



## Planning Services

# COMMITTEE REPORT

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### APPLICATION DETAILS

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<b>APPLICATION NO:</b>	<b>6/2010/0316/DM</b>
<b>FULL APPLICATION DESCRIPTION:</b>	<b>Change of use from agriculture to a mixed use of agriculture &amp; equestrian &amp; erection of American style barn Field House, Lartington</b>
<b>NAME OF APPLICANT:</b>	Mr David Heartfield
<b>ADDRESS:</b>	13 Front Street Staindrop Darlington Co Durham DL2 3LZ
<b>ELECTORAL DIVISION:</b>	Barnard Castle West
<b>CASE OFFICER:</b>	<b>Charlie Colling Planning Officer 01833 696206 charlie.colling@durham.gov.uk</b>

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### DESCRIPTION OF THE SITE AND PROPOSALS

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The site is a field to the north of a property known as Field House. The property is situated within Lartington. This settlement does not have development limits, however it is classified as a Conservation Area. There is a private access lane to the east and St Lawrence church to the west. A number of mature trees surround the site and access is taken from Lartington Green Lane.

Planning permission is sought for the erection of a stable building, in the style of an 'American barn'. This style of building essentially accommodates everything under a single roof. The building would have an external timber board finish and a felt roof. The footprint of the building would be 10.2m x 6.07m. The height would be 2.03m to eaves and 3.37m to ridge. There would be windows to all elevations, except the west elevation which would contain a large double sliding door. The building would be used for stabling and hobby farming. The use of the land associated with this building would be changed from agriculture to a mix of equestrian and agriculture.

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This application is reported to committee as the parish council has objected to the proposals.

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## PLANNING HISTORY

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There is no planning history relating to this property.

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## PLANNING POLICY

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### 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 5:** Planning for the Historic Environment sets out the Government's planning policies on the conservation of the historic environment.
- **Planning Policy Statement 7:** sets out the Government's planning policies for rural areas, including country towns and villages and the wider, largely undeveloped countryside up to the fringes of larger urban areas.

### 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. Some policies have an end date of 2021 but the overall vision, strategy, and general policies will guide development over a longer timescale.

**Policy 8** – Protecting and Enhancing the Environment, seeks to maintain and enhance the quality, diversity and local distinctiveness of the environment throughout the North East.

**Policy 32** – Historic Environment, seeks to conserve and enhance the historic environment.

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### LOCAL PLAN POLICY:

- GD1 General Development Criteria
  - ENV1 Protection of the Countryside
  - ENV3 Area of High Landscape Value
  - BENV4 Development within and/or adjoining a conservation area
  - ENV10 Avoidance of unreasonable harm to important trees and protected hedgerows
  - BENV11 Known or potential site of archaeological Interest
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*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 ([www.durham.gov.uk](http://www.durham.gov.uk))*

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## CONSULTATION AND PUBLICITY RESPONSES

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### STATUTORY RESPONSES:

Lartington Parish Council – Raises objections to the proposals on the following grounds:

- Development is inappropriate in both scale, material and character of the Conservation Area.
- Building too large and not commensurate with the associated land.

- Alien building to the environment.
- Trees and Archaeology may be damaged.

Northumbrian Water – no objections

**INTERNAL CONSULTEE RESPONSES:**

Design and Conservation Officer - The proposed use of the land is in keeping with the dominant uses of the area and will have no adverse impact on the character of the village.

The building, whilst large, is something which you would expect to see in this particular setting and as such I have no objection to the proposal. A condition requiring agreement of the finished colour may be appropriate in order to ensure it sits as comfortably as possible in the landscape.

