states that development will be expected to maintain and protect, and where appropriate improve, the County's green infrastructure network. Advice is provided on the circumstances in which existing green infrastructure may be lost to development, the requirements of new provision within development proposals and advice in regard to public rights of way.

23. *Policy 27 (Utilities, Telecommunications and Other Broadcast Infrastructure)* supports such proposals provided that it can be demonstrated that there will be no significant adverse impacts or that the benefits outweigh the negative effects; it is located at an existing site, where it is technically and operationally feasible and does not result in visual clutter. If at a new site then existing site must be explored and demonstrated as not feasible. Equipment must be sympathetically designed and camouflaged and must not result in visual clutter; and where applicable it proposal must not cause significant or irreparable interference with other electrical equipment, air traffic services or other instrumentation in the national interest.

Any residential and commercial development should be served by a high-speed broadband connection, where this is not appropriate, practical or economically viable developers should provide appropriate infrastructure to enable future installation.

24. *Policy 29 (Sustainable Design)* requires all development proposals to achieve well designed buildings and places having regard to SPD advice and sets out 18 elements for development to be considered acceptable, including: making positive contribution to areas character, identity etc.; adaptable buildings; minimising greenhouse gas emissions and use of non-renewable resources; providing high standards of amenity and privacy; contributing to healthy neighbourhoods; and suitable landscape proposals. Provision for all new residential development to comply with Nationally Described Space Standards, subject to transition period.
25. *Policy 31 (Amenity and Pollution)* sets out that development will be permitted where it can be demonstrated that there will be no unacceptable impact, either individually or cumulatively, on health, living or working conditions or the natural environment and that they can be integrated effectively with any existing business and community facilities. Development will not be permitted where inappropriate odours, noise, vibration and other sources of pollution cannot be suitably mitigated against, as well as where light pollution is not suitably minimised. Permission will not be granted for sensitive land uses near to potentially polluting development. Similarly, potentially polluting development will not be permitted near sensitive uses unless the effects can be mitigated.
26. *Policy 32 (Despoiled, Degraded, Derelict, Contaminated and Unstable Land)* requires that where development involves such land, any necessary mitigation measures to make the site safe for local communities and the environment are undertaken prior to the construction or occupation of the proposed development and that all necessary assessments are undertaken by a suitably qualified person.
27. *Policy 35 (Water Management)* requires all development proposals to consider the effect of the proposed development on flood risk, both on-site and off-site, commensurate with the scale and impact of the development and taking into account the predicted impacts of climate change for the lifetime of the proposal. All new development must ensure there is no net increase in surface water runoff for the lifetime of the development. Amongst its advice, the policy advocates the use of SuDS and aims to protect the quality of water.

28. *Policy 36 (Water Infrastructure)* advocates a hierarchy of drainage options for the disposal of foul water. Applications involving the use of non-mains methods of drainage will not be permitted in areas where public sewerage exists. New sewage and wastewater infrastructure will be approved unless the adverse impacts outweigh the benefits of the infrastructure. Proposals seeking to mitigate flooding in appropriate locations will be permitted though flood defence infrastructure will only be permitted where it is demonstrated as being the most sustainable response to the flood threat.
29. *Policy 38 (North Pennines Area of Outstanding Natural Beauty)* states that the North Pennines Area of Outstanding Natural Beauty (AONB) will be conserved and enhanced. In making decisions on development great weight will be given to conserving landscape and scenic beauty. Major developments will only be permitted in the AONB in exceptional circumstances and where it can be demonstrated to be in the public interest, in accordance with national policy. Any other development in or affecting the AONB will only be permitted where it is not, individually or cumulatively, harmful to its special qualities or statutory purposes. Any development should be designed and managed to the highest environmental standards and have regard to the conservation priorities and desired outcomes of the North Pennines AONB Management Plan and to the guidance given in the North Pennines AONB Planning Guidelines, the North Pennines AONB Building Design Guide and the North Pennines AONB Moorland Tracks and Access Roads Planning Guidance Note as material considerations.
30. *Policy 39 (Landscape)* states that proposals for new development will only be permitted where they would not cause unacceptable harm to the character, quality or distinctiveness of the landscape, or to important features or views. Proposals are expected to incorporate appropriate mitigation measures where adverse impacts occur. Development affecting Areas of Higher landscape Value will only be permitted where it conserves and enhances the special qualities, unless the benefits of the development clearly outweigh its impacts
31. *Policy 41 (Biodiversity and Geodiversity)* states that proposal for new development will not be permitted if significant harm to biodiversity or geodiversity resulting from the development cannot be avoided, or appropriately mitigated, or as a last resort, compensated for.
32. *Policy 43 (Protected Species and Nationally and Locally Protected Sites)* development proposals that would adversely impact upon nationally protected sites will only be permitted where the benefits clearly outweigh the impacts whilst adverse impacts upon locally designated sites will only be permitted where the benefits outweigh the adverse impacts. Appropriate mitigation or, as a last resort, compensation must be provided where adverse impacts are expected. In relation to protected species and their habitats, all development likely to have an adverse impact on the species' abilities to survive and maintain their distribution will not be permitted unless appropriate mitigation is provided or the proposal meets licensing criteria in relation to European protected species.
33. *Policy 44 (Historic Environment)* seeks to ensure that developments should contribute positively to the built and historic environment and seek opportunities to enhance and, where appropriate, better reveal the significance and

understanding of heritage assets. The policy advises on when harm or total loss of the significance of heritage assets can be accepted and the circumstances/levels of public benefit which must apply in those instances.

