

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

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

08/0407/REV

Highfield View, Aislaby Road, Eaglescliffe

Retrospective change of use of agricultural buildings and land to racing greyhound kennels, training and exercise area. Erection of security light and camera.

Expiry Date 18 April 2008

SUMMARY

Retrospective planning permission is sought for the use of land and buildings as a greyhound training and accommodation facility. The proposal includes the use of 2 former barns, the introduction of hard surfacing, steel containers, external pens, an access track and other ancillary development.

Retrospective permission was previously sought for the same use of the site under application 07/2687/FUL which was refused under delegated powers on the 10th December 2007. This application was refused for reasons relating to there being no justification for the use in this location, adverse impacts on highway safety, unacceptable detrimental impact on the character of the area and the use placing a likely demand for residential accommodation on the site in the future. Since the refusal of this application the applicant has removed several structures and items from the site, constructed a business case for the proposal which was previously considered to be a hobby and detailed access works in an attempt to overcome the previous reasons for refusal.

Numerous correspondence has been received with respect to the proposal including letters of support, objection and general comment. Comments of support generally indicate that the use is a welcome addition to the area, that the site is well maintained and ran, that there are no issues of noise or smells being emitted from the site and that the site is an ideal location for such a use. The main comments of objection consider the site to have a detrimental impact on the character of the landscape, there to be no policy justification for the development as it does not relate to diversification of the rural economy, that the access is unsuitable and increases risk to highway safety and that the proposal will place undue pressure on the site for future development including residential occupation.

It is considered that the buildings and use of the site do not have a specific requirement for this location, would not contribute to the diversification of the rural economy and have a significant detrimental impact on the form and appearance of the original buildings on site and on the character of this site within the landscape. Concern has been raised with respect to the access and its visibility splay and further detailed assessment is currently being undertaken and the findings will be reported to committee as an update.

As such, it is considered that the proposal is contrary to the Policies GP1, EN13 and EN20 of the Stockton on Tees Local Plan as well as PPS7 Sustainable Development in Rural Areas.

RECOMMENDATION

Planning application 08/0407/REV be Refused for the following reason(s)

01. In the opinion of the Local Planning Authority, the proposal does not relate to a business use that would result in the diversification of the rural economy. Furthermore, there has been no robust justification submitted for the use of the site and for the addition of structures and buildings and changes to the buildings which indicates a specific need for this rural location. It is therefore considered that the use and works to buildings are contrary to Policies GP1, EN13 and EN20 of the Stockton on Tees Local Plan and contrary to PPS7 Sustainable Development in Rural Areas.
02. The works to enclose the large barn have significantly affected its appearance and form to create a more solid and dominant structure. Other unauthorised buildings, structures and hard standings erected on site have resulted in their being a significant proliferation of smaller elements. It is considered that these have had a significant detrimental impact on the character and appearance of the landscape being detrimental to Policies GP1, EN13 and EN20 of the Stockton on Tees Local Plan and PPS7 - Sustainable Development in Rural Areas.
03. In the opinion of the Local Planning Authority it is considered that the proposed development would place an undue pressure to provide some form of residential occupation on the site which would be contrary to both Local and National planning policy as a result of the use of the site having inadequate justification for such a rural location.

BACKGROUND

1. The site was formerly occupied by two agricultural buildings approved as follows;

94/2365/P - Erection of livestock and storage shed - Approved 7th February 2005. Erected on site

97/0817/P - Erection of agricultural building to house cattle, straw and Hay. Approved 15th July 1997 - Erected on site
2. 07/2687/FUL - Retrospective application for change of use of agricultural buildings and land to dog kennels, and training/exercise area. Refused on the 10th December 2007 for the reasons listed in appendix Ref. 1.

PROPOSAL

3. The application is retrospective for the change of use of agricultural buildings and land to a site used for the accommodation and training of greyhounds. The application is based around using two existing barns formally used as a cattle and hay store. In addition, the application includes the use of a touring caravan as a mess room, a van body as an animal food preparation room and the use of three steel containers for bedding storage, a generator and a toilet block.
4. It is indicated that the caravan can provide for the overnight supervision of the dogs although it is stated that this is not used as a permanent residence.

