

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

17 November 2010

**REPORT OF CORPORATE DIRECTOR,
DEVELOPMENT AND NEIGHBOURHOOD
SERVICES**

10/2463/FUL

**Land Parcel at 448093 510847, Seamer Road, Hilton
Proposed relocation of Seamer wind farm control building**

Expiry Date: 23 November 2010

SUMMARY

Planning permission was granted in August 2009 for the erection of three wind turbines together with associated crane pads, access tracks, site compound, control building, meteorological mast and access to public highway on land between the villages of Hilton and Seamer. A further two turbines were granted permission within Hambleton on appeal. The combined approvals together form the Seamer Wind Farm. The application approved within the Stockton boundary detailed a position and typical design for the control building, however, in order to adequately control the appearance of the control building, a condition was imposed which required a scheme to be agreed for its siting, scale, appearance, external finishes, boundary treatment and surfacing materials.

Officers were considering the request for a discharge of condition, however, following a challenge to the Council that the proposed location was too distant from the initially indicated site; the applicant withdrew the discharge of condition details and submitted a formal planning application which is the subject of this report.

The proposed scheme relates solely to the construction of a control building and its associated hard standing. The building is a simple rectangular building with gable pitched roof split internally into several rooms. The building would be located on the northern side of the Hilton to Seamer Road within an arable field along one of the turbine access tracks.

There have been numerous objections to the scheme from local residents. The main objections are that the details being proposed differ from these previously detailed within the approved scheme, that the building will be larger, in a more prominent location and with less screening, therefore having a greater impact on the surrounding landscape.

Whilst the building proposed within this application is larger than building detailed on the 'typical' example drawings previously submitted, it takes a basic form and through the control of external materials, will be able to fit within its landscape setting. The building is not of a scale which will dominate the landscape whilst its position would be approximately 250m from the main public vantage point (highway) and there being screening along the highway in the form of undulating ground and hedgerows which will further reduce its limited impact.

The Head of Technical Services considers that if appropriate materials are used to ensure the building is in keeping with its agricultural setting then new copse style planting to the rear of the building should be provided which would prevent the buildings roof from breaking the skyline, thereby softening its impact.

In view of all the material planning considerations it is considered that the proposed development accords with Local Plan and Core Strategy Policies in that it is a functional building with a need to be within this general landscape and has been limited in scale to that which is required and designed externally to fit within the landscape.

RECOMMENDATION

Planning application 10/2463/FUL be Approved subject to conditions

01 Approved Plans

The development hereby approved shall be in accordance with the following approved plans unless otherwise agreed in writing with the Local Planning Authority.

<i>Plan Reference Number</i>	<i>Date on Plan</i>
5396B-04-N-088	28.09.2010
5396B-04-N-090	28.09.2010
5396B-04-N-089	28.09.2010

Reason: To define the consent.

02 Materials

Notwithstanding any description of the materials in the application, no above ground construction of the building shall be commenced until precise details of the materials to be used in the construction of the external walls and roof of the buildings 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.

Reason: In order to allow the Local Planning Authority adequate control over the appearance of the development and to comply with Stockton on Tees Core Strategy Development Plan Policy CS3 (Sustainable Living and Climate Change).

03 External Openings

Notwithstanding details hereby approved, the precise shape, style and colour of the external doors of the building shall first be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In order to allow the Local Planning Authority adequate control over the appearance of the development and to comply with Stockton on Tees Core Strategy Development Plan Policy CS3 (Sustainable Living and Climate Change).

04 Landscaping

Notwithstanding details hereby approved and prior to the commencement of works on site a scheme of soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide details including the species, numbers and locations of planting, timescales for implementation, a long term maintenance schedule and management plan where applicable. The development shall be carried out and maintained in accordance with the approved scheme.

Reason: In order to ensure a high quality of development in accordance with Stockton on Tees Core Strategy Development Plan Policy CS3 (Sustainable Living and Climate Change).

05 Hard standing

Notwithstanding details hereby approved, the hard standing surrounding the building shall be constructed in accordance with a specification to be first submitted to and approved in writing by the Local Planning Authority.