34. The Council's Residential Amenity Standards Supplementary Planning Document (SPD) provides guidance on the space/amenity standards that would normally be expected where new dwellings are proposed.
35. The Council's Parking and Accessibility Supplementary Planning Document (SPD) provides guidance on parking standards which new development should achieve.

<https://www.durham.gov.uk/cdp>

#### **Neighbourhood Plan:**

36. The application site is not located within an area where there is a Neighbourhood Plan to which regard is to be had.

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## **CONSULTATION AND PUBLICITY RESPONSES**

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#### **Statutory Consultee Responses:**

37. *Highways Authority* – Offer no objections, advising that the proposed parking, cycle storage and EV charging are in accordance with the DCC Parking Standards and that there is sufficient manoeuvrability area so that vehicles can enter and exit in a forward gear.

#### **Non-Statutory Responses:**

38. *Spatial Policy* – Advise that paragraph 93(c) of the NPPF states that to provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs. Based on the information available to date it would be difficult to conclude that the loss of the facility would impact day-to-day needs, however, this would need to be balanced against the loss in general of the community facility. Whilst there is no clear definition in the CDP as to what constitutes a community facility, from a policy perspective it would be reasonable to use Paragraph 93 of the NPPF as a starting point. Community facilities would therefore be defined as a physical facility for different individuals and communities, including the private, public and voluntary sector.
39. It could be reasonable to view the field centre as a community facility given the types of activities that have been provided in the past, however, the final decision on this would ultimately be with the decision maker to reach a view based on all the information and evidence available if it constitutes a community facility.
40. *Ecology* – No objection subject to condition and inclusion of acquisition of relevant bat licence.

41. *Landscape Section* – Advise that the site lies in a prominent roadside location within the AONB. The change of use to a dwelling is acceptable from a Landscape perspective; the design and access statement states that there would be no alterations to the external appearance of the building with plans suggesting that the external area/curtilage will remain as existing.
42. *Environmental Health Nuisance* – The housing development is noise sensitive. The locality maybe regarded as rural setting with both residential housing and agricultural fields being near the site. There are no major roads near to the site, therefore relevant noise levels should be relatively low and comply with the thresholds, stipulated in the TANs (Technical Advice Notes)
43. *Environmental Health Land Contamination* – Advise that there is no requirement for a contaminated land condition.
44. *Design and Conservation* – The building in question is unlisted, but of some notable age, being shown on the 1<sup>st</sup> edition OS map of the mid-nineteenth century and part of the historic built fabric of the North Pennines AONB. Early mapping identifies the building as a Chapel and School, which would give the building additional social significance within the dale. However, it has been quite extensively altered over the course of its history in line with its changing uses. There would be no alterations to the external appearance of the building, and the curtilage appears to mirror the existing. No objections are raised.
45. *Public Rights of Way* – Public Bridleway No 28, Hunderthwaite lies to the south of the Red Line Boundary and as such should remain unaffected by any proposal. Public Footpath No 24, Hunderthwaite crosses the gravelled parking area of the site and it is noted in the design and access statement that structures and signage will be improved, which is welcomed. Given the change of use and the probability of vehicles being parked in this area for longer timespans, the applicant should arrange the parking to not obstruct the footpath and cause future issues for path users. No objections are raised.

### **Public Responses:**

46. The application has been advertised by way of a site notice and individual notification letters sent to neighbouring properties.
47. Eight letters of objection have been received raising concerns over the following issues summarised below: -
  - The proposed development would result in the loss of a community service/facility, without sufficient justification. The building is an asset which is valued by local residents in the barnard castle area and around.
  - The benefits of field centres to the children and young people is highlighted, allowing them to experience the outdoors.
  - There was insufficient public consultation carried out by the vendor before the decision was carried out to dispose of the asset.
  - Six outdoor centres in Teesdale have been closed over a period of 15 years.
  - An inappropriate level of consultation has been carried out as part of the planning application process. The proposal could benefit up to 12,000 young people a year.



- The building is not vacant due to a lack of demand, but due to circumstances around its prior lease, local schools and groups are interested in using the facility.
  - An offer was made and accepted on the building to retain its current use, but later the acceptance was withdrawn.
48. Five letters of support have been received. The comments have been summarised below: -
- The building is beginning to deteriorate. Given its roadside position it would be of benefit to be improved to prevent it dilapidation any further.
  - The building has history as a residential dwelling up until 1960's.
  - Blackton Grange and Water Knott have been recently changed to dwellings with no objection from the wider community.
  - The field centre cannot be described as a loss to the local community as it was never used in any meaningful way by the community.
  - The building was used as a field study centre, not an outdoor activity centre which are two very different uses.
  - The number of children cited to benefit from the building would involve large number of journeys along the dale road, as opposed to the number of journeys by one family.
  - The property being occupied as a family home would help against rural crime, given the isolated nature of the properties in Baldersdale.
  - The use of the isolated building as a home will help provide much needed investment into the local community, spending locally and boosting the economy.
  - The building has no surrounding land and is not ideal for children. There are no amenities or outdoor activities to keep users occupied.
  - An objector 'Wilderness Outdoors' is a private business not a charity which is not a community asset.

