

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

DATE 22nd MAY 2008

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

08/0823/REV

Wainstones, 18 Leven Road, Yarm

Revised application for the erection of 5 no. Dwellinghouses and associated access.

Expiry Date: 27th May 2008

SUMMARY

The application site contains a large detached property of a 1930's design in extensive grounds. The dwelling is situated off Leven Road, Yarm and is set back from the road by approximately 35 metres. Planning consent is sought for the demolition of the existing property and the replacement of this building with 4 large dwellings and associated garages positioned within the boundaries of the existing site.

It is considered that the proposed development is visually acceptable and will not have a significant impact on the neighbouring properties amenity or highway safety so as to justify a refusal of the application on any of these grounds. In the most recent planning appeal for the site, the appeal decision letter stated that the only issues in terms of the development were between the relationships between plot 2 of the proposal and No. 20 Leven Road.

Given the previous appeal decision and as the proposal has satisfactorily addressed the overlooking aspects and reflects the existing situation between the garage and No. 20 Leven Road, it is considered that the occupiers of both plot 2 and No. 20 Leven Road, would not suffer from a significant loss of amenity/privacy and the application is therefore recommended for approval.

RECOMMENDATION

Planning application 08/0823/REV be Approved subject to the following conditions

01 *The development hereby approved shall be in accordance with the following approved plan(s); unless otherwise agreed in writing with the Local Planning Authority.*

<i>Plan Reference Number</i>	<i>Date on Plan</i>
<i>0621/LP</i>	<i>1 April 2008</i>
<i>0760/01</i>	<i>1 April 2008</i>
<i>0760/02A</i>	<i>1 April 2008</i>
<i>0760/PL1/EL</i>	<i>1 April 2008</i>
<i>0760/PL1/FP</i>	<i>1 April 2008</i>
<i>0760/PL2/GAR</i>	<i>1 April 2008</i>

0860/PL2/EL	1 April 2008
0860/PL2/FP2	1 April 2008
0860/PL2/FP1	1 April 2008
0760/PL3/EL	1 April 2008
0760/PL3/FP	1 April 2008
0760/PL4/EL	1 April 2008
0760/PL4/FP	1 April 2008
0760/PL5/EL	1 April 2008
0760/PL5/FP	1 April 2008
0760/03	1 April 2008

Reason: To define the consent.

- 02 *Notwithstanding any description of the materials in the application, precise details of the materials to be used in the construction of the external walls and roofs of the building(s) shall be submitted to and approved in writing by the Local Planning Authority prior to the construction of the external walls and roofs of the building(s).*

Reason: To enable the Local Planning Authority to control details of the proposed development.

- 03 *The development shall not be occupied until drainage works have been carried out in accordance with details to be submitted to and approved in writing by the Local Planning Authority.*

Reason: To achieve a satisfactory form of development.

- 04 *Before the occupation of the development hereby permitted, works for the disposal of sewage shall be provided on the site to serve the development. Details of such drainage works shall first be submitted to, and approved by, the Local Planning Authority, the sewage disposal shall be completed in accordance with these approved details.*

Reason: To ensure satisfactory means of sewage disposal.

- 05 *Notwithstanding the information submitted as part of the application details of the proposed site levels and finished floor levels shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development.*

Reason: To define the consent

- 06 *A detailed scheme for landscaping including tree and shrub planting shall be submitted to and approved in writing by the Local Planning Authority before the development authorised or required by this permission is occupied. Such a scheme shall specify types and species, layout contouring and surfacing of all open space areas. The works shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development whichever is the sooner. Any trees or plants which within a period of five years from the date of planting die, are removed, become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation.*

Reason: To ensure satisfactory landscaping to improve the appearance of the site in the interests of visual amenity.

07 *Notwithstanding any description contained within this application, prior to the occupation of the hereby approved development full details of hard landscape works shall be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved details. These details shall include car parking layouts; service excavation routes; other vehicle and pedestrian access and circulation areas; hard surfacing materials and construction method.*

Reason: In the interests of visual amenity.

08 *No construction activity shall take place on the site outside the hours of 8.00am - 6.00pm Monday to Friday, 8.00am - 1pm Saturday and nor at any time on Sunday's or Bank Holiday's.*

Reason: To avoid excessive noise and disturbance to the occupants of nearby premises.

