
APPLICATION DETAILS

APPLICATION NO:	DM/17/00764/FPA
FULL APPLICATION DESCRIPTION:	Conversion of farm buildings to 5no. dwellings; demolition of farm sheds to the rear and construction of 4no. dwellings with garages and associated works
NAME OF APPLICANT:	Lord Barnard
ADDRESS:	Hilton Hall Farm Hilton DL2 3JA
ELECTORAL DIVISION:	Barnard Castle East
CASE OFFICER:	Tim Burnham Senior Planning Officer 03000 263963 tim.burnham@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

1. The application site is located at the eastern end of Hilton Village, which is a small rural settlement located south east of the A688 and to the north west of Ingleton. The site sits partly within the Hilton Conservation Area and is within an area of Landscape Value. To the east is the grade II* listed Hilton Hall.
2. The site currently hosts a range of historic and modern farm buildings, which belong to the Marwood Estate. The whitewashed stone buildings at the front of the site are disused and no longer suited to modern agricultural practices. To the rear of these buildings is a very large set of portal framed agricultural sheds and a silage clamp.
3. There are two elements to the proposal. The first involves conversion of the stone buildings at the front of the site into 5 dwellings. The second involves demolition of the portal framed buildings at the back of the site and erection of 4 dwellings and garages in their place.
4. The application is reported to the Planning Committee at the request of Cllr Richardson due to concerns over the provision of new build residential accommodation on the site.

PLANNING HISTORY

5. The planning history on the site is limited to agricultural development and is not relevant to the application proposal.

PLANNING POLICY

NATIONAL POLICY

6. The Government has consolidated all planning policy statements, guidance notes and many circulars into a single policy statement, the National Planning Policy Framework (NPPF). However, the NPPF does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused, unless other material considerations indicate otherwise.
7. *NPPF Part 4 – Promoting sustainable Transport.* The Government recognises that different policies and measures will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas. On highway safety, there must be safe and suitable access to the site for all people. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
8. *NPPF Part 6 – Delivering a Wide Choice of High Quality Homes.* Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites. Local planning authorities should seek to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities. To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities; however, isolated homes in the countryside should be avoided.
9. *NPPF Part 7 – Requiring Good Design.* The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Planning policies and decisions should aim to ensure that developments will function well and add to the overall quality of the area, establish a strong sense of place, optimise the potential of the site to accommodate development, respond to local character and history, create safe and accessible environments and are visually attractive. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
10. *NPPF Part 10 – Meeting the Challenge of Climate Change, Flooding and Coastal Change.* Planning plays a key role in helping shape places to secure Local Planning Authorities should adopt proactive strategies to mitigate and adapt to climate change. Inappropriate development in areas at risk of flooding should be avoided.
11. *NPPF Part 11 – 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 pollution and land stability and remediating contaminated or other degraded land where appropriate.
12. *NPPF Part 12 - Conserving and Enhancing the Historic Environment.* Local planning authorities should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. In doing so, they should recognise that

heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance

The above represents a summary of those policies considered most relevant in the Development Plan

LOCAL PLAN POLICY:

13. The following saved policies of the Teesdale Local Plan are relevant to the application; however, in accordance with paragraph 215 of the National Planning Policy Framework, the weight to be attached to relevant saved local plan policies will depend upon the degree of consistency with the NPPF. The greater the consistency, the greater the weight.
14. *Policy GD1: General Development Criteria:* All new development and redevelopment within the district should contribute to the quality and built environment of the surrounding area and includes a number of criteria in respect of impact on the character and appearance of the surrounding area; avoiding conflict with adjoining uses; and highways impacts.
15. *Policy ENV1: Protection Of the Countryside:* Within the countryside development will be permitted for the purposes of agriculture, rural diversification projects, forestry, nature conservation, tourism, recreation, local infrastructure needs and an existing countryside use where there is a need on the particular site involved and where a proposal conforms with other policies of the plan. To be acceptable proposals will need to show that they do not unreasonably harm the landscape and wildlife resources of the area.
16. *Policy ENV3: Development Within Or Adjacent To An Area Of High Landscape Value:* The proposals map defines an area of high landscape value where the distinctive qualities of the countryside are worthy of special recognition. Development will be permitted where it does not detract from the area's special character, and pays particular attention to the landscape qualities of the area in siting and design of buildings and the context of any landscaping proposals such development proposals should accord with Policy GD1.
17. *Policy ENV8: Safeguarding plant and animal species protected by law:* Development should not significantly harm plants or species protected by law and where appropriate adequate mitigation measures should be provided.
18. *Policy BENV3: Development Adversely Affecting the Character of a Listed Building:* Development which would adversely affect the character of a listed building or its setting will not be permitted.
19. *Policy BENV4: Development within and / or adjoining Conservation Areas:* Development within and/or adjoining conservation areas will only be permitted provided subject to various criteria in relation to design, scale, materials, landscaping etc.
20. *Policy BENV13 Change of Use or Conversion in the Countryside:* Change of use or conversion of a building within the countryside will be permitted for employment, holiday, recreational community or farm diversification use subject to relevant general development criteria.

21. *Policy BENV14 Change of Use or Conversion to Residential Use in the Countryside:* Change of use of a building within the Countryside to residential should only take place where a marketing exercise to use to the building for an identified use in Policy BENV13 has not been successful
22. *Policy H12: Design:* The local planning authority will encourage high standards of design in new houses and housing sites, in terms of layout and organisation of public and private open space, including meeting the needs of the disabled and elderly and the consideration of energy conservation and Local Agenda 21. Residential proposals should comply with the criteria of policy GD1 where relevant to the development involved.
23. *Policy H14: Provision Of Affordable Housing within Residential Developments* The local planning authority will, in appropriate circumstances as identified by a needs assessment of the district, seek to negotiate with developers for an element of affordable housing to be included housing developments.

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/article/3271/Teesdale-Local-Plan>

RELEVANT EMERGING POLICY:

The County Durham Plan -

24. Paragraph 216 of the NPPF says that decision-takers may give weight to relevant policies in emerging plans according to: the stage of the emerging plan; the extent to which there are unresolved objections to relevant policies; and, the degree of consistency of the policies in the emerging plan to the policies in the NPPF. The County Durham Plan was submitted for Examination in Public and a stage 1 Examination concluded. An Interim Report was issued by an Inspector dated 15 February 2015, however that report was quashed by the High Court following a successful Judicial Review challenge by the Council. As part of the High Court Order, the Council has withdrawn the CDP from examination. In the light of this, policies of the CDP can no longer carry any weight.

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

25. *Highway Authority:* No objections.
26. *Northumbrian Water:* No objection, subject to standard drainage condition.
27. *Historic England:* The proposal for converting the old barn buildings into residential dwellings and replacing the modern sheds at the back with modern housing is welcomed in principle as it will help bringing a viable, long-term solution for these currently vacant buildings. However, concern is expressed in relation to the alteration of the boundary walls, the removal of the whitewash finishing from the existing buildings, alteration of the rooflines and parking proposed at the front of the site which would appear overly domestic. (*Changes have subsequently been made in response to these comments*)

INTERNAL CONSULTEE RESPONSES:

28. *Design and Conservation*: This is a vastly improved proposal over that previously presented. The site layout and design of the proposal has evolved to respond to previous concerns of both the LPA and Historic England. The amended layout which now avoids a loop road system and amendments to the boundary enclosure is particularly welcome. This result is a series of more discreet spaces more reminiscent of the traditional farmstead layouts. The harmonisation of rooflines on the North West side of the site which would have resulted in a loss of character has been reversed and the more organic development of these structures is better preserved. In order to avoid the need for an adopted highway layout which would have caused substantial harm unfortunately still result in prominent parking provision at the front of the site. On balance this is considered acceptable to secure a viable future for these important buildings. The replacement new build to the rear of the site has been simplified to respond to previous requests, it will provide a contrast to the conversions which does not seek to challenge their historic character or design. The Whitewash finish is now preserved and this is important as this is a fundamental part of not just the character of these buildings but the wider conservation area. Changes have also been made to the access as requested.
29. *Landscape Section*: No objections. My previous concerns regarding the access at the edge of the field have now been fully addressed, as have the matters of the protection of the tree on the site and the arrangement of the garages and front gardens to the new properties, along with the wall detail at the entrance to the front parking area.
30. *Landscape Section (Trees)*: No objection.
31. *Ecology*: No objection. Following further submission of site plans displaying mitigation as requested, I am satisfied that providing the mitigation strategy is conditioned, the likely risk of impact on protected and priority species by the proposals will be low.
32. *Contaminated Land*: Contaminated land condition required.
33. *Environmental Health (Noise)*: No objections.
34. *Archaeology Section*: No objections although a building recording condition is required for the historic farm buildings.

PUBLIC RESPONSES:

35. The application has been publicised by way of site notice, press notice and neighbour notification letters. Five letters of objection have been received and one of the letters claims to have been sent in general on behalf of the residents within the village.
36. The main points of concern are in relation to the general scale of development in relation to the existing size of Hilton Hall; increased level of traffic; effect on existing sewage and water systems capacity; and lack of services in the area.

The above is not intended to repeat every point made and 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:

37. The proposed redevelopment of the Hilton Hall Farm site will look to reuse the existing under used barns to create 5 new dwellings. To the rear, it is proposed the existing modern cattle shed and concrete storage area will be removed, and replaced with 4 new contemporary family homes.
38. The approach to converting the existing barns is to retain the features and style of these buildings, bringing currently derelict structures back in to use. Where possible, existing openings will be utilised and new openings kept to a minimum. These conversions will provide new homes to the area, while safeguarding the future of these historic, agricultural structures in a sensitive manner.
39. Following liaison with the Local Planning Authority, it was agreed that the new build units should maintain and reflect the agricultural vernacular of the area. While reflecting the scale and massing of the existing cattle shed, using good quality materials and appropriate detailing will enable the properties to improve the appearance of the site, while referencing its agricultural heritage.
40. Responding to initial comments raised by the landscape officer, the site plan has been revised to further reflect the agricultural setting, being careful not to become domestic in scale or form. Each plot is provided with parking, and amenity space.
41. Responding to local concerns regarding the development within the village context, the scheme will increase the accommodation choice within the village offering a range of property sizes and styles, each with suitable parking provision provided within the site, minimising any local traffic impact.
42. Further to this, as agreed with the LPA, unit 4 will be offered as a starter home for a first-time buyer with a discount of 20% of market value. Further details of the marketing strategy for this unit, focussed towards Raby Estate residents, can be found in the affordable housing statement submitted.
43. In addition, the construction phase of the project will deliver investment in the area through construction industry job opportunities and the supply chain. Overall the redevelopment will bring back into full use a currently under used site, while maintaining the agricultural setting and heritage of the site.

PLANNING CONSIDERATIONS AND ASSESSMENT

44. Having regard to the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004 the relevant Development Plan policies, relevant guidance and all other material planning considerations, including representations received, it is considered that the main issues are whether the proposal would constitute sustainable development, having particular regard to its location, impact on the character and appearance of the area and highway safety.

Planning Policy Context

45. The application site sits within the Countryside for the purposes of saved policies ENV1, BENV13 and BENV14 of the Teesdale Local Plan.