*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 <https://publicaccess.durham.gov.uk/online-applications/>*

### **Applicants Statement:**

49. The application is for the change of use of an extended Victorian schoolhouse back to a dwelling. The building is a non-designated Heritage Asset. The school closed in the 1950s and then became private family residence. The building has been empty for 8 years, but most recently it was leased to a Middlesbrough school as a Field Centre (not an Outdoor Activity Centre). Pupils and staff were transported in a minibus directly from Middlesbrough providing minimal economic benefit. No viable alternative has been proposed for the property in its current use. The vendor undertook a feasibility calculation (provided). The property cannot accommodate an average sized class of children.
50. Preplanning (PRE42/22/03244) states: "The current use of the building is not a community service or facility, as such there can be no loss of such a facility." As the application has been called to committee citing loss of community facility, we respectfully ask that the committee provide details if they are take a different view to that of the officer's advice.

51. The property has never been used for commercial purposes, and until 2015, its primary function was to serve Middlesbrough pupils. The building has not provided a facility for Baldersdale since it was the local school in the 50s. The objections are statements from individuals stating their preference and don't relate to the loss of a facility. Many of the objections raised are linked to another party who also bid for the property.
52. The other bidder states they could use the property as a 'base' for their Outdoor Activity business which would not be a 'Residential Institution' (C2 use class). Their services include Birthday/Stag/Hen parties which are not permitted under C2 and therefore would also require a change of use. They claim the property could provide access to 12,000 people/year which is unfeasible as this would far exceed the property's capacity. The other bidder's website offers Water Sports, Archery, Abseiling and Canyoning, which cannot be done on site. As far as we know, the other bidders have not submitted a pre-app enquiry, so it is not known if their proposals are likely to be acceptable to the planning authority.
53. School Outdoor Activities are currently provided less than a mile away at Low Birk Hatt farm. Also, contrary to one statement, the Kingsway Centre in Middleton-in-Teesdale is for sale/lease as a going concern. The YHA at Langdon Beck is also open.
54. This application is consistent with CDP(10h) and NPPF 80b covering change of use and heritage assets. Details of the unsatisfactory condition of the property have been provided and mentioned in supportive comments. Reverting the property to its former use as a house represents the "optimal viable use of that asset" and allows the for investment needed to conserve the property. There have been supportive comments from local residents, worried about the long-term sustainability of the remote community. NPPF 79 requires promotion of development to "maintain the vitality of rural communities" and states the economic benefits to neighbouring settlements.
55. Our application states our intention to move to low-carbon energy sources and adding insulation.
56. Finally, we draw your attention to approved application DM/16/02297/FPA which was a carbon copy application for a former school field studies centre 2 miles away, and to our future plan for the property outlined in prior submissions.

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## **PLANNING CONSIDERATION AND ASSESSMENT**

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57. In assessing the proposals against the requirements of the relevant planning guidance and development plan policies and having regard to all material planning considerations, including representations received, it is considered that the main planning issues in this instance relates to the principle of development, locational sustainability, historic and landscape impact, residential amenity, highway safety, Public Rights of Way, ecology, nutrient neutrality, drainage, ground conditions and other matters.

### Principle of development

58. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material

considerations indicate otherwise. The NPPF is a material planning consideration in this regard. The County Durham Plan (CDP) is the statutory development plan and the starting point for determining applications as set out at Paragraph 12 of the NPPF. The CDP was adopted in October 2020 and provides the policy framework for the County up until 2035 and is therefore considered up to date.

59. Paragraph 11c of the NPPF requires applications for development proposals that accord with an up to date development plan to be approved without delay.
60. CDP Policy 10 is considered the starting point for the consideration of development in the countryside. The policy sets out that development in the countryside will not be permitted unless allowed for by specific policies in the Plan, relevant policies within an adopted neighbourhood plan relating to the application site, or where the proposal relates to a specific exception set out within Policy 10. Relevant to this case is the exceptions listed in Policy 10 relating to the development of an existing building where the building already makes a positive contribution to the character and appearance of the area and is capable of conversion without complete or substantial rebuilding or unsympathetic alterations. This is providing the development results in an enhancement of the buildings immediate setting and does not result in the unjustified loss of a community service or facility.
61. The approach of CDP Policy 10 replicates the approach for Paragraph 93(c) of the NPPF, which states that to provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs.
62. In this respect the proposal seeks to change the use of an existing Field Centre (Use Class C2) to a single residential dwelling, no external changes are proposed. As such, the key considerations relating to the principle of development is the whether the current use is considered a community facility and if so whether the loss of the use is justified.
63. The CDP does not provide a definition of the term '*community facility*'. However, it is considered reasonable to use Paragraph 93 of the NPPF as a starting point. Paragraph 93 states that to provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs. It is therefore considered that community facilities can therefore be defined as a physical facility for different individuals and communities, including the private, public and voluntary sector that assist in meeting their day to day needs.
64. In order to determine whether the Field Centre is considered a community facility, it is important to understand its function and service that it provided. The Field Centre was a former school room and house which was constructed circa 1870's. The school closed around the 1950's and subsequently become a residential dwelling and then latterly a residential field centre for Ormesby School in Middlesbrough from around 1970. Since the property was originally built it has been owned by the local Parochial Church Council (PCC). It is

advised that the school ceased paying rent for the building in 2017 and the property has been vacant from this period.