Reason: In order to ensure the impact of the hard standing is minimised where possible in accordance with the requirements of Core Strategy Policy CS3 (Sustainable Living and Climate Change)

INFORMATIVES

General Policy Conformity

The proposed scheme has been considered against the policies and documents identified below. It is considered that the scheme accords with these documents as the building has a functional need for being located within this position whilst is of a scale and appearance which allows the building to fit within the landscape without undue harm. The development would not lead to any impact on residential amenity or to any significant undue impact on the surroundings generally. There are no material planning considerations which indicate that a decision should be otherwise, therefore the application is recommended for approval.

PPS 7 – Sustainable Development in Rural Areas

Stockton on Tees Core Strategy Development Plan Policy CS3 Sustainable Living and climate change.

BACKGROUND

- 01 09/0736/EIS - Application for the erection of three wind turbines together with associated crane pads, access tracks, site compound, control building, meteorological mast and access to public highway on land between the villages of Hilton and Seamer. Approval granted by Planning Committee. Decision issued 25th August 2009.
- 02 Approval granted on appeal for two further wind turbines within Hambleton. Together, these form the Seamer Wind Farm.
- 03 The application approved within Stockton Borough detailed a position and typical building design for the control building, however, in order to control its appearance a condition was imposed which required a scheme to be agreed for its siting, scale, appearance, external finishes, boundary treatment and surfacing materials. The position of the control building as indicated within the approved details (09/0736/EIS) is shown at appendix reference 1 along with its typical plan and elevation details (building measuring 14.7m in width, 5.7m in depth and 4m to the ridge).
- 04 The position of the building indicated at application stage was immediately to the south side of the hedge forming the southern boundary to Seamer Road. Following review of the scheme post approval, the applicant sought the discharge of the condition relating to the control building with a proposal to locate it on the northern side of Seamer Road approximately 260m from its initially indicated position. Officers were considering this request for a discharge of condition; however, following a challenge to the Council in relation to the submission, that the proposed location of the control building was too distant from the initially indicated site; the applicant withdrew the discharge of condition details and submitted a formal planning application which is the subject of this report.

PROPOSAL

- 05 The proposed scheme relates to the construction of a control building 14.7m in width, 7.5m in depth with an eaves and ridge height of 3.7m and 6.5m respectively. The building is a simple rectangular building with gable pitched roof and sits on a hard standing area measuring 23m x 18m. The hard standing area overlaps the footprint of the building and provides a solid base for service vehicles visiting the building and loading / off loading equipment as necessary.

The applicant has advised the following;

'Following grant of planning permission, further work between the applicant and the Distribution Network Operator (DNO) has identified a preferred underground 33kv grid connection corridor, connecting to an existing 33kv overhead line approximately 2km to the north east of the site. As a result of this it is advantageous to have the control building to the north and east of the site.'

- 06 The building is split internally into several rooms including NEDL control room, high voltage room, metering room, general control room, a toilet / shower room, an office and a store. Materials were indicated on the submission as being a red engineering brick for external walls and a Marley modern concrete roof tile. The applicant has since agreed to alternative materials following discussion with officers. The control building would be served off an existing access track to one of the turbines. See appendix reference 2 for the proposed buildings location, the buildings elevation details and internal layout.
- 07 The applicant has advised that locating the control in this new position would negate the need for approx. 50m of spur road which was to be built to give a stand alone access to the control building were it to be built in its previously approved position. See appendix reference 3 for the position of the control building as approved under 09/0736/EIS and the spur road serving it.

CONSULTATIONS

Consultations were notified and any comments received are summarised below:-

Head of Technical Services - Latest comments received 5/11/10

Highways Comments

The control building will be accessed by a previously approved track therefore we raise no objections.

Landscape & Visual Comments

As the planning case officer is recommending that the building be clad in materials which will be in keeping with the agricultural setting, new planting to help soften the proposal should be provided. This should be located to the rear of the building to assist with the buildings integration into the landscape. Small copse style planting should be provided which is typical in this landscape and would background the building to prevent the building roofline breaking the local ridgeline. The planting species should comprise native planting utilising those types locally common in this area.