46. In respect of the conversion element of the proposal, policies BENV13 and BENV14 permit the conversion of buildings in the countryside, but preference is given to employment use and requires marketing to be carried out prior to any residential conversion. These requirements are however not in accordance with NPPF paragraph 55, under which securing the optimal viable use of a heritage asset and re-use of redundant buildings that leads to an enhancement of the setting is acceptable without having to carry out any marketing to first explore employment uses. Policies BENV13 and BENV14 are therefore out of date.
47. In respect of the new build element of the proposal, policy ENV1 seeks to protect and enhance the countryside and only allows for development that is required for the purposes of agriculture, rural diversification, forestry, nature conservation, tourism, recreation, local infrastructure, or related to existing countryside uses, subject to landscape impact and satisfying other relevant policies. The proposed new build housing is contrary to policy ENV1. However, this is in effect a housing location policy and given the age of the Teesdale Local Plan, policy ENV1 is not up to date.
48. The emerging County Durham Plan is still at an early stage following its previous withdrawal from examination. Consultation was carried out on the new Issues and Options in June 2016. It is therefore not at a stage where it can be given any weight.
49. In April 2017 the Council considered it had a deliverable supply of 10,234 (net) new dwellings for the next 5-year period. Set against the lowest need figure the Council took the position that it could demonstrate a supply of 4.91 years of deliverable housing land.
50. On 14 September 2017, the Government published a consultation document entitled "Planning for the Right Homes in the Right Places". That consultation introduced a standard methodology for calculating housing need. Applying that methodology for County Durham, the housing need figure would be 1,368 dwellings per annum, in which case the Council would be able to establish a supply of housing land in excess of 5 years. However, as this is still a consultation document it cannot be given significant weight at this time.
51. Irrespective of the Council's position on housing land supply, in these circumstances, paragraph 14 of the NPPF is engaged, which requires that housing applications should be considered in the context of the presumption in favour of sustainable development. This means granting planning permission unless any adverse impacts would significantly and demonstrably outweigh the benefits, or specific policies in the NPPF indicate that development should be restricted. The proposal is therefore subject to the planning balance test.

Location

52. Hilton is classified in the County Durham Settlement Study as a tier 6 Hamlet on account that it has very few or no services. However, whilst NPPF paragraph 55 seeks to avoid isolated housing in the countryside, it states that "to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. That would be the case here.
53. In addition, although the site is technically within the countryside, it comprises existing development and is surrounded to the west, north and east by other development and as such, is viewed as part of the wider envelope of the village.

54. In light of the High Court Judgement, 15th November 2017 between Braintree District Council and the secretary of state /Greyread Limited/Granville Developments Ltd, commonly referred to as the 'Braintree case', which established that 'isolated' was considered to mean 'far away from other places, buildings or people; remote', the application site cannot be considered as isolated in the context of NPPF paragraph 55.
55. Accordingly, there is no conflict with the aims of the NPPF to secure sustainable patterns of development in rural areas and avoid isolated housing.

Impact on the character and appearance of the area and designated heritage assets

56. The buildings to the front of the site lie within Hilton Conservation Area and all of the site is within the Teesdale Local Plan Area of High Landscape Value designation. Immediately to the east is the Grade II* Listed Hilton Hall.
57. A conservation area and listed buildings are designated heritage assets for the purposes of the NPPF, which advises that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance.
58. In addition, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area. Section 66 of the above act states that 'in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
59. The historic whitewashed farm buildings are important vernacular buildings and contribute significantly to the character and appearance of the Conservation Area and landscape character. These are non-designated heritage assets in their own right. Accordingly, there is a strong desire to retain and secure the future of these buildings.
60. The proposed conversions would be achieved with reasonably limited intervention. Where some alterations would be made to the roof, this would not have any significant visibility or impact on the character of the buildings. Importantly, the proposal now retains the whitewash finish, which has been identified as an important part of the significance of the buildings in the Conservation Area. Due to the age of the historic farm buildings an archaeological recording condition is necessary.
61. The portal framed sheds at the rear of the site lie outside the conservation area, but they have a significant visual presence, which dominates the traditional buildings at the front of the site and does not make any positive contribution to the setting of the conservation area and the adjacent listed buildings. Removal of these buildings would therefore be a significant visual benefit and in any event, would have to be undertaken to facilitate the conversion of the historic stone buildings to achieve suitable standards of amenity.
62. The proposed new build dwellings and garages would occupy the site of the portal framed sheds and therefore would remain within the existing confines of the site. There would be no intrusion beyond the existing site into the countryside, thereby retaining the existing form of the village and landscape character around the site. The proposed dwellings have been designed to appear as converted farm buildings, but with a high quality design and use of materials, better spatial relationship with the

buildings at the front of the site, and an overall reduced scale. Visually, they would result in a material enhancement of the appearance of the site and the setting of the adjacent designated and non-designated heritage assets. Materials should be controlled by conditions.