09 *Details of a scheme in accordance with BS5837, 2005 to protect the existing trees and vegetation shall be provided to the satisfaction of the Local Planning Authority. Such a scheme shall include details of a protective fence of appropriate specification extending three metres beyond the perimeter of the canopy, the fence as approved shall be erected before construction commences and shall be maintained to the satisfaction of the Local Planning Authority throughout the entire building period, unless otherwise agreed in writing.*

Reason: In the interests of amenity and the maintenance of landscaping features on the site.

10 *The proposed development shall fully adherence to the mitigation recommendations as contained within the submitted Bat Survey and copies of the contractors' method statement (referred to in the mitigation strategy) are submitted to the local planning authority prior to any demolition works commencing on the site.*

Reason: In the interest of protected species

11 *All means of enclosure associated with the development hereby approved shall be in accordance with a scheme to be agreed with the Local Planning Authority before the development commences. Such means of enclosure as agreed shall be erected before the development hereby approved is occupied.*

Reason: In the interests of the visual amenities of the locality.

12 *Notwithstanding any information contained within this application full details of the methods of refuse collection and any bin storage facilities shall be submitted to and agreed in writing with the Local Planning Authority before the hereby approved development is occupied.*

Reason: To ensure a satisfactory form of development.

BACKGROUND

1. A previous application (05/0990/FUL) for residential development comprising of 1 No. Apartment block, containing 12 units, and 4No. Detached dwellings with associated

garaging and parking was submitted for consideration in April 2005, but was subsequently withdrawn by the applicant.

2. This revised scheme (05/2866/OUT), which sought outline planning consent for 7no. Dwellings, was submitted in October 2005 and sought to try and overcome some of the previous issues raised in relation to the application 05/0990/FUL. The application was subsequently refused for the following reasons.

1. In the opinion of the Local Planning Authority the proposed access to the development by virtue of its inadequate junction spacing with Woodlands Drive would create a substandard access to the detriment of highway safety and the free flow of traffic along Leven Road, contrary to policy GP1 of the adopted Stockton on Tees Local Plan.

2. The additional traffic generation from the proposed 7no. dwellings and the proximity of the access road to No. 20 Leven Road, would have an unacceptable impact on the amenity of these residents through noise and disturbance and is contrary to policies GP1, HO3 and HO11 of the adopted Stockton on Tees Local Plan.

3. In the opinion of the Local Planning Authority the proposed arrangement of the proposed dwellings would result in amenity standards below that which could reasonably be expected for the existing and future residents, contrary to policy GP1 of the adopted Stockton on Tees Local Plan.

4. In the opinion of the Local Planning Authority the application site is of inadequate size to satisfactorily accommodate 7no. dwellinghouses resulting in a cramped form of development, contrary to policy GP1, HO3 and HO11 of the adopted Stockton on Tees Local Plan.

5. The proposed development by virtue of its small plot sizes would have a detrimental impact on the quality and character of this area of Leven Road, which is characterised by large dwellings with large plot sizes, contrary to policy GP1 of the adopted Local Plan.

3. This application was also dismissed by the Planning Inspectorate (for the full decision see appendices) although not all the reasons for refusal were upheld. In considering the appeal the Planning Inspectorate considered that the appeal for the 7 dwellings should be dismissed due to the impact on the character of the area and amenity of the residents at No. 20 Leven Road.
4. A further application (07/2442/FUL) for the erection of 5no. detached dwellings was also refused by planning committee due to the impact on the character and appearance of Leven Road, the amenities of the occupiers of nearby properties and the development not being in keeping with its surroundings. The appeal for this application was dismissed (APP/H0738/A/07/2057838) due to concerns over the relationship between plot 2 and No. 20 Leven Road.
5. Subsequent applications to try and seek consent for both a single dwelling (plot 2) and for development of the four other remaining plots; applications No.'s 08/0684/FUL and 08/0522/FUL respectively were withdrawn by the applicant.

PROPOSAL

6. Planning consent is sought for the erection of 5no. Dwellings and includes the demolition of the existing dwelling. The proposed dwellings range between 4-6 bedroom properties and the design takes influence from the 'arts and crafts' style of the existing Wainstones property. The dwelling for plot 2 has been amended in order to address the planning inspectorates concerns in relation to the relationship between this plot and No. 20 Leven Road.