Environmental Health Unit

I can confirm that I have no comments to make on the application

Northern Gas Networks

No gas mains in this area.

Northumbrian Water Limited

Northumbrian Water has no objections to the proposed developments.

National Grid

No objection as National grid does not have any apparatus in the immediate vicinity that would be affected by the proposal.

Hilton Parish Council

Hilton Parish Council has considered this application concerning the re-siting of the control building on the proposed Wind Farm development and has the following comments to make in objection to the application.

The original site for the control building meant that the building itself would be largely shielded by hedges, etc so that homes at the eastern end of Hilton would not see the structure to any great extent. The building would have been visible from the road especially when travelling from Seamer to Hilton but with the right building materials would not have been obtrusive. The new proposed site is on much higher ground and the building will be visible from many homes at the eastern end of Hilton. It is sited significantly further away from hedges, etc and so there will be little screening. The effect of the move across the road is to make the building much more visible and obtrusive.

The original building was 14.7m long, 4m high and 5.7 deep while the new building is 14.7m long, 6.35m high and 7.5m deep. The original structure was 335 m³ while the new structure is 700 m³, an increase in size of over 100 percent yet the applicant states in the application that the dimensions of the control building remain unchanged which is surely incorrect. So the effect of this change is to make the building even more obtrusive in effect changing it from the dimensions of a bungalow to those of a large house.

The applicant states that the reason for the change is to reduce the extent of underground cabling and we can assume cost. The comments made by the applicant to support this change are

The building will be less prominent and we believe the comments made above negate this statement.

The building would be viewed in context of the overhead power lines true these are taller but the pylons are much less obtrusive than a substantial building.

Hedgerows will screen the building. It is now in the middle of a field.

When approaching from the east the ground slopes gently away reducing the buildings prominence again see the comments above.

Hilton Parish Council objects to the re siting of the control building for the reasons stated it will be unquestionably very much larger and more prominent.

Seamer Parish Council

Seamer Parish Council would like to register their objection to this planning application.

This control building was an integral part of planning application 09/0763/EIS for three wind turbines and associated equipment.

When approval was given for application 09/0763/EIS Stockton Borough Council did so after due consideration of all the facts and figures provided by the applicant. These included the dimensions and location of the control building.

The applicant now seeks to change both the dimensions and the location of the control building in apparent isolation of the previous events and should not be allowed to do so.

We request that this planning application should be rejected on the following grounds:

The dimensions and location of the control building formed an integral part of a previous application, 09/0763/EIS, which was approved. Accordingly it cannot be considered in isolation. The proposed control building is larger at 14.70m wide x 7.50m deep x 6.35m high and not the same dimensions as the applicant claims.

The proposed control building is to be moved to higher ground on the opposite side of the road and further back from the road. This will have a much greater impact on the landscape.

We request that Stockton Borough Council refuse this application and the applicant complies with the dimensions and location of the original approved control building. In doing so Stockton Borough Council would be in compliance with the recent coalition government directive that Local Authorities should give more consideration and weight to the views of local people.

PUBLICITY

Neighbours were notified and a total of 93 letters were received, 90 letters of objection and 3 letters of comment. Comments received are summarised below:

- This is a completely new site and the building cannot be considered in isolation. It is an integral part of a previous planning application 09/0763/EIS and therefore breaches information provided by the applicant which led to approval.
- It is clear that the applicant has misled the planning committee with the original application regarding the size and location of the control building and now seeks to remedy that error. Whilst SBC cannot revisit the original application it can insist that the original size and location be adhered to.
- How can this be approved when it is a blatant misrepresentation of the original plans approved the Planning Inspectorate at the appeal meeting by Broadview against Hambleton Council.
- The original application passed by committee is set to be breached so this is surely not a good start and I urge that the planning application is now void and be rejected.
- Any deviation from agreed planning MUST surely require re-applying in full, no exceptions.
- With much more complex (and potentially dangerous) structures still to be designed and constructed, it is rather worrying that Broadview (or their sub-contractors) were incapable of sizing the control building correctly at feasibility stage.
- The original planning application created a situation whereby the control building, the size of a modern bungalow and was screened by the hedgerow adjacent to the highway. The new control building is much larger and more prominent and more detrimental on the landscape. The control building is to be re-sited 290m on the opposite side of the road, much further back from the road on higher ground and have a much greater impact on the landscape.
- The new control building is now the size of a 4 bedroom house and will be a blot on the landscape
- Increased height and relocation to higher ground away from hedge and in the middle of a field will cause great visual impact.
- It will obscure views.
- It will further industrialise the countryside
- There is no necessity to make the control building as prominent as the turbines.
- The proposed development will be significantly detrimental to the visual amenity of the area being considerably more visible and obtrusive than the initial control building approved under 09/0736/EIS.
- The coalition government has directed local authorities to give more consideration and weight to the views of local people which are that this scheme should have the absolute minimum impact on the local area and landscape.
- This will result in the loss of prime agricultural land.
- Planning Committee have been misled.

