

**DARLINGTON BOROUGH COUNCIL**

**PLANNING APPLICATIONS COMMITTEE**

**COMMITTEE DATE: 2 November 2011**

**Page**

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<b>APPLICATION REF. NO:</b>	11/00614/FUL
<b>STATUTORY DECISION DATE:</b>	15 November 2011
<b>WARD/PARISH:</b>	HURWORTH
<b>LOCATION:</b>	High Linhams, Bridge Road, Darlington
<b>DESCRIPTION:</b>	Erection of general purpose steel framed building on paddock
<b>APPLICANT:</b>	Mr Peter Foster

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**APPLICATION AND SITE DESCRIPTION**

High Linhams is a large detached dwelling accessed off Bridge Road (A66(T)) which is currently being refurbished and extended (See Planning History). The estate and landholding amounts to a total of 60 acres. The River Tees and its embankment run along the western boundary of the site with paddocks and agricultural forming the north, east and south boundaries. Beyond the paddock areas, there are residential properties on Bridge Road to the north, the Blands Corner car dealership to the north east and the nearest dwelling to the south (Croft Meadows) is approximately 325m away.

There are trees to the west of the access and on the River Tees embankment which are covered by a tree preservation order dated 1963.

The proposal involves the erection of a general purpose building on a paddock area to the south east of High Linhams. The building would be used for the storage of agricultural equipment and grass cutters, feed, baled hay and straw, timber as well as providing indoor space for the groundsman and also for some stabling. The building would measure 12.1m wide; 24.38m long with an overall height of 5.3m and it would be constructed from a mix of natural stone, timber boarding with a profile sheet roof. A new access road to the building would be formed from the main realigned driveway into the site.

It has been noted that excavation works for the access road and the building have already been carried out but no formal construction works have commenced.

**PLANNING HISTORY**

The most recent entries are:

11/00479/FUL In July 2011 planning permission was GRANTED for erection of ancillary buildings comprising swimming pool, gymnasium, summer room, 6 No garages, stables for 5 No horses with associated tack room/WC facilities and domestic office

11/00480/FUL In July 2011 planning permission was GRANTED for the conversion of existing part garage to form staff accommodation, realigned access drive, landscaping and alterations to main house including erection of 2 No bay windows, portico relocated to the centre as the main entrance, erection of side entrance porch and other fenestration changes

## **PLANNING POLICY BACKGROUND**

The relevant policies are:

### **Borough of Darlington Local Plan 1997**

E2 – Development Limits

E4 – New Buildings in the Countryside

### **Darlington Core Strategy Development Plan Document 2011**

CS1 – Darlington's Sub Regional and Locational Strategy

CS2 – Achieving High Quality, Sustainable Design

CS14 – Promoting Local Character and Distinctiveness

CS15 – Protecting and Enhancing Biodiversity and Geodiversity

CS17 – Delivering a Multifunctional Green Infrastructure Network

## **RESULTS OF CONSULTATION AND PUBLICITY**

Three letters of objection have been received and the concerns can be summarised as follows:

- *I, and my partner, would like to oppose the construction of the steel general purpose building that is proposed within the grounds of High Linhams (20 Bridge Road) Darlington DL3 8TJ. We feel that so far we have been more than generous regarding the existing works that are taking place at this property, despite a diminished view of the countryside and a general loss of our amenity. The proposed construction would greatly impact upon our established view of the countryside and we feel this should be regarded as development within the countryside rather than granted under permitted development. It not only sets a precedent regarding construction within the countryside but we believe will be the first step of many other constructions that are not suitable for an area that is outside of Darlington Borough Council's Development Zone. The fact that we live on trunk road with a 60mph speed limit means that the views to the rear of our property are even more important and this development would impact immensely upon that.*
- *We are most concerned with the proposed erection of a large steel framed building & the connecting link road that runs to the south of our property on paddock land. Our property was built 30 years ago designed to take in country views (as the frontage is on to a 60mph A road with no views at all) The proposed on going development of High Linhams will give a much altered landscape quality. As from the west the layout will be the original house, connected by staff accommodation, multi stable blocks/garages/gyms/swimming pool/office - complex & now a proposed link road & general purpose steel framed building which will cover the full horizon. Instead of countryside/paddock land/hedges & trees, our view would be buildings & vehicles which would greatly detract from the surrounding countryside. If a general purpose building is required why is it not placed/screened to the south of the new stable complex with the link*