7. The access remains off Leven Road and retains its position in the centre of the site.

CONSULTATIONS

Urban Design Engineers

I

General Summary

Urban Design has no objection to this application subject to the comments below.

Highways Comments

This revised application represents a resubmission of the previous application (07/2442/FUL), the only difference being the changes to the layout of plot 2 from this proposal.

I have considered the information that has been provided by the applicant and visited the site.

The development should be designed and constructed in accordance with the Council's Design Guide and Specification (Residential and Industrial Estates Development) current edition, and to that end I comment as follows:-

The proposed site will be accessed from Leven Road via a private driveway which is in excess of the maximum 25metres recommended in the Council's Design Guide and Specification, details of how refuse will be collected from the properties is therefore required. The new driveway will be offset from the junction of Leven Road / Woodlands Drive by 11.8m and this is considered acceptable. Leven Road is an undulating road with a 40mph speed limit. To ensure vehicles can exit from the site safely, a clear visibility splay of 2.4 x 90 metres needs to be achieved, taking into account the vertical aspect of the visibility splay. Visibility must be unobstructed above a height of 600mm within the visibility splay wherever the potential exists for conflicts between motorists and young children (Design Guide and Specification).

A 5-bedroom property requires 4 incurtilage car parking spaces which are provided for all plots to Design Guide standard. I am concerned regarding the layout to plot 2 as the garage and driveway appear to be a significant distance away from the property that could lead to parking on the access road to the detriment of other residents.

The vehicular impact on Leven Road, as indicated by the previous planning appeal decision, is acceptable for 5 dwellings. The internal access road should be a minimum of 4.1m wide (Design Guide and Specification).

I note the previous appeal decisions and comments regarding highway safety and note the Inspector's comments regarding contributions towards local safety schemes.

If the applicant takes into account the above comments I have no objections to this application in highway terms.

Landscape & Visual Comments

The site comprises of a single property with substantial planting to the boundaries. The retention of the existing planting to the boundaries is crucial to the screening of the development from neighbouring properties.

Several of these existing trees and shrubs though along the boundaries will be affected by the development, resulting in the removal of some and damage to others due to the close proximity of the dwellings.

The developer should ensure that the foundations are designed to accommodate the affects of tree roots.

A mature conifer hedge is located along the far rear boundary, which is proposed for retention. The hedge provides an excellent all year round visual screen between the development and the properties behind. As a result, the hedge should be protected during the construction period.

All trees and hedges within the site and adjacent to the site should be fully protected in accordance with BS 5837: 2005 Trees in relation to Construction and the applicant should note that:

- No changes in levels within the branch spread of the trees will be allowed – a line and level survey should be submitted to demonstrate this.
- Where tree roots are encountered only hand digging will be allowed.
- Compaction to the root spread of the tree must be avoided and protective fencing should be erected around the canopy spread of all trees.
- No storage of materials will be permitted within the branch spread of the trees.

Excavations for any new service runs into the site must be located outside of the tree protection zones. Services must be routed away from all retained trees to prevent severance of roots during the excavation of trenches. Where this is not possible approved trenching methods shall be in accordance with NJUG10. Routes to be provided for our consideration prior to excavation.

With reference to the planting proposals, significant tree planting will be required along the frontage with Leven Road and also along sections of the boundaries of the site to ensure screening of neighbouring properties is maximised.

Overall, I have no objection to the application on landscape and visual grounds; however details of the hard and soft landscaping proposals, boundary treatments and tree protection are required. Full details should be provided to the following minimum standard:

- A. A detailed landscape plan for hard construction indicating materials and construction methods.
- B. A detailed planting plan indicating soil depths, plant species, numbers, densities, locations, and sizes, planting methods, maintenance and management.
- C. Boundary treatment details.
- D. Protection measures for retained trees to ensure that no damage occurs during the clearance and construction periods. The protection area must exceed that of the individual tree canopies and be in accordance with B.S.5837: 2005 Trees in relation to Construction. Full details of the tree protection measures should be submitted for approval and should be erected, to the satisfaction of the council, prior to any works commencing on site.

