



Planning Services

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	6/2011/0063/DM
FULL APPLICATION DESCRIPTION:	Change of use of farmhouse & outbuildings to create multi functional facility for residential, educational, recreational, offices, training & contact centre purposes, with new access & parking provisions
	Bildershaw Grange, Bildershaw
NAME OF APPLICANT:	SWIIS Foster Care Ltd
ADDRESS:	4th Floor 1 Harewood Place London W15 1BU
ELECTORAL DIVISION:	Evenwood
CASE OFFICER:	Matthew Gibson Planning Officer 03000 260826 matthew.gibson@durham.gov.uk

1 DESCRIPTION OF THE SITE AND PROPOSALS

- 1.1 Bildershaw Grange is a former farmsteading, with a substantial farmhouse and associated outbuildings, standing on the southern side of the A68 main road some 1.5 miles south-east of West Auckland.
 - 1.2 In addition to the farmhouse the site includes a block of 5 stables, a detached single garage, a steel frame Dutch Barn and adjacent outbuilding, an area of hardstanding to the rear, and a small field to the south of the house which is outside of the application site boundary.
 - 1.3 This application seeks permission for the change of use of the former farmhouse and outbuildings to provide a base for a foster care business to carry out its range of activities associated with the care, welfare and development of children and young people.
 - 1.4 The site would incorporate an office base for 4 staff together with the current staff
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who work remotely across the region. In addition, the premises includes the opportunity to integrate additional activities and facilities within the one location which would include a contact centre for supervised parent/children contact, a location for foster children and prospective families to meet, facilities for overnight and weekend stays to participate in activities and training and to provide a summer school centre for children and young people.

- 1.5 This application is being reported to committee because of an objection from the Parish Council, which has concerns regarding road safety and recommends refusal based on the proposed access onto the A68.
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2 PLANNING HISTORY

None relevant

3 PLANNING POLICY

NATIONAL POLICY:

- **Planning Policy Statement 1:** Delivering Sustainable Development sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system.
- **Planning Policy Statement 7:** Sustainable Development in Rural Areas sets out the national policies specific to planning in rural areas.
- **Planning Policy Guidance 13:** Sets out the objectives to integrate planning and transport at the national, regional, strategic and local level and to promote more sustainable transport choices both for carrying people and for moving freight.

REGIONAL POLICY:

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 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.

In July 2010 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 the forthcoming Local Government Bill becomes law. Both the RSS and the stated intention to abolish are material planning considerations and it is a matter for each Planning Authority to decide how much weight can be attached to this stated intention, having regard to the evidence base which informs the RSS.

Policy 7 – Connectivity and Accessibility: Seeks to promote internal and external connectivity within the region. It specifically promotes travel by alternative means other than by private vehicles.

Policy 8 - Seeks to protect and enhance the environment. This in part should be achieved through promoting high quality design in all development and that it should be sympathetic to the surrounding area.

LOCAL PLAN POLICY:

GD1 General Development Criteria

ENV1 Protection of the Countryside

BENV13 Changes of use or conversion of buildings in the countryside

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>

<http://www.planningportal.gov.uk/england/government/en/1020432881271.html> for national policies;

http://www.gos.gov.uk/gone/planning/regional_planning for RSS policies

4 CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

Etherley Parish Council – Recommends refusal on highway safety grounds in terms of the access onto the A68 highway.

Highways – The proposals will introduce several new users to the site however, the property currently includes two garage/workshop areas and stabling for five horses. The existing property could, without the need for planning permission, generate a significant volume of traffic.

The submitted proposal shows the creation of a new access to the north of the existing accesses. This new access significantly improves visibility and is acceptable from the highways aspect.

There is no requirement for a second ‘emergency access’ on the site therefore a condition should be included to permanently stop up the most northerly existing access.