5. It is proposed to bound the south and east boundaries of the working or compound area with a post and rail timber fence and hedgerows, to be agreed with the Local Planning Authority.
6. The applicant has indicated that he is agreeable to place some vertical timber boarding to the upper section of the large barn building should this be required.
7. It is indicated within the submission that, although the applicant considers there to be limited use of the access as a result of the use of the site, he is prepared to provide for sight lines of 2.45 x 120m to the north and 2.4 x 100m to the south which would require minor resiting of the fence. These proposals would also provide for a new hedgerow to be created behind the line of the fence onto Aislaby Road.
8. The applicant has submitted 3 letters from the Environment Agency, the Councils Environmental Health section and from the Councils Trading standards / Animal Welfare officers. It would appear that the site had been reported to each of these organisations whom have carried out site inspections within 2008.
The Environment Agency noted that facilities were in place and being used to ensure kennel waste and chemical toilet waste were bagged and placed in a locked skip for off site disposal, that there was no evidence of polluting impact or discharge occurring, no visual evidence of vehicle dismantling occurring and that no regulations covered by the Environment Agency were being breached.

The Councils Environmental Health noted that satisfactory arrangements were made for disposal of waste, that there was no barking of dogs and that there were no issues which warranted further investigation.

The Councils Trading Standards, licensing and animal welfare officers noted that waste was being disposed of adequately, that all dogs appeared fit and healthy with good clean accommodation. It was further reported that after 1 hour of being on site, at no time did a dog bark and it would be unlikely that any noise complaint from the site would be substantiated if it related to barking dogs only.

CONSULTATIONS

The following Consultations were notified and any comments received are set out below:-

9. Urban Design Engineers
 Concern is raised in respect to the proposed access and further detailed assessment is being undertaken and will be reported in an update to committee.
10. Urban Design Landscape
 No objections subject to an appropriate landscaping scheme being achieved.
11. Councillor Paul Kirton. Summarised:
 Is fully supportive of Mr Patterson's application after visiting the site on several occasions and cannot find any problem that cannot be resolved.
12. Councillor J Fletcher. Summarised:
 The evidence submitted relating to the business use is not conclusive as there are no returns filed to date. The submission does not demonstrate that the activity on site will diversify the rural economy.

13. Even were landscaping to remove the considerations in refusal 2 of the previous application I believe it is SBC's practice to permit only time limited approval of temporary structures such as van bodies because their appearance can easily deteriorate.
14. It seems that refusal reason 4 of last years application would also apply to this.
15. No consultation responses have been received from the following:
 Environmental Health Unit
 National Greyhound Racing Club
 Parish Council

PUBLICITY

16. Neighbours were notified. A total of 38 letters have been received in respect to the proposal. 1no. letter of comment, 12 letters of support and 25 letters of objection. Letters were received from the following addresses:

Anon, Resident Of Aislaby Village'
 Dorothy Jennings, Jdorothy81@yahoo.com'
 Gwendolyn Crawshore, Gwendolyn_2008@doramail.com'
 JH Dobson, Burdon View' Aislaby Road
 James Riley, 3 Holme Farm' Aislaby
 Ken Curtain, 65 St. Nicholas Drive,' Richmond
 Mark Craggs, West View' Holmewood Farm
 Miss Conway, Coronation Crescent'
 Miss Gillian Lee, 36 Coronation Crescent' Yarm
 Mr Brian Havelock, 8 West End Gardens' Yarm
 Mr C J Nicholson, Black Bull Wynd' Eaglescliffe
 Mr Collins, Cornation Cresent' Yarm
 Mr Derek Sinclair-Carver, D.s.carter@gmx.co.uk'
 Mr Harker, Worsall Grove Farm' Low Worsall
 Mr Q L Parker, Eaglescliffe Ward'
 Mr R Baker, No Address Given'
 Mr Sidney Jardine, Aislaby Road' Aislaby
 Mr T Walton, Riverview' Holmewood
 Mr W Tyres, Tyresthegarth@aol.co.uk'
 Mrs C Abbott, Black Bul Wynd, Aislaby
 Mrs Maureen C, Aislaby Village' Eaglescliffe
 K McClaren, Kmclaren2312@aol.co.uk'
 Ms Caroline Gillespie, Cargill34@yahoo.com'
 Michael Bassett, Hawthorn Grove' Aislaby Road
 Mr And Mrs Rigg, Butts Lane' Eaglescliffle
 Mrs Laura Dawson, Flat 9' Holmewood
 Martina Flavin, Unit 1' Holmewood Farm
 Owner/Occupier, The Willows' Aislaby Road
 Mr David. W Vaugh, 58 West Street' Yarm
 Mrs Fox-Rutherford, Margaret.fox3@homecall.co.uk'
 Mrs Sarah Robson, Sarah.robinson81@yahoo.com'
 Mrs Shabnam Singh, Singh@muslim.com'
 Paul Walker, 4 Bridge Street' Yarm
 Philip Milcley, Homewood Lodge' Aislaby
 R Raper, Rapperr86@yahoo.com'
 Richard Dilworth, 1 Holmewood Farm' Aislaby Road
 Shaun Airstone, 8 Holmwood' Aislaby
 Shaun Cuthbert, 2 Burdon View, Off Aislaby Road, Eaglescliffe'