Archaeology – I am aware that objections have been raised with regards to the lack of archaeological field evaluation in support of the application. I am aware of the size and extent of the earthworks in the field where the development is proposed and their location viz a viz the proposed barn. It is my considered opinion, on the basis of the additional information, that the proposed barn will not pose a significant impact to the archaeological features such that it cannot be mitigated by a condition for archaeological monitoring. With regards to the comment in the objections from the Parish Council regarding the potential impact on the earthworks by horses during wet weather, I must admit to not having thought about the impact of poaching. It is a real concern which must be considered as this can have a highly detrimental effect on earthworks which can lead to severe damage. The earthworks are not protected (i.e. scheduled) but the planning authority must ensure that they are not going to be unduly damaged by the change of grazing pattern and density.

The following two conditions are recommended if planning consent is granted:

**CONDITION 1**

No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work, as defined in a brief prepared by the County Durham Archaeology Team, has been submitted to, and approved in writing, by the local planning authority. The strategy shall include details of the following:

- i. Measures to ensure the preservation in situ, or the preservation by record, of archaeological features of identified importance.
- ii. Methodologies for the recording and recovery of archaeological remains including artefacts and ecofacts.
- iii. Post-fieldwork methodologies for assessment and analyses.
- iv. Report content and arrangements for dissemination, and publication proposals.
- v. Archive preparation and deposition with recognised repositories.
- vi. A timetable of works in relation to the proposed development, including sufficient notification and allowance of time to ensure that the site work is undertaken and completed in accordance with the strategy.
- vii. Monitoring arrangements, including the notification in writing to the County Durham Archaeologist of the commencement of archaeological works and the opportunity to monitor such works.
- viii. A list of all staff involved in the implementation of the strategy, including sub-contractors and specialists, their responsibilities and qualifications.

The development shall then be carried out in full accordance with the approved details.

REASON: To comply with policy BENV11 of the Teesdale Local Plan as the site may potentially contain features of local archaeological importance.

## CONDITION 2

Prior to the development being beneficially occupied, a copy of any analysis, reporting, publication or archiving required as part of the mitigation strategy shall be deposited at the County Durham Historic Environment Record. This may include full analysis and final publication. Reporting and publication must be within one year of the date of completion of the development hereby approved by this permission.

REASON: To comply with policy HE12.2 - 12.3 of PPS5 to make the information as widely accessible to the public as possible.

### **PUBLIC RESPONSES:**

Neighbouring properties have been consulted, a site notice posted and an advert placed in the local press with one objection received. Concerns in summary are:

- Scale is too large
- Doesn't reflect character of Lartington
- Materials or design should be changed

### **APPLICANT'S STATEMENT:**

- The American Barn is to be used to house a small pony and horse with the rest of the barn used for storage as we have to bring feed into the property as the field is not large enough to graze the above animals. We feel an area which is covered in and sheltered is better for both the animals and our grandchildren who will be helping with the care of the horse and pony, one of our grandsons being quite severely autistic and needing a confined area to stay safe and be supervised. He is, of course, fully statemented and attends a special school and we can provide all details if necessary.
- The positioning of the barn is such that it is out of the way and not interfering with the beautiful oak trees and landscape, which we wish to preserve and have consulted an arborist to that end.
- We propose to plant natural hedgerows to replace fencing that has been erected with very little care or control previously. We are going to apply for a grant towards the cost of this.
- Consideration has and will always be given to the surroundings in which we live when catering for our own needs. This will always include the preservation of existing natural habitat, along with further establishment of trees and hedgerows within our small area.

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*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=19563>). Officer analysis of the issues raised and discussion as to their relevance to the proposal and recommendation made is contained below*

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## **PLANNING CONSIDERATIONS AND ASSESSMENT**

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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, design, impact on the countryside and conservation area, archaeology and residential amenity represent the principal material planning considerations.

It is proposed to erect a building with a footprint of 10.2m x 6.07m. The walls would be finished in timber boarding and the roof in felt. The height of the building would be approximately 2.03m to eaves and 3.37m to ridge. To the south of the building is the applicant's property, to the east is a private access and to the west is St Lawrence Church. The land associated with this application would currently be considered as agricultural land.