- The conditions relating to the original application have not been yet been resolved.
- Broadview are not interested in environmental impact
- Broadview went to great lengths to display to people that there would be minimal visual impact from this disgraceful development, or has this now been forgotten. The control building is now the size of a large house, and has been moved to a more prominent position.
- Being positioned close to where there are already three approved wind turbines, and existing pylons, it will considerably worsen the visual clutter of the scheme, and further convey the appearance of an industrial rather than rural site.

Below are a few quotes from that EIS regarding the control building:

2.5.1 Control Building

The proposed size and purpose of the control building remain the same; further details of which are provided in this section of the original ES. The only change proposed is to site the control building slightly further west and to orientate it so that it is parallel to the existing field boundary. This has the additional benefit that it is closer to the existing hedgerow, which would provide additional screening. The new location is shown on Figure 2.7 (Site Layout) in the Technical Drawings section and Figure 2.6 shows a typical control building.

9.2.2 Control Building

The control building would be located approximately 60m from the existing hedge boundary west of the southern access junction with the public road. The assessment has been undertaken assuming that it would be constructed in a vernacular style using local materials and that existing hedgerows would help screen views from the road. The details of the control building construction and design would be agreed with the local planning authority in advance of site construction.

9.3.2 Assessment of On-Site Proposals

9.3.2.1 Ground Works (Paragraph 2)

The control building would be clearly visible to users of the Seamer to Hilton road travelling west bound from the brow of the hill west of Boy Hill although it would tend to be mostly screened from view by hedges and landform from other roads, footpaths and properties. If constructed in a vernacular style, small buildings located within the agricultural landscapes are characteristic of LCTs C and D.

PLANNING POLICY

Where an adopted or approved development plan contains relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permissions shall be determined in accordance with the Development Plan(s) for the area, unless material considerations indicate otherwise. In this case the relevant Development Plan is the Core Strategy Development Plan Document and Stockton on Tees Local Plan (STLP)

The following planning policies are considered to be relevant to the consideration of this application:-

Policy EN13

Development outside the limits to development may be permitted where:

- It is necessary for a farming or forestry operation; or
- It falls within policies EN20 (reuse of buildings) or Tour 4 (Hotel conversions); or

In all the remaining cases and provided that it does not harm the character or appearance of the countryside; where:

- (iii) It contributes to the diversification of the rural economy; or
- (iv) It is for sport or recreation; or
- (v) It is a small scale facility for tourism.

Core Strategy Policy 3 (CS3) - Sustainable Living and Climate Change

All new residential developments will achieve a minimum of Level 3 of the Code for Sustainable Homes up to 2013, and thereafter a minimum of Code Level 4.

All new non-residential developments will be completed to a Building Research Establishment Environmental Assessment Method (BREEAM) of 'very good' up to 2013 and thereafter a minimum rating of 'excellent'.

The minimum carbon reduction targets will remain in line with Part L of the Building Regulations, achieving carbon neutral domestic properties by 2016, and non domestic properties by 2019, although it is expected that developers will aspire to meet targets prior to these dates.

To meet carbon reduction targets, energy efficiency measures should be embedded in all new buildings. If this is not possible, or the targets are not met, then on-site district renewable and low carbon energy schemes will be used. Where it can be demonstrated that neither of these options is suitable, micro renewable, micro carbon energy technologies or a contribution towards an off-site renewable energy scheme will be considered.