17. General comments made are summarised as follows;

- No noise or smells are noted from the site
- The site operates as a quality facility
- The site is an ideal location for the use
- The site operates in a clean and tidy manner

18. Comments of support are summarised as follows:

- The facility is well maintained, clean and tidy, is a quality facility and in an ideal location.
- There is no noise or foul smell generated at the site.
- There were previous problems with horses getting through the fences which have been repaired by the applicant.
- The applicant ensures dogs are well cared for

19. Comments of objection are summarised as follows:

Character of area

- The scale/size of development is unsuitable for its location.
- The field has been turned into a junkyard and a kennel facility
- The site is spoiling the little countryside left on the Aislaby Road to Yarm
- The field has been abused and pitted with building materials, caravans, horseboxes, luton bodies, and various storage containers. This has changed the area significantly and is nothing to do with rural agriculture and doesn't comply with local planning policy.
- The alteration to the current landscaping with the industrial styled road providing heavy traffic access to the brow of the site, has an immediate impact on the original character of Highfield View, this cannot be warranted for any other purposes than farming.
- The site is wrongly positioned at Aislaby as the original field was used solely for farming purposes.
- The road leading up the site appears to be very heavy duty and commercial-like to justify access to just a dog kennel. The previous owners managed to access the site without the construction of a road.
- The current ugly green building will grow in time as the business develops with the need to house further dogs, ruining the previously open and beautiful countryside even further.
- It would represent a great risk to other small-holdings in Aislaby to convert their land in kennelling facilities, tarnishing the rural heritage of our local countryside.
- The previous owners have stated that the road access to the open air barn, was not in place when sold to Mr Patterson, and that it was merely a grass track.
- I can see the site from my house, and you can see different sized buildings painted green, a section of the A1M running up the site, corrugated fencing and a caravan. It affects my view, as this was once a green open field with a four legged building.
- The dominant structures and hard standings look overpowering and excessively over developed to accommodate just greyhound kennels.
- This site affects the rural setting and outlook of open countryside. If this site is granted approval, it will then expand on developments with the need for a residential home. In my opinion, Aislaby is now at its limits for residential development and any further will have detrimental impacts on the village character and rural appearance.
- The soil that has been removed to construct the road, has been used to form soil hills which run down the top right hand side of the field. These hills are 8 ft high and are obstructive to the surrounding areas. This may provide a wind break for the paddocks and hide the visual appearance of the development, but it blocks visibility of neighbouring properties looking onto open countryside.

Impacts on residents

- Affects on residential amenities,
- The use would result in unacceptable smells being generated,
- It would increase the noise for residents from the site of the barking dogs which can be heard from the village.
- This site affects a great deal of local people
- The devaluation of property and future saleability,
- Health concerns from waste,

Highway related matters

- The road access will still be very dangerous if altered, I have lived here for 10 years, and this point in the road has always been a concern and will increase risk of likely accidents by increased traffic.
- It has been noted that there is a great deal of traffic commuting to and from the development on a daily basis during early morning, causing risk to local residents and motorists.
- Residents advise they have nearly been driven off the road or had accidents with vehicles leaving the entrance of the site
- A greyhound escaped from the site nearly causing a fatal accident with a local cyclist
- The main road running through Aislaby is hardly capable of coping with excess traffic coming to and from the site, which in turn will cause traffic accidents which I do believe from talking with other residents this has already occurred.