*road continuing on from the existing drive to the west of High Linhams which would not affect any property on Bridge Road*

- *The development is in land designated as an Area of High Landscape Value and therefore any building will only be acceptable if of high landscape quality and of traditional character with other buildings in the area. There are no steel framed buildings in the area. Despite assurances that walls will be made from natural stone and timber, the large steel framed building will still be made of steel which could not fail to detract from the traditional landscape*
- *Permission has already been granted for the building of a very large stable block on land previously undeveloped, and conversion of garages to two houses. This has already led to loss of pasture land and has almost doubled the size of the property. The Council's Core Strategy for Planning states that the rural character of countryside will be protected and open aspect to the south of the town will be maintained, providing views of the Yorkshire Dales and N. Yorks Moors. The loss of green infrastructure will be considered only in exceptional circumstances for the provision of essential amenities. So far nothing essential has been provided and certainly nothing to enhance the local community*
- *The applicant has already removed a mature hedgerow separating two fields, thereby destroying the long established natural habitat for a large number of species of wildlife. This destruction was presumably to facilitate access for the new road which is part of this planning application. This surely does not match the Council's policy of biodiversity enhancement and increasing value of agricultural land*
- *The need for a new road to the development suggests an increase in large vehicles to the property and indeed the purpose of the building is to house agricultural and "other" equipment. The applicant says the other use is for equestrian and stabling. Given that building is underway already for a huge stable block, we fail to see how more stables are needed. In addition, the horses kept in the fields around the house are all animals that live outside all year round. Agricultural equipment will be a nominal amount (if any) as the whole site is only approximately 15 acres, and most of it is being built on, or is river banking not suitable for agricultural use. That leaves the most likely actual use of the building as storing "other" equipment. There have been two large container wagons parked outside the house for the past few months which give an indication of the type of vehicle meant by other. This leads to the conclusion of the area having the appearance of an industrial estate. Does this really fit the Council's commitment to "protecting and enhancing the intrinsic qualities of openness especially green wedges at Blackwell/Skerne Park"*
- *The height of the building is described as "relatively low" and its presence will ensure vehicles are not parked in fields and paddocks. This suggests that vehicles will be present regardless of any objections. In this case, the position of the steel building would be better if further to the west behind the existing house or new stable block. This would have a far less detrimental effect on the landscape quality*
- *There is a small block of stables already present in the proposed location of the steel building. These stables have only been placed there in the past few months and are never used by the horses. They are green in colour to minimise the effect on the landscape but they were placed in an area without any planning permission and despite their colour and small size, they never the less, already spoil the open aspect. A larger permanent, steel construction would have a much greater effect*
- *The increase in traffic to and from the "estate" will be exiting onto the main highway. This has traditionally been a reason for refusal of planning permission for other properties along Bridge Road. Also encouraging large vehicles to use the property doesn't fit with the Council aim to reduce carbon emissions*

## Consultee Responses

**Northumbrian Water** has no comments to make as the application is not within a designated Flood Zone

The **Highways Agency** have raised no objections to the proposed development

The **Council's Highways Engineer** has raised no objections to the proposed development

The **Council's Environmental Health Officer** has raised no objections but as the building may be used for stabling he has advised that a condition should be imposed to secure an appropriate scheme for foul water drainage

## PLANNING ISSUES

The main issues to be considered here is whether or not the proposed development is acceptable in the following terms:

Planning Policy  
Visual Appearance and Character of the Surrounding Area  
Highway Safety  
Residential Amenity

### Planning Policy

The Core Strategy Development Plan Document sets out how the Borough will develop over the next 15 years (2011-2026), and forms part of the Local Development Framework for the Borough. The policies in the Core Strategy replace several policies in the Borough of Darlington Local Plan (1997) that were 'saved' under the provisions of Section 38 of the Planning and Compulsory Purchase Act 2004. The relevant overarching planning policies are outlined below.

