

**DELEGATED**

**AGENDA NO 5  
PLANNING COMMITTEE**

**24 SEPTEMBER 2008**

**UPDATE REPORT**

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

**07/3441/FUL**

**The Rookery, South View, Eaglescliffe**

**Demolition of The Rookery and construction of 13 no. apartments in two blocks as detailed in planning approval 06/3591/FUL.**

**Expiry Date 12 March 2008**

#### **SUMMARY**

Members should be aware of the requirement of section 72 of the Listed Buildings and Conservation Area Act 1990, which requires that special attention should be given when exercising planning functions to the desirability of preserving or enhancing the character or appearance of a conservation area when determining applications in respect of buildings within a conservation area.

The recommendation made in the original report to members remains as do the suggested planning conditions.

#### **MATERIAL PLANNING CONSIDERATIONS**

##### **Impact on the character of the area.**

1. The previous report to members of the planning committee may not have made clear the considerations of the application with relevance to section 72 of the Listed Buildings and Conservation Area Act 1990. The relevant section of the report on the 'impact on the character of the area' has therefore been amended, and is detailed below;
2. Within the immediate locality there are a range of building styles and sizes. The design of the two units remains the same as that approved under application 06/3591/FUL that sought extensions and alterations to the existing property and takes influence from the 'art deco' style of the existing property. The scale and massing of the building is considered to be appropriate within the immediate locality and would ensure that the development retains its status as a local landmark. Visually this proposal is therefore considered to be acceptable and does not harm the character of the conservation area or the visual amenity of the area.
3. Comments have been made by local residents in relation to the demolition of the existing property and the impact on the character of the area. Whilst it is acknowledged that the demolition of the building would mean the loss of historic fabric the external appearance, scale and layout on the site would be the same as the previous approval that sought to extend and convert the existing property.

4. As there is an existing permission on which theoretically work could commence tomorrow and this current application proposes the same scheme but with the demolition of the existing property and effectively its rebuild albeit with the extensions approved in 06/3591/FUL, visually there is no external difference between this application and the approved 06/3591/FUL scheme. The overall impact on the character of the conservation area is therefore one which would remain the same and it is considered that the proposal would preserve the overall character of this part of the conservation area.
5. A structural assessment has been submitted to justify the reasoning for needing to demolish the property and the Council's building control officers have also assessed the site and the trail holes around the property to assess the quality of the foundations. Having carried out the assessment the building control officer considers that the foundations are in a poor condition and that the wall should be rebuilt off suitable foundations.
6. Given the above and the existing extant consent for extension/alterations to the property it is considered that the proposed development is visually acceptable, would preserve the character of the conservation area and would not be in direct conflict with PPG15, local plan policies GP1 or EN24 and section 72 of the Listed Buildings and Conservation Area Act 1990..

### **CONCLUSION**

7. In conclusion it is considered that the proposal is visually acceptable and will preserve the character of the conservation area. The proposal is therefore viewed to be in accordance with Saved policies GP1, HO3, HO11, EN24, EN25 and EN28 of the adopted Stockton on Tees Local Plan and is subsequently the recommendation for approval remains.

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

### **Background Papers**

**Listed Buildings and Conservation Area Act 1990**

### **WARD AND WARD COUNCILLORS**

**Ward Eaglescliffe  
Ward Councillors A L Lewis, J. A. Fletcher & Mrs M. Rigg**