63. Stone boundary walls are a strong and characteristic feature of the Conservation Area and these are proposed throughout the scheme. The provision of a parking court serving plots 2-5 accessed directly from the road to the front has enabled to rear of the site to be served by an unadopted, more informal vehicular access which is more reflective of the agricultural nature of the site. Whilst car parking would be visible from the front of the site, this is considered acceptable in the context of the wider benefits that this arrangement brings to the layout of the scheme. Precise details of the hard surfacing can be conditioned for further approval.
64. The proposal on the whole is considered well designed and the applicant has worked throughout the application process with the planning authority to improve and evolve the scheme. Amendments have been made in response to points raised, including those of English Heritage, and there are now no objections from the Design and Conservation and Landscape Sections. The removal of permitted development rights for alterations and outbuildings would be justified in this instance to protect the character of the site and buildings.
65. Therefore, having regards to Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, it is considered that the character and appearance of the conservation area and setting of the listed buildings will be enhanced. There would also be no harm to the purposes for which the AHLV is designated.
66. There is no conflict with the objectives in policies GD1, ENV3, BENV3 and BENV4 of the Teesdale Local Plan, or NPPF Parts 6, 11 and 12.

Ecology

67. Two common pipistrelle bat roosts were identified on one of the buildings. Works to this building would therefore require a license from Natural England.
68. The Conservation of Habitats and Species Regulations 2010 contain three "derogation tests" which must be applied by Natural England when deciding whether to grant a license to a person carrying out activity which would harm a European Protected Species (EPS). This license is normally obtained after planning permission has been granted. The three tests are that:
 - The activity to which the license is required must be for imperative reasons of overriding public interest or for public health and safety;
 - There must be no satisfactory alternative and;
 - Favourable conservation status of the species must be obtained.
69. Notwithstanding the licensing regime, the local planning authority (LPA) must discharge its duty under Regulation 9(5) and also be satisfied that these three tests are met when deciding whether to grant planning permission for a development which could harm an EPS.
70. In this case mitigation is to be provided through the provision of 10 permanent bat roosting opportunities throughout the development. The Council's Ecology Section is satisfied with the proposed mitigation and further nesting boxes are proposed for birds and owls to enhance biodiversity.

71. Having regard to the Habitats Regulations it is considered that it is in the public interest that the development scheme can be implemented to secure the future of the historic buildings on the site and deliver associated economic, environmental and social benefits. There is no more suitable alternative to the proposals. The proposed mitigation is appropriate to ensure there will be no significant impact on the conservation of the local bat population as a whole. It is therefore considered that Natural England would be likely to grant a license. Accordingly, the LPA can discharge its duties under the Habitats Regulations.

Affordable Housing

72. In line with saved Policy H14 of the Teesdale Local Plan there is a need for the provision of affordable housing in the area, equating in this case to the delivery of 1 affordable unit in the development. This Policy is consistent with the NPPF in respect of delivering a wide choice of high quality homes and to create sustainable communities. With just 1 unit, this could be Discount Market Sale secured in perpetuity by a S106 Agreement.

73. The applicant is willing to enter into a S106 agreement to secure the discount sale unit at the Council's affordable house price figure of £96,500 and therefore, subject to the completion of the agreement, the proposal would make appropriate provision of affordable housing.

Highways

74. Although some local concerns have been raised in relation to Highways Impacts, the Highways Authority is satisfied that the development would not have a material impact on local highway capacity, particularly as the farm use will already have associated vehicle movements, often by large vehicles. Amendments have been made to the access and parking arrangements in response to the Highway Authority recommendations and surfacing materials can be controlled by condition.

