

c/o Blackett, Hart & Pratt, LLP
Aire House
Mandale Business Park
Belmont
Durham, DH1 1TH

26 May 2022

Dear Ms Penman,

**DM/22/01296/PNC Agricultural Building to The West Of Moor House Farm,
Shincliffe DH1 2TQ**

Change of use of existing agricultural barn to 1no. dwelling

The Trust wishes to object to this proposal.

The basis for the objection is that the building is so minimal in its current construction and the new works required are so extensive that it fails to meet the requirements for Class Q permitted development (Town and Country Planning General Permitted Development Order 2015). The requirements are clearly identified in Paragraph 105 (Reference ID: 13-105-20180615) of the relevant planning guidance. It states that is not the *'intention of the permitted development right to include the construction of new structural elements for a building'*. Extensive structural works would be necessary to implement the sketch plans submitted.

The Trust has also identified consequent failings against planning policies that would result from the plans as submitted. This is based on inappropriate design and negative impact on the Green Belt and countryside.

Context

The site is within the southern sector of Durham City's green belt. It sits close to the boundary of the Area of Higher Landscape Value and Strawberry Lane – a historic route. It is unscreened by tree planting and this area is flat and exposed. The building is, as a consequence, very visible locally from Strawberry lane and the A177. It is a very simple contemporary agricultural building, functional but adding nothing to this part of the green belt.

Condition

The construction is skeletal, there is only a steel frame, single-skin fibre cement roof and single width masonry block infill to the lower part of the enclosure. One facade is mostly gated and the upper sections are simply open slatting.

The structural report only deals briefly and very speculatively with dwelling conversion suitability, offering no evidence. There is no evidence about the degree to which new foundations will be needed for fully insulated house walls. The roof is not checked for suitability for domestic use. Structural bracing is mentioned but only speculatively. Part of the structure has no walls and much of the rest is open slatting.

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The building is clearly totally unsuitable by its minimal construction for conversion to a dwelling only by insertion of a new roof and adding windows and doors together with necessary services. This is also spelt out in the guidance quoted above – ‘*Therefore it is only where the existing building is **already suitable for conversion** to residential use that the building would be considered to have the permitted development right*’. The necessary work will be well beyond what could reasonably be described as ‘already suitable for conversion’.

Proposals

The submitted sketch elevations fail to make clear how much of the building is to be rebuilt or renovated. However, what can be assumed from the sketch plans indicates that the proposal as submitted will result in complete or substantial rebuilding. It is clear that the existing walls are unsuitable for residential building use and they may need demolition or structural work to ensure this. There is no walling at all to one facade. The roof will require substantial adaptation and probable removal to be adapted for residential use with an appropriate standard of insulation. It is not clear that the existing structure, perhaps other than the current steel frame, will be adequate to support such an extensive rebuild. There is still insufficient information on the condition of the building in relation to its conversion suitability. Materials need to be detailed.

The forcing of the skeletal agricultural building to become a house results in one of the worst designs the Trust has reviewed. There is no aspect of design that it does not fail on. The design shown is inappropriate for the countryside and Green Belt in proximity to an area of higher landscape value and a valuable historic footpath route. It is obviously not a ‘positive contribution.’

In addition to not being acceptable as permitted development the proposals will additionally fail against a range of planning policies.

Planning Policies

As submitted, the proposals would fail against the following:

County Durham Plan

Policy 10 Development in the Countryside

Development of Existing Buildings

h. As a change of use of an existing building the proposals fail to demonstrate:

2. The enhancement of the building’s immediate setting;

General Design Principles for all Development in the Countryside

As development in the countryside the proposals do not accord with all other relevant development plan policies and by virtue of their siting, scale, design, they fail because:

- l. They give rise to unacceptable harm to the intrinsic character, beauty or tranquillity of the countryside either individually and this cannot be adequately mitigated or compensated for;
- o. They impact adversely upon the setting and important vistas, and cannot be adequately mitigated or compensated for;
- p. They are solely reliant upon accessibility by unsustainable modes of transport.
- r. They impact adversely upon general amenity.

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Policy 11 Rural Housing and Employment Exception Sites

The proposals, in failing against Policy 10, are not covered by a rural housing or employment exception.

Policy 20 Green Belt

This policy defers to the National Planning Policy Framework (NPPF) for policy guidance. Paragraph 147 of the NPPF very clearly states that *'Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.'* This proposal is demonstrably inappropriate by design failures, prominence and high negative impact.

The barn appears currently to be unlit. The new building will be very visible at night due to its large windows causing it to be prominent in the surrounding landscape. This is a clear negative impact on the 'openness' of the green belt. This would be contrary to Paragraph 149 of the NPPF.

Access is by a long farm track and it may well be subject to lighting also.

Policy 29 Sustainable Design

The development proposals fail to achieve a well designed place.

- a. They do not contribute positively to an area's character, identity, and heritage significance.

Policy 44 Historic Environment

The development proposals fail to contribute positively to the historic environment (Wear Valley and Durham City's wider setting).

The Trust therefore objects to this application because of its specific failures against the requirement of Class Q permitted development. It will also fail against the Council's adopted planning policies as shown above.

Yours sincerely,

John Lowe,
Chair, City of Durham Trust