65. The planning statement advises that when operational the site was principally used by Ormesby School in Middlesbrough. Children were transported to the Field Centre where academic activities were undertaken. The supporting statement suggests that the building was not used as an outdoor type centre due to the limited garden space and steep sloping grounds at the site. It is also suggested that indoor recreational activities were limited, given the size of the building. It is advised that when the school weren't utilising the building, other groups from the region did use the building, including local scout groups however this was infrequent.
66. Based on the information put forward, officers' observations of the site (including accommodation on offer and size of amenity land). On the whole, whilst recognising that the building may have been occasionally utilised by other local groups, it is considered that the Field Centre is not categorised as a community facility. This is recognising that the building hasn't served the needs of the local or wider community since it was used as a School by the local residents of Baldersdale and has been used in a private capacity with limited wider public access.
67. Although it is deemed that the building is not categorised as a community facility, it is accepted that the proposal would result in the loss of a building in a C2 use. It is however recognised that the building has not been in an active use since 2017 when the school that leased the building gave up the lease. The Parochial Church Council, the current owners of the property, have advised that they have been approached by external businesses to rent the building. However, the proposed rental income would not meet the financial and charitable objectives of the church and would not cover the day-to-day costs of operating the building and required continued necessary financial investment into the property. The building internally is dated, and services require updating to order to meet required minimum safety standards. It is also recognising that the building in its current form can only accommodate up to 22 children at a time, which is significantly less than the average school class size. The building would therefore likely require extensions and refurbishment in this respect to continue its current use, while it is also recognised that there is limited external amenity space meaning that outdoor activities on the site would be restricted.
68. The property has been advertised on the open market for purchase. Based on the objections received a local outdoor education business was unsuccessful in their offer for the premises. It is unclear what the level of the offer was or how the business intended to utilise the property moving forward with other activities linked to their business falling outside of the C2 use class of the property. However, ultimately given that the development would not result in the loss of a community service or facility there is no policy requirement to prove viability or demonstrate that suitable offers have been discounted. In terms of other facilities in the area, it is recognised that the number of traditional field centres have significantly reduced, however other outdoor activity centres remain, including the Teesdale Activity Centre in Ireshopeburn, The Kingsway Activity Centre in Middleton-in Teesdale is not understood to be currently operating but

business is up for sale, with other pop-up activity sites are in operation including at Low Birk Hat.

69. Overall, it is considered that as a result of how the building has been previously used, and its historical limited use by the local community, the development would not result in the loss of a community facility for the purposes of Policy 10 of the CDP. Notwithstanding this, given the length of time the building has been vacant it is considered that any loss would have limited harm, it is also recognised that there needs to be substantial investment into the building while its size and extent of outdoor space would limit the scale and nature of activities which could be undertaken at the property. In principle it is therefore considered that the proposal would conform with Policy 10 of the County Durham Plan and Paragraph 92 of the National Planning Policy Framework, the detail impacts/merits of the development are considered below.

#### Locational Sustainability

70. As identified above, the site is beyond any recognised settlement and would therefore be classified as being located within the open countryside. The provision of new houses in the countryside is strictly controlled unless there are special circumstances. The NPPF makes clear (paragraph 80) that these special circumstances could involve instances where the development would re-use redundant or disused buildings and enhance its immediate setting.
71. CDP Policy 10 Criteria h (1) does permit development necessary to support the change of use of an existing building or structure which already makes a positive contribution to the character and appearance of the area and is capable of conversion without complete or substantial rebuilding, disproportionate extension or unsympathetic alterations, and results in an enhancement of the building's immediate setting.
72. The building, although having undergone various extensions and alterations over time could be considered a Non-Designated Heritage Asset (NDHA) in recognition of its detailing on the first edition OS map of the mid nineteenth century and also that it is noted as being a Chapel of Ease and school. As such, it is considered to make a positive contribution to the area. Whilst no structural report has been submitted in support of the application, it is recognised that various maintenance works are necessary to be undertaken in order to bring back the building into a usable function, however the general structural integrity of the building appears sound and capable of conversion without any substantial rebuilding or extension.
73. In terms of its location, the site is acknowledged to have poor access to, and is remote from services, shops, employment and education facilities. Criteria p of CDP Policy 10 stipulates that new development in the countryside must not be solely reliant upon, or in the case of an existing use, significantly intensify accessibility by unsustainable modes of transport. New development in countryside locations that are not well served by public transport must exploit any opportunities to make a location more sustainable including improving the scope for access on foot, by cycle or by public transport.
74. The site is remote and at an approximate distance of 6.6km (as the crow flies) from Cotherstone, the closest service centre which provides the necessary

services and facilities. The site is however linked by a network of Public Rights of Way and whilst they link up with the application site and Cotherstone, it is considered that it is of too great a distance to expect future occupiers of a dwelling to walk, in order to access these provisions. The site does not benefit from public transport provision either, with the closest bus stop being some 4km away at Hunderthwaite, however it is reasonable to expect that the transport provision will be limited in this area and therefore future occupiers are likely to be largely reliant on their private vehicle to access necessary services.