Please contact Sarah Edwards regarding a section 106 contribution towards open space.

CE Electric

No objections but refer the developer to the Health and Safety Executives publications on working with and in and around electricity.

Northern Gas Networks

No objections

Northumbrian Water Limited

No objections

Natural England

I refer to your consultation concerning the above proposal received at this office on 2 April 2008.

As you will be aware, Natural England can only comment concerning a proposal after receipt of sufficient information. Where appropriate, this would typically include:

1. A detailed description of the proposed works.
2. A comprehensive survey of the current site (including ecological and species information).

N.B. Natural England cannot provide a screening service as to whether an ecological survey is required and, if so, the type, scope and scale of such surveys. Nor do we hold comprehensive information regarding locations of species protected by law.

3. An impact assessment detailing the impact of the proposal on any ecological interest that has been identified in the site survey.
4. Details of the proposed mitigation measures concerning any negative impacts that have been identified in the impact assessment;
5. Details of the proposed delivery of the mitigation measures.

Unfortunately, your consultation did not contain sufficient information since it did not contain full details for points 1 to 5 above.

- There is no updated ecological information with the consultation. The bat survey submitted to Natural England on a previous occasion was carried out in November 2005 and is now over two years old. On this basis Natural England cannot reliably assess the current use of the building by bats.

As a result, we are unable to provide informed and substantive advice regarding whether this proposal may have an adverse effect on legally protected species.

We therefore suggest that the local planning authority seeks advice from their in-house ecologist or undertakes this screening process using the principles and procedures covered in *Planning for Biodiversity and Geological Conservation: A Guide to Good Practice* (March 2006) which can be downloaded in PDF format from the Department for Communities and Local Government website at www.communities.gov.uk. Section 5 of this publication provides useful links to key procedures in the development control process (e.g. development control checklists, ecological survey, species surveys, consultation procedures, etc.) that may assist in the screening of ecological issues associated with planning applications.

I hope that these comments are useful to you, but if you require clarification on any of the above points please do not hesitate to contact me.

Yarm Town Council

At a meeting of Yarm Town Council held on the 8th April 2008, I was instructed by Members to object to the proposed application as follows;

- i) No 18 Leven Road is an important example of between-the-wars domestic architecture. It would more appropriately be the subject of Listing rather than the threat of demolition. It is part of the area's architectural heritage and an asset to its built environment.
- ii) There is also the also the question of the need to preserve architectural integrity and scale of the properties along the whole of Leven Road. Although varied in both date and style, they blend well together in a symbiosis that every effort should be made to retain.
- iii) The proposed development includes buildings with elevations of three storeys. There are no other properties in the area that incorporates three storeys.
- iv) However, while Members are implacably opposed to the demolition of No. 18 and for the substitution in its place of flats as previously suggested or the squashing in of 5 houses as in recent proposals and the present proposal, they would consider as potentially acceptable (subject to a detailed application) the building on some of the rear land belonging to No. 18 of an individual house or at the most two house, of a size and design sympathetic to the atmosphere of the rest of the road, while retaining No. 18 as is.

Councillor Sherris

Having received a copy of the objection letter from Yarm Residents Group I fully support all comments made relating to this application. Also I remain unconvinced and frankly totally baffled as to why this house No 18 be not locally listed whereas No 15 has been chosen, despite being of a similar age(2 year difference) and of a design by the same architect.

PUBLICITY

Neighbours were notified and a total of 55 objections have so far been received in relation to the proposed development, the main points of objection are summarised below.

- Impact on character of the area
- Loss of Wainstones would be to the detriment of the area
- Loss of privacy to neighbouring properties
- Property should be placed on the local list
- Issues of drainage and surface water run off
- Impact on the living condition of neighbouring residents
- Over-development/crammed form of development on the site
- Impacts on pedestrian/highway safety
- Increase in traffic
- The development does not accord with PPS3 in that it does not contribute positively to the area
- Precedent for similar developments
- Unacceptable that Wainstones is not on the Local List and questions process of local list
- Conflict of interest with the Planning Agent
- The Planning Department has been inconsistent in dealing with similar applications across the borough.
- Impact on the character of Leven Road.
- Impact on privacy and amenity of neighbouring properties
- Increased noise
- Increase in traffic
- over-development of the site
- bats are located and have been seen in the area.