Other

- The site lies outside permitted development limits for Stockton council,
- The land is in an unsustainable location.
- The application for change of use is not associated with farming and agricultural purposes.
- Racing greyhounds has no positive diversification to rural agriculture, and this activity does not comply with local and national planning policies and strategies.
- The dog kennels will need manning 24hr a day, placing the need for a dwelling on site in a short space of time.
- potential terracing effect,
- Concerned over the secureness of the site as greyhounds are very vicious animals and present a large threat to the local community; the consequence of another dog escaping could be very serious next time.
- It would encourage the short lived lives of the greyhounds housed there as they are only used for racing and once they are injured then the owner will put the dogs down. This application is shown as a business and not a hobby so any useless greyhounds will be unfairly slaughtered, as they will not produce an income.
- The approval of this development will increase further risk to extended development lines on site, as the dog kennels will need manning 24hr a day, placing the need for a dwelling on site in a short space of time which will expand Aislaby Village.
- The business does not benefit the village of Aislaby in any way.
- I can only assume the excess area which is currently concrete is for further building extensions of the site, to expand kennel capacity which will pose further pressure on the local infrastructure; as more greyhounds would require increased human resources, visits, greyhound owners requiring daily access to the site.
- The greyhound kennels have no positive impacts on the rural economy, and don't result in diversification in any-way.
- The site is poorly managed – only 3 hours per day.

PLANNING POLICY

20. The relevant development plan in this case is the adopted Stockton on Tees Local Plan.
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 Plans are :- *the Tees Valley Structure Plan (TVSP) and the Stockton on Tees Local Plan (STLP)*.
21. The following planning policies are considered to be relevant to the consideration of this application:-

Policy GP1

Proposals for development will be assessed in relation to the policies of the Cleveland Structure Plan and the following criteria as appropriate:

- (i) The external appearance of the development and its relationship with the surrounding area;
- (ii) The effect on the amenities of the occupiers of nearby properties;
- (iii) The provision of satisfactory access and parking arrangements;
- (iv) The contribution of existing trees and landscape features;
- (v) The need for a high standard of landscaping;
- (vi) The desire to reduce opportunities for crime;
- (vii) The intention to make development as accessible as possible to everyone;
- (viii) The quality, character and sensitivity of existing landscapes and buildings;
- (ix) The effect upon wildlife habitats;
- (x) The effect upon the public rights of way network.

Policy EN13

Development outside the limits to development may be permitted where:

- (i) It is necessary for a farming or forestry operation; or
 - (ii) 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.

Policy EN20

The conversion, adaptation and re-use of rural buildings for commercial, industrial, tourism, sport and recreational uses will be permitted providing that:

- (i) The proposed use can largely be accommodated within the existing building, without significant demolition and rebuilding; and
- (ii) Any alterations or extensions are limited in scale, and do not adversely affect the form and character of the existing building, and
- (iii) There is no adverse effect on the character of the area; and
- (iv) Where the building has been constructed under permitted development rights, it has been legitimately used for agricultural purposes; and
- (v) Access, manoeuvring space and parking provision for the new use can be accommodated without being intrusive; and
- (vi) There is no adverse effect on any safe refuge of protected species such as bats or barn owls.

PPS 7 – Sustainable development in rural areas

SITE AND SURROUNDINGS

22. The application site is located on the north western side of Aislaby Road, a C class country lane which leads from Eaglescliffe and Yarm to Aislaby Village and beyond. The site includes a surfaced access track which leads from Aislaby Road through the open grassed field in an uphill direction with the remainder of the application site and its associated buildings and structures being located beyond the crest of the hillside as viewed from the highway. There is limited if any landscaping around the site apart from the perimeter planting hedge planting.
23. The site overlooks the River Tees Valley towards Yarm and is visible from the residential area on the opposing side of the valley.

MATERIAL PLANNING CONSIDERATIONS

Principle of development

24. The site lies outside of the limits of development as defined under Policy EN13 of the Stockton on Tees Local Plan. Policy EN13 indicates that new development in such areas may be permitted where it is necessary for farming or forestry, relates to the reuse of an existing building (with additional restraints), it contributes to the diversification of the rural economy or it is for sport or recreation. Policy EN20 is more relaxed in allowing conversion, adaption and reuse of rural buildings for commercial, industrial, tourism, sport or recreation uses subject to certain restrictions.
25. PPS7 - sustainable development in rural areas, guides on development within the countryside and is supportive of facilitating development and land uses which enable those who earn a living from the land and help to maintain it, to continue to do so. PPS 7 advises that;
'planning should provide a positive framework for facilitating sustainable development that supports traditional land based activities and makes the most of new leisure and recreational opportunities that require a countryside location'
It is further advised that;
'government is to support the reuse of appropriately located and suitably constructed existing buildings in the countryside where this would meet sustainable development objectives'
This includes reuse for economic, residential and other purposes including mixed uses and that these should take account of;
 - The potential impact on the countryside and landscapes;
 - Specific local economic and social needs and opportunities;
 - Settlement patterns and accessibility to service centres;
 - The suitability of different types of buildings and of different scales for reuse;
 - The need to preserve, or the desirability of preserving, buildings of historic or architectural importance or which otherwise contribute to the local character.
26. It is considered that the proposed use does not relate to a traditional land based activity (such as farming or forestry) and does not specifically require a countryside location and as such is at odds with the guidance of PPS 7 - Sustainable Development in Rural Areas. However, it is considered that there are clear benefits of such a use being located away from urban areas in view of potential impacts of noise and smells being generated. As such, it is considered that a semi rural location may be suitable for such a use, although would remain to be assessed on its impact on the surrounding landscape and the demands it places on the surrounding area.