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It is proposed to change the use of this to a mix of agriculture and equestrian.

### Principle

The proposed barn would be used as a stable and to support the applicant's hobby farming. The application site includes a field to the north of the applicant's property, which also accommodates the access to the property.

The site is not within any settlement limits and the nearest residential property, other than the applicant's is approximately 50m away. The site would currently be considered as agricultural land and it is common for dwellings within the countryside, where they have some land associated with them, to erect a stable or similar type of building. The principle of having a stable on this land is considered to be acceptable, given the rural nature of the location and the distance away from nearby residential properties. The use of this field as a mix of equestrian and agriculture is considered to be reasonable, given the similar uses within the locality, and the rural nature of the site.

### Design

The proposed building would be of a simple design, finished with timber boarding to the exterior and felt to the roof. There would be functional windows around the building and to the west elevation there would be some large sliding double doors. The council's design and conservation officer has advised that, whilst the proposed building is large, it is something that you may expect to see in this particular setting, and has raised no objection subject to a condition being attached to agree the external finish of the building.

### Impact on Countryside and Conservation Area

The proposed building would be sited close to existing mature trees, and the applicant's property itself. In the siting of buildings such as this it is useful if they are positioned close to such features, to limit their visual impact upon the area in which they are sited.

It is considered that the proposed building would not be overly prominent within the locality and would not detrimentally impact upon this area of high landscape value, as the visual impact would be a local one. With regards to the local impact, the conservation officer is satisfied that the proposed building would not have any adverse impact upon the character and appearance of the conservation area. The proposals in this respect would therefore accord with local plan policies ENV3 and BENV4.

### Archaeology

The proposed development is located within a field which shows signs of remnants of earlier crofts, which may potentially be medieval or early post medieval in date. Upon request of the council's archaeologist the applicant has provided a method statement and section drawings to show the extent of groundworks required to accommodate the proposed barn. In order to accommodate the proposed barn 150-200mm of top soli would need to be removed, 25-50mm hardcore laid with 100mm concrete slab above. Any exposed hardcore/concrete slab visible after construction would be covered with topsoil and grass seed sown. Excess top soil would be disposed of off-site and the northern end of the field cordoned off to avoid vehicle and pedestrian traffic through earthworks during construction.

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The council's archaeologist has advised that the proposed barn would not pose a significant impact to the archaeological features such that it cannot be mitigated by condition for archaeological monitoring. Two conditions have been suggested to mitigate against any impact upon archaeological features in accordance with PPS5 and BENV11.

The council's archaeologist has also advised, along with the parish council that there is a concern that there is a potential impact from horses poaching the land in wet conditions. This may lead to damage of the earthworks. It is considered that there is some potential that these earthworks may be damaged should there be persistent use of the land within a particular location. However, this land could without any permission or change of use be grazed by animals, which is likely to have a similar if not worse impact upon the earthworks within this field. It is not considered reasonable that the application should be refused for this reason, although the threat is acknowledged.

### Amenity

The proposed building would be sited approximately 50m away from the nearest neighbouring residential property. As such it is considered that given the nature of the proposals there is unlikely to be any unacceptable impact upon residential amenity in accordance with policy GD1. The use of the site could be conditioned to ensure that there is no commercial/business use carried out from here in order to protect neighbouring amenity.

### Other Issues

Some objections have been received from the Parish Council, who has advised that the scale, material, design and impact on conservation area are unacceptable. These have been discussed in the report. It is considered that the design of the building is typical of this type of proposal. With regards to materials, it is noted that in some instances a building of stone construction may be more appropriate within a conservation area. However, given the scale of this building and its proposed use, it is considered that it would be unreasonable to insist that the building be constructed of stone. The design and conservation officer has raised no objections, and has commented that the proposal would not adversely impact upon the character of the village.

With regards to the comments in respect of the potential impact upon archaeology, the council's archaeologist has been consulted and the archaeological issues discussed within the report.