75. There is no conflict with Policy GD1 of the Teesdale Local Plan and Part 4 of the NPPF, which require new development to achieve a safe and suitable access.

Other issues

76. Local concerns have also been raised in relation to water supply and sewage capacity. Northumbrian Water have been consulted and have offered no objections. The full foul and surface water drainage details can be secured through a condition, which Northumbrian Water would be able to offer further comment.

CONCLUSION

77. In accordance with paragraph 14 of the NPPF, housing applications should be considered in the context of the presumption in favour of sustainable development. The NPPF states that to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously.

78. The proposal would provide significant social and economic gains by adding 9 dwellings to the mix and supply of housing at a time when there is not an up to date 5 year housing supply. This includes an affordable unit. There would also be support

for local services in the area and temporary employment benefits during the construction period.

79. The reuse of historic farm buildings and overall enhancement to the visual appearance of the site and setting of designated heritage assets are significant environmental benefits. Ecological interests can be appropriately mitigated, which is a neutral impact.

80. Having considered all matters, there are no adverse impacts that would significantly and demonstrably outweigh the benefits of the proposal when assessed against the policies of the NPPF as a whole, and there are no specific policies in the NPPF that indicate development should be restricted. The proposal therefore benefits from the presumption in favour of sustainable development.

RECOMMENDATION

That the application be **APPROVED** subject to the completion of a Section 106 agreement to secure 1 affordable housing unit; and 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 approved plans and documents.

Ecological Impact Assessment Hilton Hall August 2017 by E3 Ecology Ltd
Proposed Plans and Elevations Plots 6-9 PL05 (A) rec. 17th November 2017
Proposed Roof Plan PL08 (A)
Swallow Nest Locations rec. 20th December 2017
Barn Owl Box Locations
Proposed Plans and Elevations Plots 1-5 PL04 (B) rec. 05th January 2018
Proposed Site Plan PL03 (B)
Proposed Garage Elevations PL10 rec 09th February 2018

Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with NPPF Parts 3, 4, 6, 7, 8, 9, 10, 11 and 12 and Teesdale Local Plan Policies GD1, ENV1, ENV3, ENV8, BENV3, BENV4, H12 and H14.

3. No development shall commence until a detailed scheme for the disposal of foul and surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall take place in accordance with the approved details.

Reason: To prevent the increased risk of flooding from any sources in accordance with Policy GD1 of the Teesdale Local Plan. The details relate to works at the start of the development process and are fundamental to acceptance of the scheme.

4. No development shall commence until highways adoption compatible details of the layout and hard surfacing of the access, parking and turning arrangements serving the development have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and no dwelling shall be occupied until the access has been completed in accordance with the approved details.

Reason: In the interests of Highway Safety and visual amenity to comply with Policy GD1, ENV3 and BENV4 of the Teesdale Local Plan. The access details are fundamental to acceptance of the scheme.

5. No development shall commence until a scheme to deal with contamination has been submitted to and agreed in writing with the Local Planning Authority. The scheme shall include the following:

Pre-Commencement

(a) No development approved by this permission other than preliminary site excavation and remedial works shall commence until a Phase 1 Preliminary Risk Assessment (Desk Top Study) has been carried out, to identify and evaluate all potential sources and impacts on land and/or groundwater contamination relevant to the site.

(b) If the Phase 1 identifies the potential for contamination, a Phase 2 Site Investigation and Risk Assessment is required and shall be carried out before any development commences to fully and effectively characterise the nature and extent of any land and/or groundwater contamination and its implications.

(c) If the Phase 2 identifies any unacceptable risks, remediation is required and a Phase 3 Remediation Strategy detailing the proposed remediation and verification works shall be carried out. No alterations to the remediation proposals shall be carried out without the prior written agreement of the Local Planning Authority. If during the remediation or development works any contamination is identified that has not been considered in the Phase 3, then remediation proposals for this material shall be agreed in writing with the Local Planning Authority and the development completed in accordance with any amended specification of works and timescales.