27. The applicant has submitted as part of the application, a letter from the HM Revenue and Customs Office which was dated 29th January 2008 and indicates that Mr Patterson has been registered as a self employed greyhound trainer since June 1st 2007. No other evidence has been submitted to further substantiate that the applicant is indeed operating as a business.
28. If the proposed use is accepted as a sport and recreation use or one which contributes to the diversification of the rural economy then Policies EN13 and EN20 would apply. Policy EN13 relates to new development whilst Policy EN20 relates to the conversion or adaption of rural buildings.
29. Assuming that the proposed use does relate to a business, which could be conditioned accordingly and verified in the future through the submission of published accounts etc then consideration must be given as to whether the proposal could be construed as being for a sport and recreation use. The proposal is not a facility designed to cater for sporting events for visiting members of the public and in any event such facilities would only be acceptable where there was no adverse impact on the appearance of the countryside. Furthermore, it is considered that the proposal, due to not being a land-based use in the sense of agriculture or forestry, is not specifically considered to result in the diversification of the rural economy.

Impact on the Character of the area

30. Where development is approved under Policy EN13 of the Local Plan, there is a requirement for it to not harm the character or appearance of the countryside. Where development is approved under Policy EN20 of the Local Plan there is a requirement for the use to be accommodated within the existing building or buildings without significant demolition and rebuilding and for any extensions or alterations to be limited in scale and not to adversely affect the character of the existing building, for there to be no adverse affect on the character of the area and for access and manoeuvring space to be accommodated without being intrusive.
31. Evidence suggests that the site was formerly occupied by an open sided hay store building and a relatively small low height enclosed timber barn and was accessed via a track which had been laid as hardcore although had since been grown over with grass, thereby having a limited impact on the character of the area. There has been no clear evidence submitted which indicates that the breezeblock walls within the hay barn were in place prior to the applicant operating from the site.

Impact of the building and structures

32. The previous approval for the two barns on the site included drawings showing an open sided barn with vertical uprights supporting the roof although indicated within the detail of the application form that walls were to be constructed from breeze blocks. Although the approved details for the former hay barn indicated breeze walls, these are not considered to have been implemented as part of the development. As such, the walls and their associated impacts are considered to be part of the use for which retrospective permission is being sought. It is considered that the works carried out to the former open hay barn (infilling its open bays with breeze blocks) are contrary to the requirements of Policy EN20 relating to the reuse of rural buildings as these are significant alterations which have completely altered the form and character of the former hay barn which allowed views through (when not being used), had a lightweight appearance and had a very slight impact on the landscape (see appendix reference 2). The alterations to the building have made it a significantly more dominant structure and one which is not entirely of a vernacular design

for traditional rural buildings. As the unauthorised use is not agriculturally related the impact of the building is not acceptable.

33. Other development on site at the time of the site visit reflects that as indicated on the submitted plan, this being;
The previously approved enclosed timber barn,
Exercise paddock (concrete base with pens and steel sheet sides),
Carousel dog walker,
Caravan (Tea room),
Steel container store (Bedding Store),
Steel container store (Generator House),
Steel container (toilet block),
Rear of a van (animal food prep room),
Concrete hard standing to side and rear of large barn,
Skip required for waste material storage,
Loose surfaced access track,
34. The extent of additional structures on the site and their location on the site have been both reduced and tidied since the refusal of the previous application to make a more compact group of buildings. However, it is considered that the steel containers, rear section of van and caravan are all alien features within a rural landscape and are therefore detrimental to the character of the surrounding landscape, as a result of both their appearance and their proliferation, resulting in the proposal being contrary to Policies EN13 and EN20 of the Local Plan.
35. PPS7 requires that 'all development within the countryside should be well designed and inclusive, in keeping and scale with its location, and sensitive to the character of the countryside and local distinctiveness'. Although the buildings on the site are not visible from the nearby highway they are visible from the wider landscape. This aside, it is considered that whether views are readily achievable or not, the appearance of the buildings and the associated ancillary development which includes the rear sections of vans and steel container stores have a significant detrimental impact on the landscape and the character of the countryside.
36. The proposed post and rail fence and hedgerow planting are details which are considered to be part of the rural landscape and acceptable features in their own right, however, are not considered adequate to screen a development of this nature.