Concern has also been raised that the proposed building may require the removal of some mature trees and hedgerows. The application does not detail the removal of any of these. A condition will however be attached advising that no works to trees or felling is to take place unless this has been agreed with the LPA.

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## **CONCLUSION**

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In summary the proposals are for a stable and hobby farming building with change of use of associated land to accompany this. The site is an existing field in a countryside location which is in principle considered to be an acceptable location for this development. No objections have been received from the design and conservation officer or the archaeology officer and the issues raised by the parish council and public consultation are not considered

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to provide sufficient justification to refuse the application. The siting of the building is considered to be acceptable, being close to existing mature trees and the applicant's property, and would not have any unacceptable impact upon the area of high landscape value or the conservation area.

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

Plan Reference Number	Date received
FH1	6/10/10
FH2	6/10/10
FH3	6/10/10
FH4	6/10/10
FH5	6/10/10
FH6	6/10/10
1485/001	3/3/11
1485/002	3/3/11
1485/003	3/3/11
1485/004	3/3/11

3. The stables hereby approved shall be for private use only and not for any commercial or livery use.
4. Details of the external finish of the timber boarding and roofing material shall be agreed with the local planning authority in writing prior to the erection of the building. The development shall then be carried out in accordance with the agreed details.
5. No removal of limbs of trees or other tree work shall be carried out unless approval has been sought and granted by the local planning authority. The development shall then be carried out in accordance with the agreed details.

In the interests of the visual amenity of the area and to comply with policy ENV10.

6. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work, as defined in a brief prepared by the County Durham Archaeology Team, has been submitted to, and approved in writing, by the local planning authority. The strategy shall include details of the following:
  - i. Measures to ensure the preservation in situ, or the preservation by record, of archaeological features of identified importance.
  - ii. Methodologies for the recording and recovery of archaeological remains including artefacts and ecofacts.
  - iii. Post-fieldwork methodologies for assessment and analyses.
  - iv. Report content and arrangements for dissemination, and publication proposals.
  - v. Archive preparation and deposition with recognised repositories.
  - vi. A timetable of works in relation to the proposed development, including sufficient

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- notification and allowance of time to ensure that the site work is undertaken and completed in accordance with the strategy.
- vii. Monitoring arrangements, including the notification in writing to the County Durham Archaeologist of the commencement of archaeological works and the opportunity to monitor such works.
- viii. A list of all staff involved in the implementation of the strategy, including sub-contractors and specialists, their responsibilities and qualifications.
- The development shall then be carried out in full accordance with the approved details.
7. Prior to the development being beneficially occupied, a copy of any analysis, reporting, publication or archiving required as part of the mitigation strategy shall be deposited at the County Durham Historic Environment Record. This may include full analysis and final publication. Reporting and publication must be within one year of the date of completion of the development hereby approved by this permission.
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## **REASONS FOR THE RECOMMENDATION**

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

GD1	General Development Criteria
ENV1	Protection of the Countryside
ENV3	Area of High Landscape Value
ENV10	Avoidance of unreasonable harm to important trees and protected hedgerows
BENV4	Development within and/or adjoining a conservation area
BENV11	Known or potential site of Archaeological Interest
  2. In particular the development was considered acceptable having regard to consideration of visual impact, affect on conservation area, archaeology, amenity and design.
  3. The objections which have been received, have been given due consideration. On balance the scheme is considered to be acceptable and without objection from the council's conservation officer or archaeology officer. The proposals are considered to accord with both local and national planning policies, and would constitute an acceptable form of development subject to conditions.
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## **BACKGROUND PAPERS**

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- Submitted Application Forms and Plans.
- Design and Access Statement
- Teesdale District Local Plan 2002
- Planning Policy Statements / Guidance, PPS1, PPS5 and PPS7
- Responses from County Design and Conservation, Northumbrian Water
- Public Consultation Responses