For all major developments, including residential developments comprising 10 or more units, and non-residential developments exceeding 1000 square metres gross floor space, at least 10% of total predicted energy requirements will be provided, on site, from renewable energy sources.

All major development proposals will be encouraged to make use of renewable and low carbon decentralised energy systems to support the sustainable development of major growth locations within the Borough.

Where suitable proposals come forward for medium to small scale renewable energy generation, which meet the criteria set out in Policy 40 of the Regional Spatial Strategy, these will be supported. Broad locations for renewable energy generation may be identified in the Regeneration Development Plan Document.

Additionally, in designing new development, proposals will:

- Make a positive contribution to the local area, by protecting and enhancing important environmental assets, biodiversity and geodiversity, responding positively to existing features of natural, historic, archaeological or local character, including hedges and trees, and including the provision of high quality public open space;
- Be designed with safety in mind, incorporating Secure by Design and Park Mark standards, as appropriate;
- Incorporate 'long life and loose fit' buildings, allowing buildings to be adaptable to changing needs. By 2013, all new homes will be built to Lifetime Homes Standards;
- Seek to safeguard the diverse cultural heritage of the Borough, including buildings, features, sites and areas of national importance and local significance. Opportunities will be taken to constructively and imaginatively incorporate heritage assets in redevelopment schemes, employing where appropriate contemporary design solutions.

The reduction, reuse, sorting, recovery and recycling of waste will be encouraged, and details will be set out in the Joint Tees Valley Minerals and Waste Development Plan Documents.

Core Strategy Policy 10 (CS10) Environmental Protection and Enhancement

In taking forward development in the plan area, particularly along the river corridor, in the North Tees Pools and Seal Sands areas, proposals will need to demonstrate that there will be no adverse impact on the integrity of the Teesmouth and Cleveland Coast SPA and Ramsar site, or other European sites, either alone or in combination with other plans, programmes and projects. Any proposed mitigation measures must meet the requirements of the Habitats Regulations.

Development throughout the Borough and particularly in the Billingham, Saltholme and Seal Sands area, will be integrated with the protection and enhancement of biodiversity, geodiversity and landscape.

The separation between settlements, together with the quality of the urban environment, will be maintained through the protection and enhancement of the openness and amenity value of:

1. Strategic gaps between the conurbation and the surrounding towns and villages, and between Eaglescliffe and Middleton St George.
2. Green wedges within the conurbation, including:
 - _ River Tees Valley from Surtees Bridge, Stockton to Yarm;
 - _ Leven Valley between Yarm and Ingleby Barwick;
 - _ Bassleton Beck Valley between Ingleby Barwick and Thornaby;
 - _ Stainsby Beck Valley, Thornaby;
 - _ Billingham Beck Valley;
 - _ Between North Billingham and Cowpen Lane Industrial Estate.
- iii) Urban open space and play space.
4. The integrity of designated sites will be protected and enhanced, and the biodiversity and geodiversity of sites of local interest improved in accordance with Planning Policy Statement 9: Biodiversity and Geological Conservation, ODPM Circular 06/2005 (also known as DEFRA Circular 01/2005) and the Habitats Regulations.
5. Habitats will be created and managed in line with objectives of the Tees Valley Biodiversity Action Plan as part of development, and linked to existing wildlife corridors wherever possible.
6. Joint working with partners and developers will ensure the successful creation of an integrated network of green infrastructure.
7. Initiatives to improve the quality of the environment in key areas where this may contribute towards strengthening habitat networks, the robustness of designated wildlife sites, the tourism offer and biodiversity will be supported, including:
 3. Haverton Hill and Seal Sands corridor, as an important gateway to the Teesmouth National Nature Reserve and Saltholme RSPB Nature Reserve;
 4. Tees Heritage Park.
8. The enhancement of forestry and increase of tree cover will be supported where appropriate in line with the Tees Valley Biodiversity Action Plan (BAP).
9. New development will be directed towards areas of low flood risk, that is Flood Zone 1, as identified by the Borough's Strategic Flood Risk Assessment (SFRA). In considering sites elsewhere, the sequential and exceptions tests will be applied, as set out in Planning Policy Statement 25: Development and Flood Risk, and applicants will be expected to carry out a flood risk assessment.
10. When redevelopment of previously developed land is proposed, assessments will be required to establish:
 - _ the risks associated with previous contaminative uses;
 - _ the biodiversity and geological conservation value; and
 - _ the advantages of bringing land back into more beneficial use.