75. Overall, the site is recognised to be unsustainably located, however it is acknowledged that the Field Centre is an attractive, traditional building which is currently vacant, therefore the merits of the conversion and re-use of the building for residential use would be sufficient to outweigh the locational harm of the development. The re use of the building would result in improvements through maintenance and general repair which would improve the buildings setting. The proposal is therefore considered to comply with Policy 10 of the County Durham Plan and Paragraph 80 of the National Planning Policy Framework.

#### Historic and Landscape Impact

76. CDP Policy 10 under the general design principles states that development in the countryside must not give rise to unacceptable harm to the heritage, biodiversity, geodiversity, intrinsic character, beauty or tranquillity of the countryside either individually or cumulatively, which cannot be adequately mitigated or compensated for;
77. CDP Policy 38 states that the North Pennines Area of Outstanding Natural Beauty (AONB) will be conserved and enhanced. In making decisions great weight will be given to conserving landscape and scenic beauty. Any other development in or affecting the AONB will only be permitted where it is not, individually or cumulatively, harmful to its special qualities or statutory purposes.
78. CDP Policy 39 states proposals for new development will be permitted where they would not cause unacceptable harm to the character, quality or distinctiveness of the landscape, or to important features or views. Proposals would be expected to incorporate appropriate measures to mitigate adverse landscape and visual effects. Development affecting Areas of Higher Landscape Value will only be permitted where it conserves, and where appropriate enhances, the special qualities of the landscape, unless the benefits of development in that location clearly outweigh the harm.
79. CDP Policy 44 states that a balanced judgement will be applied where development impacts upon the significance and setting of a non-designated heritage asset. In determining applications that would affect a known or suspected non-designated heritage asset with an archaeological interest, particular regard would be had to ensuring the archaeological features are preserved.
80. The site is rurally located, set within an Area of Outstanding Natural Beauty (AONB). The property is of a general high visual standard and proposes no external alterations as a result of this application, only minor maintenance works. The applicant has confirmed that internal alterations will be required to

facilitate the conversion, including the introduction of further insulation and underfloor heating and the provision of a further log burning stove, which would share the same flue and chimney as the existing.

81. Overall, it is deemed that the proposal would not adversely impact upon the rural character of the property or the wider Area of Outstanding Natural Beauty, the proposal will also conserve the Non-Designated Heritage Asset. The development is therefore considered to comply with Policies 10, 29, 38, 39 and 44 of the County Durham Plan and Parts 12, 15 and 16 of the National Planning Policy Framework in this respect. The withdrawal of permitted development rights would allow control of any future alterations to the property to ensure the wider landscape character and quality of the building is retained.

#### Residential Amenity

82. CDP Policy 31 states that all new development that has the potential to lead to, or be affected by, unacceptable levels of air quality, inappropriate odours and vibration or other sources of pollution, either individually or cumulatively, will not be permitted including where any identified mitigation cannot reduce the impact on the environment, amenity of people or human health to an acceptable level.
83. Parts 12 and 15 of the NPPF require that a good standard of amenity for existing and future users be ensured, whilst seeking to prevent both new and existing development from contributing to, or being put at unacceptable risk from, unacceptable levels of pollution.
84. A Residential Amenity Standards Supplementary Planning Document (SPD) has been adopted by the Council, which provides details of appropriate separation distances to other properties amongst other standards, to ensure an appropriate level of amenity for both future occupiers and neighbouring dwellings.
85. The building is relatively isolated, being removed from other surrounding dwellings, with the closest neighbour being some 200m (approximately) distance removed. In the context of residential amenity, it is therefore considered that the proposal would not have an adverse impact on both future occupiers of the property or neighbouring properties.
86. In terms of the amenity of future occupiers, the dwelling would provide three bedrooms and would be compliant with the Nationally Described Space Standards (NDSS) which requires a 3-bedroom, 6 persons dwelling to have a 102m<sup>2</sup> gross internal floor area. Each of the bedrooms exceed the minimal floor area of 11.5m<sup>2</sup>.
87. Environmental Health Officers have been consulted as part of this application and advise that the proposal is noise sensitive with the location being regarded as a rural setting with both residential housing and agricultural fields near to the site. There are however no major roads, therefore relevant noise levels should be relatively low and the development would comply with standards stipulated in the Technical Advice Notes.
88. Overall, the proposals are considered to provide a good standard of amenity for existing and future residents, in accordance with Policies 29 and 31 of the

## Highway Safety

89. CDP Policy 21 outlines that development should not be prejudicial to highway safety or have a severe cumulative impact on network capacity, expecting developments to deliver well designed pedestrian routes and sufficient cycle and car parking provision. Similarly, CDP Policy 29 advocates that convenient access is made for all users of the development together with connections to existing cycle and pedestrian routes. CDP Policy 10 criteria (q) requires development not to be prejudicial to highway safety or have a severe residual cumulative impact on network capacity.
90. The Highway Authority has been consulted on the application and have advised that there is proposed parking, cycle storage and EV charging provision in accordance with the DCC Parking Standards. The property has sufficient manoeuvrability space to permit vehicles to enter and exit in forward gear. As such, the proposal gives rise to no serious highway safety or network capacity issues.
91. Overall, the proposals are not considered to adversely affect highway or pedestrian safety and therefore accord with Policies 6 and 21 of the County Durham Plan and Part 9 of the National Planning Policy Framework.