Impact of the Access Track

37. Based on photographs of the site prior to the greyhound training use commencing and based on arial photography it is considered that the only access to the site was one of limited visual impact, having the appearance of an informal grass track. The formalised track has been laid in association with the use which in itself is not permitted development whilst the road which it gains access to is a classified road and as such the site would not benefit from permitted development rights under Class B, Part 2 of Schedule 2 of The Town and Country Planning (General Permitted Development) Order 1995). As such, the forming of the access road would have required permission in its own right.
38. The access track which has been laid is particularly visible within the landscape and as such is considered to have a detrimental impact in its own right. Clearly, reasonable access to a site should be expected, however, in instances where the principle of the development has not been established then there is no justification for the increased impact of a more formalised access track on the rural character of the area. The previous use of the site for cattle managed to gain access without a formalised track for several years and it

is considered that the new track has resulted in unnecessary development within the countryside which adversely affects its character. It is therefore considered that the works to the access track are also be contrary to Policies EN13 and EN20 of the Stockton on Tees Local Plan as well as PPS7 Sustainable development in rural areas which seek to preserve the character of the countryside.

Traffic and Highway Safety

39. The previous proposal was refused on grounds of inadequate visibility onto a 60mph road. Which required 2.4m x 120m visibility splays. The proposal has indicated a scheme of works that would achieve increased visibility splays from the previous submission.
40. Concern is raised in respect to the proposed access and further detailed assessment is being undertaken and will be reported in an update to committee

Future Development

41. In view of the number of dogs on site, the relatively remote location, the potential value of dogs on the site and the highly strung nature of dogs and their ability to pick up injuries it is considered that this use may result a need for on site accommodation to be provided in the future. The National Greyhound Racing Associations website indicates (in relation to kennels) that a NGRC License Holder must provide overnight supervision at kennels. It is considered that a proposal for residential accommodation at the site would be unsuitable based on the use of the site not being one which specifically requires a rural setting and therefore the additional harm of any residential accommodation would be unjustified.

Other matters

42. The use would result in waste material from both the dogs, and the operation in general and were permission granted then control over these would be required in order to prevent the pollution of the environment. This is currently dealt with through waste being stored on site in a locked skip. A skip on site is considered to be of further detriment to the rural character of the area.
43. It is considered that drainage and ecology would not be significant issues based on the existing nature of the land and the previous scale and location of the building.
44. Numerous objections have been received in respect to noise and odour pollution from the site as well as waste disposal issues. The site has been visited on several occasions by members of both the Planning and Environmental Health teams and there has been no evidence that noise, odours or waste from the site would have a detrimental impact on the amenity of surrounding residents, particularly in view of the nearest residential property being approximately 360m away.

CONCLUSION

45. The buildings and use of the site do not have a specific requirement for this location, would not contribute to the diversification of the rural economy whilst have a significant detrimental impact on the form and appearance of the original buildings on site and on the character of this site within the landscape. As such, it is considered that the proposal is contrary to the Policies GP1, EN13 and EN20 of the Stockton on Tees Local Plan as well as PPS7 Sustainable Development in Rural Areas.

46. It is further considered that the use would place an undue pressure for some form of residential accommodation on the site within the future, which for a use of this nature within the countryside, would be unlikely to be justified, being contrary to both local and national planning policy.
47. It is recommended that the application be refused for reasons cited above. In view of the application relating to retrospective development it is further recommended that The Head of Law and Democracy be instructed to take all appropriate legal action to gain cessation of the present use of the site and for all the structures, hard standing, access track surfacing and sub surface, and other elements to be removed from the site and for the block work walls of the large former open hay barn to be demolished and its concrete floor to be lifted so that the land is reverted back to having on it only the large open barn and the small timber barn as was prior to this use commencing.

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

Human Rights Implications

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

Financial Implications

None

Environmental Implications

As report

WARD AND WARD COUNCILLORS

Ward	Eaglescliffe
Ward Councillor	Councillor A L Lewis
Ward Councillor	Councillor J. A. Fletcher
Ward Councillor	Councillor Mrs M. Rigg