Completion

(d) Upon completion of the remedial works (if required), a Phase 4 Verification Report (Validation Report) confirming the objectives, methods, results and effectiveness of all remediation works detailed in the Phase 3 Remediation Strategy shall be submitted to and agreed in writing with the Local Planning Authority within 2 months of completion of the development.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, and to ensure that the development can be carried out safely without unacceptable risk to workers, neighbours and other offsite receptors in accordance with NPPF Part 11. The details relate to works at the start of the development process and are fundamental to acceptance of the scheme.

6. No development shall take place until the developer has secured the implementation of the programme of archaeological work in accordance with a written scheme of investigation, which has been approved in writing by the local planning authority as follows:

i. Methodologies for a HE-style building record prior to any conversion works or stripping out of fixtures and fittings.

- ii. 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 approved strategy.
- iii. Monitoring arrangements, including the notification in writing to the County Durham Principal Archaeologist of the commencement of archaeological works and the opportunity to monitor such works.
- iv. 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 para 135 & 141 of the NPPF because the site is of archaeological interest. The details relate to works at the start of the development process and are fundamental to acceptance of the scheme.

7. Prior to the development being beneficially occupied, a copy of any analysis, reporting, publication or archiving required as part of the archaeological mitigation strategy shall be deposited at the County Durham Historic Environment Record.

Reason: To comply with para. 141 of the NPPF which ensures information gathered becomes publicly accessible.

8. The tree protection detailed within the Arboricultural Method Statement by Elliott Consultancy Ltd, November 2017 shall be installed prior to the commencement of any development, including demolition and retained throughout the construction works, unless the local planning authority has given written approval to any variation. There shall be no storage of materials, machinery, tools, or parking of vehicles within the Root Protection Areas of any trees on the site.

Reason: To minimise the impact of the development upon existing mature trees in accordance with Policy GD1 of the Teesdale District Local Plan.

9. Other than any approved demolition works, no development shall commence on the new-build dwellings and garages hereby approved until details of all proposed external walling and roofing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed in accordance with the approved details.

Reason: In the interests of visual amenity having regards to Policies GD1, ENV3 and BENV4 of the Teesdale Local Plan.

10. No windows and external doors shall be installed until plans of the joinery details at a scale of 1:20 for all doors and windows, including details of their colour, have submitted to and agreed in writing by the local planning authority. The development shall thereafter be implemented in accordance with the approved details.

Reason: In the interests of visual amenity having regards to Policies GD1, ENV3 and BENV4 of the Teesdale Local Plan.

11. Prior to their construction or installation, details of all means of enclosure, to include the erection of a sample panel of stone boundary walling on the site, shall be submitted to and approved in writing by the Local Planning Authority. The approved sample wall panel shall be retained for reference on site throughout construction. The enclosures shall be constructed in accordance with the approved details and shall be retained for the lifetime of the development, unless the local planning authority have given written approval to any variation.

Reason: In the interests of the appearance of the area and to comply with Policies GD1, BENV3 and BENV 4 of the Teesdale Local Plan.

12. No dwelling shall be occupied until its allocated parking spaces have been made available for use and thereafter the parking spaces shall not be used for any purpose other than the parking of vehicles.

Reason: In the interests of Highway Safety and to comply with Policy GD1 of the Teesdale Local Plan.

13. All rainwater goods and railings shall be black.

Reason: In the interests of visual amenity having regards to Policies GD1, ENV3 and BENV4 of the Teesdale Local Plan.

14. The development shall take place in accordance with the avoidance and mitigation / compensation strategy detailed within Ecological Impact Assessment Hilton Hall August 2017 by E3 Ecology Ltd including, but not limited to the obtaining of a European Protected species licence prior to any works relating to building 3 (plot 1). All mitigation/enhancement features shall be retained for the lifetime of the development.

Reason: To conserve protected species and their habitat in accordance with Policy ENV8 of the Teesdale Local Plan.