## Public Rights of Way

92. CDP Policy 26 states that development is expected to maintain or improve the permeability of the building environment and access to the countryside for pedestrians, cyclists, and horse riders. Proposals which would result in the loss of, deterioration in the quality of, existing Public Rights of Way (PROW's) will not be permitted unless equivalent alternative provision of a suitable standard is made.
93. The site is surrounded by a network of Public Rights of Way, including route No's 24 and 28. Public Bridleway No 28, Hunderthwaite lies to the south of the site and as such, should remain unaffected by the proposed development. Public Footpath No 24, Hunderthwaite passes through the gravelled car park to the west of the building. The submitted Design and Access Statement advises that structures and signage are to be improved as part of the application.
94. DCC's PROW Officer has been consulted on the application and notes the location of PROW No 24. Overall, no objections are raised to the development providing that parked cars do not obstruct the footpath or cause issues for future users of the path. This matter can be brought to the attention of the applicant by means of an appropriate informative.
95. Overall, subject to the informative, the proposed development would not adversely impact upon the network of existing PROW's in accordance with CDP Policy 26.

## Ecology



96. CDP Policy 41 seeks to ensure new development minimises impacts on biodiversity by retaining and enhancing existing diversity assets and features. Proposals for new development should not be supported where it would result in significant harm to biodiversity or geodiversity.
97. CDP Policy 43 (Protected Species and Nationally and Locally Protected Sites) development proposals that would adversely impact upon nationally protected sites will only be permitted where the benefits clearly outweigh the impacts whilst adverse impacts upon locally designated sites will only be permitted where the benefits outweigh the adverse impacts. Appropriate mitigation or, as a last resort, compensation must be provided where adverse impacts are expected. In relation to protected species and their habitats, all development likely to have an adverse impact on the species' abilities to survive and maintain their distribution will not be permitted unless appropriate mitigation is provided or the proposal meets licensing criteria in relation to European protected species.
98. NPPF Paragraph 180 d) advises that opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.
99. In line with this the applicant has provided a Preliminary Ecological Appraisal together with a Bat Report as part of the submission which advises the existence of a bat roost within the existing building. DCC's Ecologist has been consulted on the application and advises that there are no objections to the development subject to the conditioning of the Recommendations section detailed within the Bat Report of which to include the acquisition of a relevant bat mitigation licence, prior to works commencing on site and the retention of nesting opportunities/sensitive timing of works to avoid impact on breeding birds.
100. Subject to the above, the proposal would accord with Policy 41 of the County Durham Plan and Paragraph 180 of the National Planning Policy Framework.

#### Nutrient Neutrality

101. CDP Policy 42 states that development that has the potential to have an effect on internationally designated site(s), either individually or in combination with other plans or projects, will need to be screened in the first instance to determine whether significant effects on the site are likely and, if so, will be subject to an Appropriate Assessment. Development will be refused where it cannot be ascertained, following Appropriate Assessment, that there would be no adverse effects on the integrity of the site.
102. Natural England have recently provided guidance for development proposals with the potential to affect water quality resulting in adverse nutrient impacts on habitats sites.
103. In freshwater habitats and estuaries, poor water quality due to nutrient enrichment from elevated nitrogen and phosphorus levels is one of the primary reasons for habitats sites being in unfavourable condition. Excessive levels of nutrients can cause the rapid growth of certain plants through the process of

eutrophication. The effects of this look different depending on the habitat, however in each case, there is a loss of biodiversity, leading to sites being in 'unfavourable condition'. To achieve the necessary improvements in water quality, it is becoming increasingly evident that in many cases substantial reductions in nutrients are needed. In addition, for habitats sites that are unfavourable due to nutrients, and where there is considerable development pressure, mitigation solutions are likely to be needed to enable new development to proceed without causing further harm. They advise the LPA, as the Competent Authority under the Habitats Regulations, to carefully consider the nutrients impacts of any new plans and projects (including new development proposals) on habitats sites and whether those impacts may have an adverse effect on the integrity of a habitats site that requires mitigation, including through nutrient neutrality.

104. Natural England have undertaken an internal evidence review to identify an initial list of water dependent habitats sites (which includes their underpinning Sites of Special Scientific Interest) that are in unfavourable condition due to elevated nutrient levels (phosphorus or nitrogen or both). The Teesmouth & Cleveland Coast is a designated Special Protection Area (SPA) and Ramsar site (Wetlands of international importance) and is identified as a habitat site in unfavourable condition due to excessive nitrogen nutrients.
105. However, in this instance the building currently comprises of 7no bedrooms and according to supporting information, the building can accommodate up to 22 people at one time. The proposal would seek to reduce the number of bedrooms to 3no in total, therefore it is not considered that the proposal would generate additional wastewater compared to that which is possible under the current use of the building and so nitrate levels in the Teesmouth & Cleveland Coast SPA would not be increased as a result of this development. Consequently, in this instance no further consideration regarding nutrient neutrality is required.