PLANNING POLICY

8. 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).

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 HO3:

Within the limits of development, residential development may be permitted provided that:

- (i) The land is not specifically allocated for another use; and
- (ii) The land is not underneath electricity lines; and
- (iii) It does not result in the loss of a site which is used for recreational purposes; and
- (iv) It is sympathetic to the character of the locality and takes account of and accommodates important features within the site; and
- (v) It does not result in an unacceptable loss of amenity to adjacent land users; and
- (vi) Satisfactory arrangements can be made for access and parking.

Policy HO11:

New residential development should be designed and laid out to:

- (i) Provide a high quality of built environment which is in keeping with its surroundings;
- (ii) Incorporate open space for both formal and informal use;
- (iii) Ensure that residents of the new dwellings would have a satisfactory degree of privacy and amenity;
- (iv) Avoid any unacceptable effect on the privacy and amenity of the occupiers of nearby properties;
- (v) Pay due regard to existing features and ground levels on the site;
- (vi) Provide adequate access, parking and servicing;
- (vii) Subject to the above factors, to incorporate features to assist in crime prevention.

Planning Policy Statement 3 – Housing, is also considered to be relevant to this decision.

SITE AND SURROUNDINGS

9. The site contains a large residential property built in the 1930's. with extensive grounds. The site has a large rear garden and is set back from Leven Road by approximately 35 metres. No.'s 16 and 20 Leven Road are also large residential properties and surround the site to the west and east respectively. A modern residential development of detached properties can be found to the south of the application site, although presently a large belt of Leylandi trees reaching approximately 10 metres in height can be found on the southern boundary.

MATERIAL PLANNING CONSIDERATIONS

10. The main planning considerations of this application are the impacts on planning policies, the character of the area, amenity of neighbouring occupiers and access and highway safety.

Principle of development;

11. The application site is a residential curtilage and is therefore classed as 'previously development' land as defined in national Planning Policy Statement 3; Housing (PPS3). Therefore the development for additional housing on the site meets the Government's aims of providing better and more efficient use of land.
12. As the site lies within the defined limits to development as shown on the adopted 1997 Stockton on Tees Local Plan proposals map, the principle of residential development is therefore accepted and the proposed development is therefore assessed against policies GP1, HO3 and HO11 of the adopted Stockton on Tees Local Plan.

Character of the area;

13. Within the Leven Road area there are a mixture of dwellings sizes, types and styles and the area has no definitive style or character such as can be seen along Yarm High Street. The design of the proposed dwellings is considered to be acceptable within the location and pays some respect to the existing building.
14. Many of the objections received have made comments over the impact that the removal of the existing dwelling would have on the character of the area and requested that the existing building is retained as it plays an important role within the street scene. Advice and support of the buildings retention have also been provided from lecturers of nearby universities. English Heritage has recently considered a listing request and have stated that whilst the building may have some regional significance the existing 'Wainstones' building is not special enough nationally, to justify a listed building status.
15. Wainstones has now been considered for the Local List and the fully independent panel of conservation experts considered that 'Wainstones' should not be added to the Local List. Whilst Members have asked for this issue to be re-assessed the building is not on the local list and in any case this would not offer any statutory protection.
16. In the determination of the most recent planning appeal (APP/H0738/A/07/2057838) the planning inspector considered that the design of the proposed properties was not be "inappropriate in the context of this neighbourhood".
17. Concerns from one local resident in relation to inconsistencies in the decision making of the Local Planning Authority, particularly in respect on No. 24 Junction Road, in which a redevelopment scheme including the demolition of the property was refused. It is not accepted that there have been any inconsistencies. The application relating to 24 Junction Road was considered unacceptable as it involved a replacement building overly dominating the frontage and reduced the openness surrounding the property.
18. As members are aware each application is to be judged on its own merits and the Planning Inspectorate recently found that the design and layout of a similar proposal was acceptable. It is therefore considered that the proposal does not have a detrimental impact on the street scene so as to justify a refusal.
19. It is considered that the proposed development will not have a detrimental impact on the visual amenity of the area and the development is on balance considered to accord with policies GP1, HO3 and HO11 of the adopted Local Plan and this is reflected in the recent appeal decision.