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order) no development on Unit 1 falling within Classes A, B, C, D, E, G of Schedule 2, Part 1 or Class A, C of Schedule 2 Part 2 shall be carried out without the prior written permission of the Local planning authority on an application submitted to it.

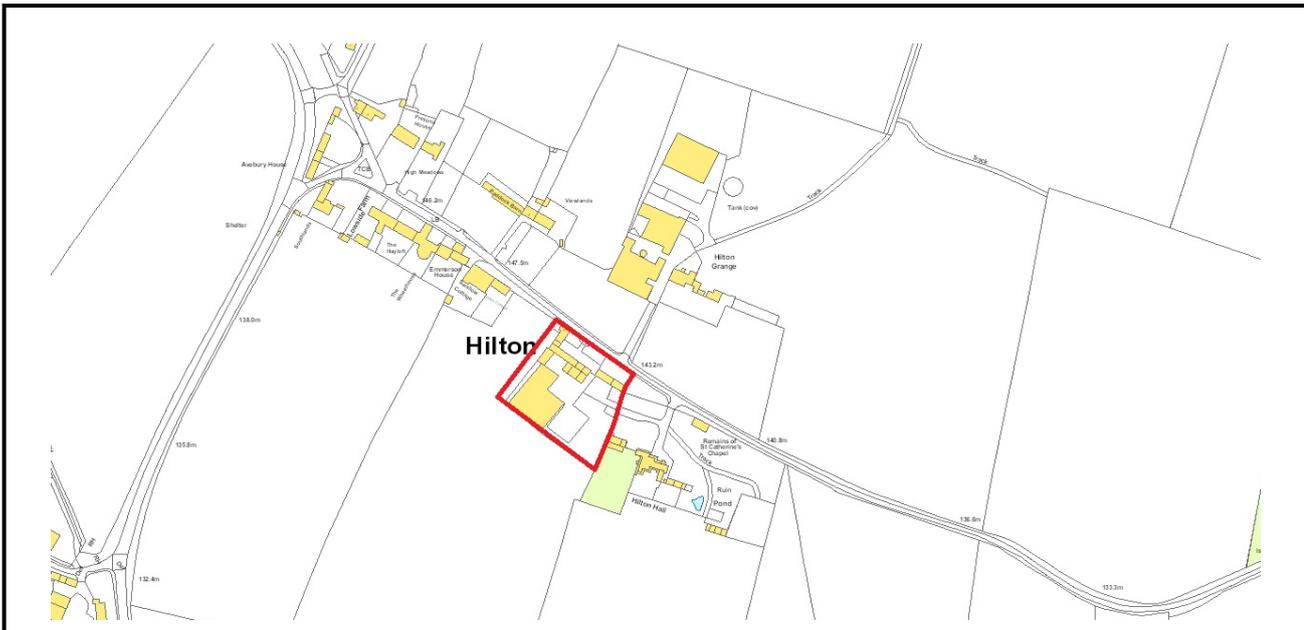
Reason: In order that the Local planning authority may exercise further control in this locality in the interests of the visual amenity of the area and to comply with Policies GD1, ENV3 and BENV4 of the Teesdale Local Plan.

STATEMENT OF PROACTIVE ENGAGEMENT

In arriving at the decision to recommend approval of the application the Local Planning Authority has assessed the proposal against the NPPF and the Development Plan in the most efficient way to ensure a positive outcome through appropriate and proportionate engagement with the applicant, and carefully weighing up the representations received to deliver an acceptable development. The use of pre commencement conditions is deemed necessary are fundamental to the appearance of the area and relate to matters at the start of the development process.

BACKGROUND PAPERS

Submitted application form, plans supporting documents
The National Planning Policy Framework (2012)
National Planning Practice Guidance Notes
Teesdale Local Plan
The County Durham Plan (Submission Draft)
County Durham Settlement Study 2012



Planning Services

Conversion to form 5no. residential dwellings & demolition of barn and construction of 4no. dwellings and associated works

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22nd February 2018