SITE AND SURROUNDINGS

- 08 The application site is located on the south eastern edge of the borough between the villages of Hilton and Seamer. The approved wind farm crosses the borough boundary with 3 turbines, met mast and associated infrastructure being within Stockton Borough and 2 turbines and associated infrastructure being within Hambleton District. The application site relative to this application lies approximately 260m to the north side of the Hilton to Seamer Road.
- 09 The surrounding landscape generally rolls from a high south eastern point to a low north western point although varying undulations and dips occur, particularly around the highway running to the south of the site. The wider setting mainly consists of undulating arable farmland which contains hedgerows and small areas of woodland.
- 10 A power line runs immediately adjacent to the south and east of the site.

MATERIAL PLANNING CONSIDERATIONS

Principle of development

- 11 The previous approval for the wind farm and associated infrastructure included for the provision of a control building, requiring details to be agreed with the Local Planning Authority in respect to its siting, dimensions, appearance and external finishes. This approval has established the general principle for a control building associated with the wind farm within this area and subject to complying with the requirements of the condition, can remain to be constructed. This application seeks a stand alone approval for the control building, taking into account the separation distance from the currently proposed site and the previous approved location.
- 12 Objections have been raised that the previously approved scheme detailed a smaller building in a different location with suggestions being made that the Local Planning Authority should refuse this application on principle of it being a change from the earlier scheme, that it should not be considered separately to the initially approved scheme and that the entire scheme should now be void. However, each application must be considered on its own merits and a change to a proposal does not automatically render in unacceptable or contrary to policy. As the wind farm permission includes for a control building which could be constructed (in a different position to this current proposal), it is considered that this application can be considered independently to the earlier approval.
- 13 Whilst objectors' comments in relation to the increased size of the building are noted, it was clear from the initial submission that the scale and appearance of the control building (as detailed within the previous submission) were only a typical example and not a finalised detail. It is not uncommon for large schemes to require change following permission being granted, particularly where there is a requirement for separate operators to be involved in a buildings use or function. In the case of this application, the applicant has worked with the Distribution Network Operator to assess the most suitable location for the control building as well as define the buildings size based on its function and the size of equipment to be installed and its safe use.
- 14 Buildings within the open countryside are only normally permitted where there is a functional need for them. In the case of this control building, the principle of the development has already been established via the previous approval. From that point, there is a need to limit functional development to a scale reflective of its needs and to be of a design and appearance which is fit for its surroundings. Furthermore, development in

such locations should be appropriate in appearance so that screening or landscaping is not required to make it acceptable but is instead used to compliment the scheme.

- 15 Therefore, the main considerations to this proposal relate to the design, scale and appearance of the building and its impact on the character and appearance of its surroundings. These and other material planning matters are considered as follows;