#### Drainage

106. Part 14 of the NPPF seeks to resist inappropriate development in areas at risk of flooding, directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere. Paragraph 167 advises that when determining planning applications, local planning authorities should ensure that flood risk is not increased elsewhere and that where appropriate applications should be supported by a site-specific flood-risk assessment. Paragraph 169 goes on to advise that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate.
107. CDP Policies 35 and 36 relate to flood water management and infrastructure. CDP Policy 35 requires development proposals to consider the effects of the scheme on flood risk and ensure that it incorporates a Sustainable Drainage System (SUDs) to manage surface water drainage. Development should not have an adverse impact on water quality. CDP Policy 36 seeks to ensure that suitable arrangements are made for the disposal of foul water.
108. The site is not located within a flood zone. Information has been submitted to advise that the site is served by an existing septic tank and surface water would

run off into an existing soakaway. No other permeable surfaces are proposed as part of this application therefore the proposal would not lead to a surface water increase.

109. The proposal is considered to comply with the drainage requirements of Policies 35 and 36 of the County Durham Plan and Part 14 of the National Planning Policy Framework.

#### Ground Conditions

110. CDP Policy 32 requires sites to be suitable for use taking into account contamination and unstable land issues. Paragraph 183 of the NPPF requires sites to be suitable for their proposed use taking account of ground conditions and any risks arising from land instability and contamination.
111. In this regard, the Council's Contaminated Land Team have been consulted and they confirm there is no requirement for a land contamination condition on the scheme.

#### Other Matters

##### *Broadband*

112. CDP Policy 27 relates to utilities, telecommunications and other broadband infrastructure and requires any residential and commercial development to be served by a high-speed broadband connection and where this is not appropriate, practical or economically viable, developers should provide appropriate infrastructure to enable future installation.
113. In considering this policy requirement, due the location of the development, according to the Ofcom availability checker, the broadband provision is limited in this area, therefore a condition will be required to secure a connection before the property is occupied. Accordingly, subject to condition, the proposal will comply with Policy 27 of the County Durham Plan.
114. Objections have been received raising concern with respect to a lack of public consultation for both the sale of the asset and around the planning application. The consultations concerning the sale of the property is not a material planning consideration and will have no bearing on the outcome of the decision. In terms of the consultations carried out for the planning application, a site notice was erected, and immediate neighbouring properties were notified. This is in line with statutory requirements for such matters.

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## **CONCLUSION**

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115. The key considerations in this case relate to the principle of development, historic and landscape impact, residential amenity, highway safety, Public Rights of Way, ecology, nutrient neutrality, drainage, ground conditions, broadband and other matters.
116. Concerns have been raised by members of the public in terms of the loss of a community facility, however it is concluded that the Field Centre is not a community facility and therefore there would be no conflict with Planning policy

in this respect. The change of use to a dwelling would secure the future use of an otherwise deteriorating vacant building which could be deemed as a Non-Designated Heritage Asset, thus ensuring the special landscape AONB designation is suitably protected and retained.

117. The proposal is considered to comply with the requirements of Policies 10, 21, 26, 27, 29, 31, 32, 35, 36, 38, 39, 41, 43 and 44 of the County Durham Plan and Parts 2, 4, 5, 8, 9, 12, 14, 15 and 16 of the National Planning Policy Framework. There are no material considerations which indicate otherwise, and the application is recommended for approval.

#### Public Sector Equality Duty

118. Section 149 of the Equality Act 2010 requires public authorities when exercising their functions to have due regard to the need to i) the need to eliminate discrimination, harassment, victimisation and any other prohibited conduct, ii) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and iii) foster good relations between persons who share a relevant protected characteristic and persons who do not share that characteristic.
119. In this instance, officers have assessed all relevant factors and do not consider that there are any equality impacts identified.

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## **RECOMMENDATION**

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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: 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 plans and documents:

- OS Location Plan, ref 367/01, received 05.06.23
- Proposed Site Plan, ref 367/10, received 05.06.23
- Proposed Ground Floor Plan, ref 367/08 (Rev A), received 13.06.23
- Proposed First Floor Plan, ref 367/09, received 13.06.23

*Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with Policies 10, 21, 29, 29, 31, 32, 35, 36, 38, 39, 41, 43 and 44 of the County Durham Plan and Parts 2, 4, 8, 9, 12, 14, 15 and 16 of the National Planning Policy Framework.*

3. The development shall take place in strict accordance with the Recommendations detailed in Section 6 of the submitted Bat Report, produced by All About Ecology, dated August 2023. Works shall include, but not be limited

to the acquisition of a bat mitigation license, prior to any works commencing on the site and the retention of nesting opportunities/sensitive timing of works to avoid impact on breeding birds. All works thereafter to be undertaken in strict accordance with the conditions of the license.

*Reason: To conserve protected species and their habitat in accordance with Policy 41 of the County Durham Plan and Part 15 of the National Planning Policy Framework.*

4. Prior to the first occupation of the dwelling hereby approved, a scheme detailing the precise means of broadband connection to the site shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the agreed details.