Policy CS1 (Darlington's Sub Regional and Locational Strategy) of the Core Strategy Development Plan Document states that new development will be concentrated in sustainable locations within the main urban area. Saved Policy E2 (Development Limits) of the Borough of Darlington Local Plan states that most new development will be located inside the development limits. The application site lies outside of the development limits however Policy E2 also states development for agricultural operations will be permitted outside the limits provided that unacceptable harm to the character and appearance of the rural area is avoided.

As the building is located within the open countryside Saved Policy E4 (New Buildings in the Countryside) of the Borough of Darlington Local Plan is relevant and this policy recommends that wherever possible such buildings should be located with and be visually related to existing buildings.

The application site lies within the Tees Lowlands and Policy CS14 (Promoting Local Character and Distinctiveness) of the Core Strategy Development Plan Document states that this area should be protected and where appropriate enhanced.

Policy CS17 (Delivering a Multifunctional Green Infrastructure Network) of the Core Strategy Development Plan Document states that the green infrastructure network will be protected and the network can include the River Tees corridor, agricultural land and the open countryside. The

loss of any part of the network will only be considered in exceptional circumstances for the provision of essential infrastructure or where it is has been demonstrated that the site no longer has any value to the community in terms of access and usage and is not required to perform an alternative green infrastructure function, is not required to meet a shortfall in the provision of that open space type or another open space type, and an alternative equivalent or better space in terms of quality, quantity, accessibility, biodiversity, flood storage, attractiveness and functionality is available.

### **Visual Appearance and Character of the Surrounding Area**

The proposed building would be constructed from a mix of natural stone, timber boarding and a profile sheet roof. It has an approximate footprint measuring 295 square metres with an overall height of 5.3m under a mono pitch roof. It would be sited in a paddock area to the south east of the main detached dwelling. The building would be positioned against a back drop of mature trees.

The building will be used for the storage of agricultural equipment, amongst other requirements, and therefore the principle for such a building being erected outside of the defined development limits for the urban area would generally accord with Policy E2 of the Borough of Darlington Local Plan, subject to unacceptable harm to the character and appearance of the rural area being avoided. The building would be located in close proximity to the main dwelling and would be visually related to it, especially once it has been extended. The proposal would accord with Policy E4 of the Borough of Darlington Local Plan.

It is considered that the design and scale of the building is appropriate for this landscape setting. The building has been positioned so that the gable end faces north which will reduce its visual impact. The hard surface which leads to the building will be in crushed stone with a gravel top. It will not be surfaced and as a porous surface should 'green in' with a soft edge as an agricultural track. The building would be set down and against the background of the trees to the south and a planning condition to secure appropriate materials and colour scheme for the building can be imposed. It is considered that the proposal would not have an adverse impact upon the character or appearance of the Tees Lowlands in line with Policy CS14 of the Core Strategy Development Plan Document.

Whilst the application site is bounded to the west by the River Tees, the proposed building would not be located in close proximity of the riverbank and it is outside its river corridor and its designated flood zone. The site does not have any value to the community in terms of access (there are no Public Rights Of Way in the locality) and usage and it is not required to perform an alternative green infrastructure function nor is not required to meet a shortfall in the provision of that open space type or another open space type. The proposal would accord with Policy CS17 of the Core Strategy Development Plan Document

It is considered that the proposed development will not have an adverse impact upon the visual appearance and character of the surrounding area and it would accord with the relevant local planning policies.