Design and Appearance of the Building and its Impact on the Landscape

- 16 The building has been compared by objectors to a bungalow or house and objection has been made in respect to its eaves and ridge heights and its depth, all of which are an increase from those detailed within the previously approved wind farm scheme. Whilst these comments are noted, this proposal relates to a building which has a specific function, housing specific equipment. As such, rigid comparisons to the previously submitted 'typical' details are not appropriate. Instead, the proposed control building needs to be considered in its own right against its impacts.
- 17 The building is a relatively simple rectangular structure with a pitched roof, having several external doors giving access into the building and its individual rooms or compartments. The initial submission indicated red engineering brick walls with a concrete tiled roof as external finishing materials. The case officer considered that in view of the buildings position within the landscape where there would it would be visible from some public vantage points, that the buildings impacts would be best reduced by the provision of a building which takes the form of other buildings within a rural landscape, i.e. that of a field barn or similar, thereby becoming a less obvious feature within the landscape. It was also considered appropriate to minimise the scale of the building and hard standing if at all possible.
- 18 Following discussions with the agent for the scheme, confirmation has been given that alternative materials can be used. The agent has also advised that further detailed discussions are being held with NEDL relating to the scale of the building with the intention of reducing its size to the minimum that is required. No amended plans have been received as yet and as such the scheme needs to be considered based on the current plans.
- 19 In its current form it is considered that the control building (subject to the use of appropriate materials) will be able to take the form and appearance of a more traditional agricultural building than of an industrial building as suggested by objectors, thereby appearing like a common form of rural building and not being at odds within its setting.
- 20 Objections have been received in relation to the prominence of the building, that it is away from the road side hedgerows as previously indicated which would have screened the building in part, instead, now being proposed on a high piece of ground within the middle of a field where there are existing features including the pylons, thereby adding to the overall clutter within this area. The position of the approved control building was immediately adjacent to the roadside hedgerow and as such would have been in very close proximity to public vantage points. Whilst the hedge would offer some screening it would nevertheless be visible in part. The current proposal would be set approx. 250m from the highway and this intervening distance will assist in reducing its visual dominance which when combined with its simple form and appropriate use of traditional materials, will fit within the rural setting. In addition, there are roadside hedgerows to the northern side of the highway, field boundary hedgerows and significantly undulating land to the south east of the site. This will result in the building being intermittently screened from view when travelling between Hilton and Seamer thereby preventing it from having any undue prominence.

- 21 The building is positioned on an area of hard standing measuring 23m x 18m which extends beyond the walls of the building to provide an apron. In view of the distant position from public vantage points and the hard standing being at ground level, it is considered that this will not unduly affect the character of the landscape. However, a condition is recommended to control the specification of the hard standing so that adequate control is achieved over its surface material.
- 22 In view of the above, the proposed design, appearance, scale and position of the control building is considered to be acceptable. In addition, this scheme would negate the need for the control building being built in the previously approved position as well as the need for the associated 50m access track, the additional cabling and associated works. These are considered to be beneficial reductions to the schemes overall impact on the landscape.
- 23 In order to ensure the building is constructed using materials suitable for its rural setting and to ensure its visual impact on the landscape is minimised where possible it is considered appropriate to impose conditions in respect to external materials for the walls and roof as well as the doors and for a landscape scheme to be agreed to provide tree planting to the rear of the building which will give a backdrop to the building and prevent it breaking the skyline. A further condition is recommended to gain feature detailing to the buildings elevations where possible to give greater recognition as a traditional farm building.

Other Matters

- 24 There are no nearby residential properties which would be affected by the proposed building, either visually or as a result of its function or use.
- 25 The Head of Technical Services considers the siting of the building to be acceptable as it is accessed of a previously approved track.

CONCLUSION

- 26 The proposed building is considered to be acceptable in principle as a functional building serving approved development, having a specific need for such a rural location, taking into account the approval for a control building under application 09/0736/EIS.
- 27 In view of the external materials of the building being able to be controlled by condition, it is considered that the building would be able to take the appearance of a traditional farm building which is a common feature within such a rural setting. It is considered that the scale and position of the building would prevent it from being unduly prominent or dominating the landscape while the existing hedgerows and ground levels will give screening from public vantage points.
- 28 In view of all these matters, it is considered that the proposed building would accord with the general principles of national guidance contained within Planning Policy Statement no. 7 Sustainable development in rural areas and Stockton on Tees Core Strategy Policies CS3 (8) and CS10.

Corporate Director of Development and Neighbourhood Services
Contact Officer Mr Andrew Glossop Telephone No 01642 527796

WARD AND WARD COUNCILLORS

Ward Ingleby Barwick East
Ward Councillors Councillor K C Faulks, Councillor D C Harrington,

IMPLICATIONS

Financial Implications: None

Environmental Implications: As report

Human Rights Implications:

The provisions of the European Convention of Human Rights 1950 have been taken into account in the preparation of this report

Community Safety Implications:

The provisions of Section 17 of the Crime and Disorder Act 1998 have been taken into account in the preparation of this report.

Background Papers: Application 09/0736/EIS