INTERNAL CONSULTEE RESPONSES:

None received

PUBLIC RESPONSES:

This application was advertised and as a result a total of 5 objections were received. The following represents a summary of the concerns:

- The site is within half a mile of our property and we would not like an activities centre for children on our doorstep as it would put an end to the peaceful location and jeopardise local property value.
 - The access onto the A68 is dangerous, especially in bad weather.
 - There is no street lighting or paths near the property.
 - The application does not set out numbers of clients or how the accommodation will be used.
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- The proposals could lead to further applications for residential facilities.
- All journeys would need to be by car

APPLICANT'S STATEMENT:

It is considered important to clarify that it is not the intention that Bildershaw Grange becomes some form of institutional use. It is a low key proposal in terms of impact, offering an attractive environment for the main role of SWIIS Care in managing fostering and caring for children, with the added opportunity for small groups of children to stay at the property from time to time, supervised by staff either on 'waking duty' or accommodated on sofa beds if not on duty. An intensive or larger scale use would be contrary to the benefits and opportunities offered by the property to SWIIS Care. Further, whilst Bildershaw Grange is not to be an activities centre as such, it will offer educationally-based activity opportunities, as well as very occasional events to bring the organisation's members and children in its care together for a day or weekend. All activities undertaken are fully risk assessed, and this is particularly pertinent to comments which have been made about pedestrian activity adjacent to the A68, as there would not be walking by staff and children alongside the highway.

Indeed highway safety and access was recognised at an early stage as being a primary issue in the proposal, and consequently on-site pre-application discussions were undertaken with Neil Thompson of the Council's highways section. These discussions resulted in agreement on the appropriate new access arrangements, significantly improving on those existing at present, and in his response to the formal application consultation, Mr Thompson has confirmed the acceptability of the proposals with recommendations attached concerning closing off the more northerly of the existing access points, with which the applicant wholly concurs.

The reality is that in planning terms it is considered that the proposed use of Bildershaw Grange will not detrimentally impact on the rural nature of the area, or on other, albeit dispersed, properties along the A68, and that any objections which have been made to the application are not reasonably founded.

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=19905>.

5 PLANNING CONSIDERATIONS AND ASSESSMENT

- 5.1 In assessing the proposals against the requirements of the aforementioned policies, and having regard to all material planning considerations, including representations received, it is considered that the principle of development, impact on neighbouring properties, design of the extension and highway safety represent the principal material planning considerations.
 - 5.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires local planning authorities to determine planning applications in accordance with the statutory Development Plan unless material considerations indicate otherwise.
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Principle

- 5.3 Planning permission is sought for the change of use of a former farmstead, including farmhouse, to create a multi-function facility for a foster care business which would provide offices, training space, a contact centre, residential and educational facilities and recreational space. The proposals also include the erection of a new glazed link extension to the rear of the property providing circulation space and the provision of a new access from the A68.
- 5.4 Policy BENV13 of the Teesdale Local Plan sets out that the change of use of buildings in the countryside will be permitted for other uses provided that the structure and proposal comply with a number of criteria. Although the proposed use which is the subject of this application is not specifically mentioned it can be accepted that the main functions set out within the application broadly fit within the examples contained in the policy such as 'employment uses'.
- 5.5 Although recognised sustainability principles usually direct new office accommodation to existing urban areas, this proposal is individual in its composition as the use relates to other activities and functions that are ideally suited to the location. The application only proposes permanent office space for 4 staff. The remainder of the staff for the facility are remote and travel to clients around the region. The use of the site for functions such as training, recreational and educational visits and as a contact centre are well suited to a more intimate and flexible location. This site, being approximately 1.5 miles from West Auckland, has ample space within and surrounding the buildings to bring the different functions of the organisation into one location whilst maintaining a link to the urban centre of Bishop Auckland. The flexibility of the site with the associated stabling and outside space could not be provided within a traditional office development.
- 5.6 The use of a room within the facility for overnight stays is broadly in line with the current use of the building and should present no additional issues to either the sustainability of the business or the amenity of neighbouring residents.
- 5.7 Therefore, subject to further assessment, the proposals are considered acceptable in principle in accordance with policy.

Impact on neighbouring properties

- 5.8 A number of objections have been received relating to the potential of the proposed use to cause disturbance to neighbouring properties. The site, including the proposed recreational space, is well contained and screened within an existing enclosed farmstead surrounded by high, mature hedging. The nearest property is a sufficient distance from the application site, separated by agricultural fields, which should prevent any unacceptable transfer of noise from either the circulation of vehicles or the use of outside space for any activity.
- 5.9 In addition, the supporting information does not suggest that the use of the site for outside activities would either be frequent or for large groups of people. As such, there is no indication that the proposals would be unacceptable or lead to unacceptable levels of noise or disturbance.
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- 5.10 Therefore, the new use is considered acceptable as it would not cause unacceptable levels of disturbance to the amenity of nearby properties in accordance with policies GD1 and BENV13.

