

## DURHAM COUNTY COUNCIL

At a Meeting of **Area Planning Committee (South and West)** held in Council Chamber - Barnard Castle on **Thursday 16 February 2012 at 2.00 pm**

### **Present:**

**Councillor E Tomlinson (Chair)**

### **Members of the Committee:**

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

### **Apologies:**

Apologies for absence were received from Councillors M Dixon, D Boyes and J Shuttleworth

### **Also Present:**

A Inch – Principal Planning Officer  
A Caines – Principal Planning Officer  
C Cuskin – Legal Officer  
D Stewart – Highways Officer  
S Teasdale – Planning Officer

### **1 Declarations of Interest (if any)**

There were no declarations of interest received.

### **2 The Minutes of the Meeting held on 19 January 2012**

The Minutes of the meeting held on 19 January 2012 were agreed as a correct record and were signed by the Chair.

### **3 Applications to be determined**

#### **3a 6/2010/0410/DM - Hilton Moor Lane, Evenwood Gate Erection of Agricultural Workers Bungalow**

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.

Councillor S Hugill addressed the Committee on behalf of the applicant. He explained that security was a problem for the family as there had been a number of

thefts from the farm. The Police had recommended a number of preventative measures as detailed in the report. At their advice palisade fencing had been erected but this had not proved to be an effective deterrent. A further suggestion was the installation of an alarm system, however this would not be of any use as the nearest property was around a mile away. He pointed out that the Police had observed that a dwelling on site would be a deterrent to criminal activity.

The farm supported two families managing nearly 400 acres of land. Mr Lee wanted to secure as much land as possible to ensure that the farm was a viable enterprise to support him and his family in the future. At least 2.3 agricultural workers were required to support a farm of this size which may lead to the creation of local employment in the future.

The proposals would allow livestock to be kept in the agricultural building located next to the application site and would ensure an on-site presence in case of emergencies. Security problems were exacerbated during the summer months when livestock was kept outside, particularly as the land was adjacent to Hilton Moor Lane which offered easy access to the site.

Councillor Charlton spoke in support of the application and commented at the length of time that it had taken for the application to be submitted to the Committee. In order to manage livestock it was necessary for a worker to be on-site at all times. Mr Lee's farm was well-managed and he was an integral part of the community, keeping the local roads free of ice and snow in the winter months. Rural crime was a problem and expensive equipment and livestock had been stolen. She considered that the proposed dwelling would not be detrimental in an area where there was already a derelict public house. Whilst it would be located in open countryside the bungalow would not be obtrusive, and was necessary to support the applicant's business.

The Principal Planning Officer responded to the comments made and to questions from Members. In terms of the length of time taken for the application to reach Committee he advised that it had been necessary to seek additional information to that submitted with the application to allow detailed consideration of all relevant issues.

He continued that the submissions made focused on security and this was not a reason in itself to justify planning permission being granted, in accordance with the tests set out in Annex A of PPS7. The risk of theft could occur irrespective of whether there was a property on site or not. The Police had suggested a number of crime prevention measures but not all of these had been implemented by the applicant. He continued that a key test was the availability of other properties in the area that were suitable for occupation. The report demonstrated that there were existing properties for sale and to rent which were appropriate and available in close proximity to the application site, and which were also closer than the existing farmhouse.

Carr House Farm was leased from Raby Estates whilst the application site was owned outright. If the relationship between the two sites separated in the future, it was considered that the small landholding would not generate enough income to

sustain a dwelling. The land surrounding the application site was privately owned and the comment that 2.3 workers were needed for a farm of this size specifically related to Carr House Farm.

It was noted that the views of the Highways Section were not included in the report. The Highways Officer stated that the application was acceptable in highway terms but an additional condition was proposed to improve the site access.

In determining the application some Members were of the view that whilst the applicant's son currently lived in nearby Evenwood Gate and there were other properties available in close proximity to the land, a key farm worker was needed on site 24 hours a day in order to safeguard the welfare of stock and machinery.

Other Members commented about the future viability of the site, particularly if the relationship between Carr House Farm and the application land separated at some point in the future. In addition the applicant's son currently lived less than a 1km from the site which they felt was an acceptable distance to travel in case of emergencies.

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:-

'No development shall commence until details of improvements to the Hilton Moor Lane vehicular access, at the entrance into the site, have been submitted to and approved in writing. The approved details shall be implemented prior to the occupation of the dwelling hereby approved'.

The reasons for conditional approval were expressed to be that, in accordance with PPS 7, there was a functional need for an agricultural workers dwelling in the location, in terms of security of livestock and equipment. The application also complied with the draft National Planning Policy Framework which sets out a presumption in favour of sustainable development to encourage economic growth and to achieve sustainable development.

**3b 6/2011/0172/DM - Thorpe Farm, Greta Bridge, Barnard Castle  
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**

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. Members had visited the site previously.

In response to a question about parking, Mr G Swarbrick, the applicant's agent confirmed that parking would be allocated next to each static caravan.

**RESOLVED**

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

**3c 6/2011/0370/DM - The Witham Hall, 3 Horsemarket, Barnard Castle  
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**

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.

In presenting the report the Officer advised that this was a joint application by Durham County Council and The Trustees of Witham. He also advised that the wording of condition 8 was to be amended to remove the reference to the acquisition of a bat licence from Natural England.

Mrs Philips a local resident stated that she was not against the application and appreciated the advantages the facility would bring to the area, however she asked that consideration be given to the potential impact on neighbouring properties in terms of security, noise and privacy.

**RESOLVED**

That the application be approved, subject to the conditions outlined in the report and to condition 8 being amended to read as follows:-

'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 Barratt Environmental

Ltd dated September 2011; 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 1 no. 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.'

**3d 7/2011/0507/DM - Former Thrislington Partitions Building, Durham Way South, Aycliffe Industrial Park, Newton Aycliffe  
Change of Use from Industrial to Indoor Sport and Leisure**

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 on the application which included photographs of the site.

In determining the application Members considered that the proposal would bring back an empty building into use and provide an excellent facility.

Whilst fully in support of the application a Member made reference to possible parking issues and asked if the number of spaces would be adequate for the potential number of visitors to the facility at any one time. The Highways Officer advised that 45 car parking spaces, with 5 no. disabled persons car parking spaces and 5 no. cycle parking spaces was deemed to be an acceptable level of provision for a facility of this size.

**RESOLVED**

That the Committee were **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 was not called in by the Secretary of State it be **APPROVED** subject to the conditions outlined in the report.