### **Highway Safety**

The proposed building would be accessed via a new gravel road off a driveway that has been realigned as part of the recent planning approvals for the redevelopment of High Linhams. This driveway is linked to Bridge Road (A66(T)) by an existing vehicular access.

The A66(T) is part of the Strategic Road Network (SRN). The Highways Agency aim to ensure that the safe and efficient operation of the Network is maintained and they have raised no objections to the proposed development.

The Council's Highways Engineer has raised no objections to the proposed development.

### **Residential Amenity**

The nearest dwelling (Nos 12 and 12A Bridge Road) to the north would be approximately 165m from the proposed building and the other neighbouring dwellings on Bridge Road would be approximately 225m. The land between the dwellings and the proposed building is open and relatively flat and the boundaries with the rear gardens consist of fairly low ranch style fencing.

The nearest dwelling to the south is approximately 325m from the proposed development and it would be partially screened from this property by the existing trees.

It is considered that the development will not be overbearing or dominant when viewed from the neighbouring dwellings, due to its scale, materials and orientation on the site. An appropriate colour scheme for the building would also minimise its visual impact. The proposal would not have any significantly adverse impacts upon the amenities of these properties.

### **Other Matters**

One of the matters raised within the objection letters relates the parking of two large container wagons that have been stationed at the site. It has been noted by officers, when visiting the site that the containers are being used by workmen for storage purposes during the redevelopment of High Linhams and they will be removed on completion of the works

### **SECTION 17 OF THE CRIME AND DISORDER ACT 1998**

The contents of this report have been considered in the context of the requirements placed on the Council by Section 17 of the Crime and Disorder Act 1998, namely the duty on the Council to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. It is not considered that the contents of this report have any such effect.

### **CONCLUSION**

The proposal involves the erection of a detached general purpose building in the open countryside adjacent to a large dwelling, known as High Linhams. It is considered that the proposed building by reason of its size, position and appearance will not cause significant harm to the character and appearance of the surrounding area but it is appropriate to impose a planning condition to secure appropriate materials and colour scheme. The building has no significant impact in terms of the views from the neighbouring dwellings. The proposal does not adversely impact on highway safety. The proposal is considered acceptable in light of the following policies:

#### **Borough of Darlington Local Plan 1997**

E2 – Development Limits

E4 – New Buildings in the Countryside

#### **Darlington Core Strategy Development Plan Document 2011**

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## **RECOMMENDATION**

PLANNING PERMISSION BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

1. A3 – Implementation Limit (Three Years)
2. Notwithstanding any description of the external materials in the submitted application, details of the external materials to be used in the carrying out of this permission (including samples and colour scheme) shall be submitted to, and approved by, the Local Planning Authority in writing prior to the commencement of the development and the development shall not be carried out otherwise than in accordance with any such approved details.  
REASON - In order that the Local Planning Authority may be satisfied as to the details of the development in the interests of the visual amenity of the area.
3. Prior to the commencement of the use of the stables, precise details of a scheme for foul drainage shall be submitted to and approved in writing with the Local Planning Authority and the development shall not be carried out otherwise than in complete accordance with the approved details.  
REASON - In order to ensure a satisfactory form of development.
4. B5 – Accordance with Plan (Detailed Drawings)

## **SUGGESTED SUMMARY OF REASONS FOR GRANTING PLANNING PERMISSION**

The proposal involves the erection of a detached general purpose building in the open countryside adjacent to a large dwelling, known as High Linhams. It is considered that the proposed building by reason of its size, position and appearance will not cause significant harm to the character and appearance of the surrounding area but it is appropriate to impose a planning condition to secure appropriate materials and colour scheme. The building has no significant impact in terms of the views from the neighbouring dwellings. The proposal does not adversely impact on highway safety. The proposal is considered acceptable in light of the following policies:

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