Design of the extension

- 5.11 The application proposes the erection of a glazed link extension to the rear of the property. The extension would be erected between two existing rear extensions and will provide a covered walkway between the two sides of the property without passing through the main house. This would allow a more functional use of the spaces when discreet accommodation is required and to provide improved circulation throughout the ground floor of the building.
- 5.12 The link has been designed in a conservatory style, being constructed of dark uPVC and glazing. The link would be 9 metres long by 2.24 metres in depth, with an overall height of 2.6 metres.
- 5.13 The extension is considered appropriate in terms of scale and design and will not detract from the overall appearance of the building. Being located to the rear the extension is enclosed and not visible unless from within the site so will ensure the retention of the traditional farmhouse appearance to the front elevation.

Highway Safety

- 5.14 The property subject of this application is located on the busy A68 approximately 1.5 miles to the south east of West Auckland. The site is also located close to the side of the road on a bend which restricts visibility, exacerbated by the vehicle speeds being a de-restricted road.
- 5.15 The current site, being a farmstead, has the potential to generate a significant level of traffic without the requirement for planning permission. With this in mind, no objection can be raised to the potential traffic generation of the proposed use.
- 5.16 The applicant has acknowledged the issues surrounding the existing access arrangements and proposes to seal and lock the two existing accesses and create a new vehicular access to the north of the site. The application proposes the retention of the two existing accesses for emergencies, however the Council's Highways Officer has deemed this excessive and requests the most northerly existing access be permanently stopped up prior to first occupation. The new access is considered to 'significantly improve visibility' and is considered acceptable from the highways aspect.
- 5.17 The objections surrounding the lack of footpaths and street lighting are not a concern as the site will be accessed by vehicles and the movement of pedestrians from the site is not anticipated. Any outside activity will be supervised and take place to the rear of the property therefore the safety of users of the site should be ensured at all times.
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6 CONCLUSION

- 6.1 In summary, the proposals are considered to be appropriately sited and designed and, on balance, the provision of a facility with public benefit in this location, and the associated benefits of the location for the functions of the business, would outweigh the level of impact on the amenity of neighbouring properties.
- 6.2 Highway safety is an important consideration in relation to this application and it is considered that, in conjunction with consultees, the provision of a new access with a safe parking area is acceptable and should prevent any additional highway safety issues.
- 6.3 Subject to appropriate conditions in respect of the access arrangements, the development would accord with Local Plan Policies and the principles of PPS7.

7 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.

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 Reference Number	Date received
1705/01 - Existing elevations	24/02/11
1705/02 - Existing floor plans	24/02/11
1705/03 - Proposed elevations	24/02/11
1705/04 - Proposed floor plans	24/02/11
1705/05 - OS map and proposed site plan	24/02/11
1705/06 - Existing and proposed stable block details	24/02/11

To define the permission and ensure that a satisfactory form of development is obtained in accordance with Policy GD1.

3. As soon as the new vehicular access has been constructed in accordance with the approved plans the existing most northerly vehicular access to the site from the A68 shall be closed, in accordance with details which shall have been first submitted to and approved in writing by the local planning authority.

In the interests of highway safety and to comply with policy GD1.

4. The change of use to the buildings hereby permitted shall not be occupied until the approved access has been constructed in accordance with the approved plans.

In the interests of highway safety and to comply with policy GD1.

8 REASONS FOR THE RECOMMENDATION

1. The development was considered acceptable having regard to the following development plan policies: -

GD1 General Development Criteria

ENV1 Protection of the Countryside

BENV13 Changes of use or conversion of buildings in the countryside

RSS Policies 7 and 8

2. In particular the development was considered acceptable having regard to consideration of principle, highways safety, design and impact on neighbouring properties.
3. The objections received were not considered sufficient to lead to refusal of the application as, on balance, the positive use of the site and its suitability for the proposed use out weight the potential impacts on highway safety and residential amenity at this particular location.

9 BACKGROUND PAPERS

- Supporting Statement
- Teesdale District Local Plan 2004
- The North East of England Plan - Regional Spatial Strategy to 2021
- Planning Policy Statements / Guidance, PPS1 ,7,13
- Responses from County Highways and the Parish Council.
- Public Consultation Responses