Amenity;

20. The proposed dwellings are orientated away from the neighbouring properties and where habitable rooms potentially overlook into neighbouring properties the habitable room to habitable room distances exceed the Council's minimum standard of 21 metres. Distances from the rear of the proposed dwellings to the rear of those on Hemmingford Gardens are a minimum of approximately 40 metres. The internal relationship between the proposed dwellings also exceeds the minimum standards and it is considered that the proposed development will ensure that both the existing residents and future residents of the scheme will have an acceptable level of privacy.
21. In respect of Plot 2 the breakfast room and sun lounge now extends along the boundary with No. 20 Leven Road and faces internally within the site and follows a similar line to the existing garage. This combined with additional planting is considered to address the issues of overlooking and loss of privacy raised in the previous appeal decision.
22. The proposed garden areas are a minimum of 10 metres in depth. It is considered that there is sufficient formal and informal amenity space for any future residents of the proposed development, in accordance with policy HO11 and does not represent a cramped form of development or an over development of the site.
23. The most recent appeal decision considered that the layout of the proposal was acceptable and would not have a detrimental impact on the amenity of the neighbouring residents with the exception of plot no.2. Given that plot no. 2 has been amended it is considered that in line with the recent appeal decision that the proposal would not result in any significant loss of amenity for the surrounding residents so as to justify a refusal of the application.

Concerns over bats and impact on wildlife;

24. English Nature has been consulted on this application, a bat survey has been recently carried out and the Local Planning Authority has been informed that it shows that no evidence of bats has been found. A copy of the survey is currently awaited and comments from English Nature are formally awaited.
25. As no objections were received during the previous application subject to a planning condition and it is considered that it will be unlikely that an objection will be received in this instance.

Highway Safety;

26. The Urban Design unit's highways officers have confirmed that the proposed access is acceptable and in considered the previous appeal decision the planning inspector stated that the previous scheme has unlikely to have a materially harmful impact on highway safety or the free flow of traffic. The proposed development is therefore considered to be in accordance with policy GP1 in this respect.
27. The Council's Highways Officers have suggested details of bin collection be provided, however, this can be addressed via a planning conditions and a bin storage area can be provided if necessary.

Residual issues;

28. Issues in relation to security of neighbouring properties and drainage are a material planning considerations, however, Northumbrian Water have raised no objections and it is therefore considered that there is no justification for a refusal of the application.
29. Many objectors have raised the issue of creating a precedent in the area by allowing this development. However, it is argued that allowing this development would not create a

precedent as similar schemes have been allowed both within this borough and the region as a whole and each proposal is considered on its own merits.

30. Any potential concerns over a loss of value to neighbouring properties are not a material planning consideration and cannot be considered in the determination of this application. The urban design unit has made additional comments in relation to the need for a commuted lump sum to open space provision in the locality. It is however, considered that the proposed development provided sufficient private amenity space within the development for the type of accommodation proposed and therefore there is not enough justification to require a lump sum to be provided.

CONCLUSION

31. In conclusion it is considered that the proposed development is visually acceptable and will not have a significant impact on the neighbouring properties amenity or highway safety so as to justify a refusal of the application and this application has addressed the previous reasons for dismissal of the subsequent planning appeals.
32. Concerns over the loss of Wainstones are appreciated although there is no justification to refuse the application on this basis; consequently the application is viewed to be in accordance with policies GP1, HO3 and HO11 of the Local Plan and is therefore recommended for approval.

Corporate Director of Development and Neighbourhood Services
Contact Officer Mr Simon Grundy Telephone No 01642 528550

Financial Implications.

None

Environmental Implications.

As report.

Community Safety 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.

Background Papers.

Stockton on Tees Local Plan

Tees Valley Structure Plan

Planning Policy Statement 1; Delivering Sustainable Development

Planning Policy Statement 3; Housing

Planning Applications; 05/2866/OUT & 07/2442/FUL

Planning Appeal decisions; APP/H0738/A/07/2036383 & APP/ H0738/A/07/2057838

WARD AND WARD COUNCILLORS

Ward

Yarm

Ward Councillor

Councillor J Earl, Mrs J. Beaumont and A B L Sherris