*Reason: To ensure a high quality of development is achieved and to comply with the requirements of Policy 27 of the County Durham Plan.*

5. Prior to the first occupation of the dwelling hereby approved, an Electric Vehicle Charging Point shall be installed and brought into use in accordance with a scheme to be first submitted to and agreed in writing by the Local Planning Authority.

*Reason: To comply with the Council's Parking and Accessibility Supplementary Planning Document*

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order), no development within schedule 2 Part 1 A, AA, B, C, E, F and Part 2, A and Part 14 A shall take place without the grant of further specific planning permission from the Local Planning Authority.

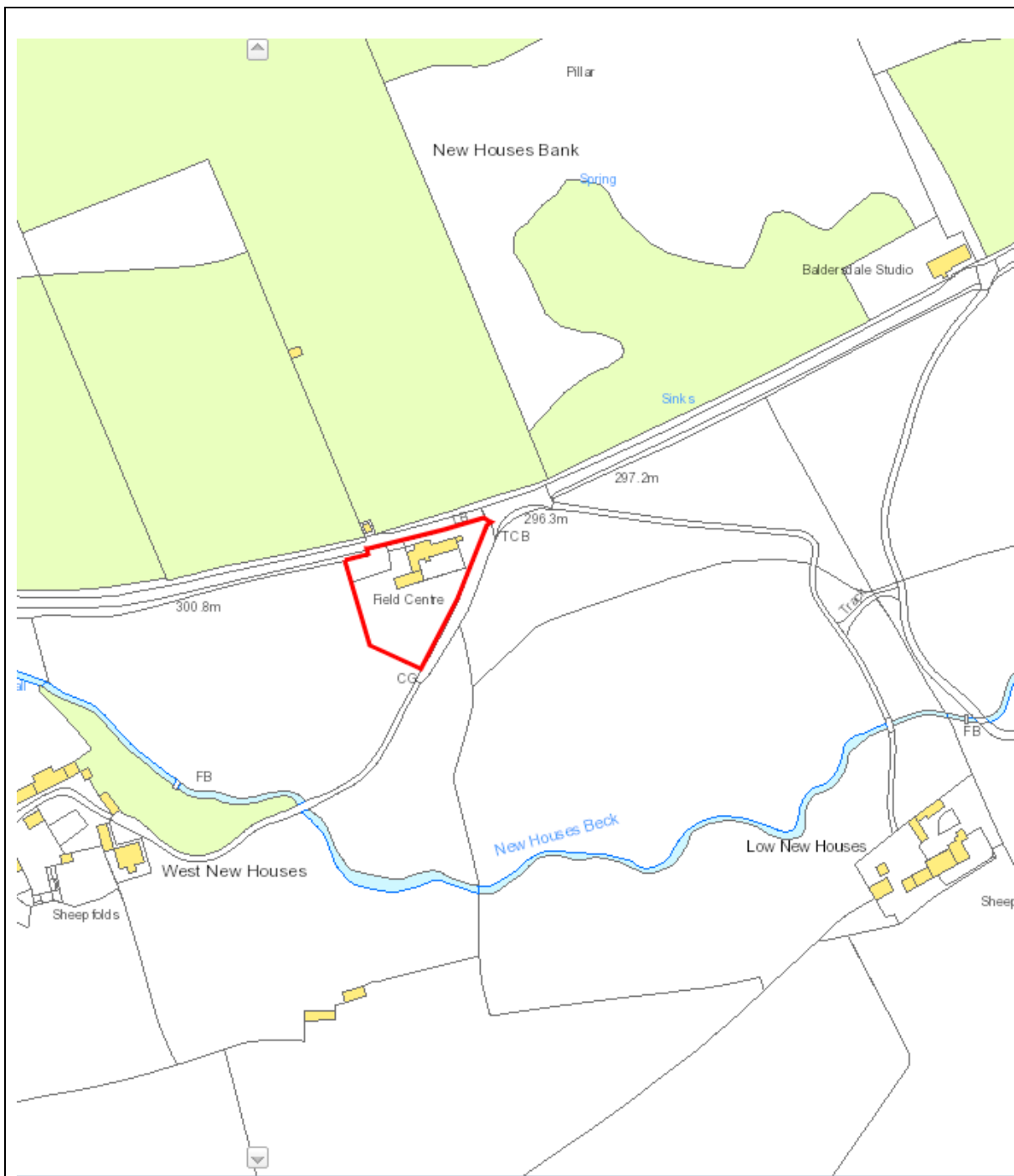
*Reason: In the interests of the amenity of the surrounding area in accordance with Policies 29 and 31 of the County Durham Plan and Parts 12 and 15 of the National Planning Policy Framework.*

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## **BACKGROUND PAPERS**

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Submitted Application Forms, Plans and supporting documents  
National Planning Policy Framework  
The County Durham Plan (CDP)  
Residential Amenity Standards Supplementary Planning Document 2020  
Parking and Accessibility Supplementary Planning Document 2023  
Statutory consultation responses  
Internal consultation responses  
External consultation responses



**Planning Services**

Proposal: Change of use from former field centre to single private dwelling

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Comments:

Date: October 2023