

Planning Committee

A meeting of Planning Committee was held on Wednesday, 14th November, 2012.

Present: Cllr Robert Gibson (Chair); Cllr Mark Chatburn, Cllr Michael Clark (Vice Cllr Jim Beall), Cllr David Coleman (Vice Cllr Paul Kirton), Cllr Gillian Corr, Cllr Alan Lewis, Cllr Ken Lupton, Cllr Ray McCall (Vice Cllr Michael Smith), Cllr Andrew Sherris, Cllr Norma Stephenson and Cllr Mick Stoker.

Officers: C Straughan, B Jackson, P Shovlin (DNS); J Butcher, P K Bell (LD).

Also in attendance: Applicants, Agents and one member of the public.

Apologies: Cllr Jim Beall, Cllr Paul Kirton, Cllr Jean Kirby, Cllr David Rose, Cllr Michael Smith and Cllr Steve Walmsley.

P Evacuation Plan

72/12

The evacuation plan was noted.

P Declarations of Interest

73/12

There were no interests declared.

P Minutes

74/12

The minutes of the meetings held on 3rd October 2012 and 24th October 2012 were confirmed and signed by the Chair as a correct record.

P 12/2326/FUL

75/12

**Handley Cross, Leven Bank Road, Yarm
Change of use of the outbuilding to dwelling, including extensions and alterations**

Consideration was given to a report on planning application 12/2326/FUL - Handley Cross, Leven Bank Road, Yarm - Change of use of the outbuilding to dwelling, including extensions and alterations

The application was for the conversion of the existing outbuilding which was located within the substantial grounds of the detached property being Handley Cross, Leven Bank Road in Yarm. The existing outbuilding was located to the north of the main dwelling and was situated along the north western side of the walled garden. The existing outbuilding was a single storey structure which had a flat roof design and a total length of 21 metres by a width of 5 metres. The proposal was to convert and extend the existing outbuildings into an L-shaped two-bedroomed dormer bungalow. The bungalow would have two dormer windows located on the north-west side elevation and two dormer windows on the south-west elevation.

The case put forward in support of the application was that the saved policies within the Local Plan were 'out of date' due to the adoption of the National Planning Policy Framework (NPPF) and the 'new plan' would be 'pro-development' and have a 'presumption in favour of development'. It was argued that taking all the policy considerations into account that in view of the

detailed and individual circumstances presented by the application that there were compelling reasons why the application should be approved.

The proposal was located outside the limits of development defined in the Stockton on Tees Local Development Plan and due to the nature of the proposal, was considered to have a detrimental impact on the character and appearance of the countryside and was contrary to the guidance set out in the National Planning Policy Framework, adopted Core Strategy and the Stockton on Tees Local Plan and as such was recommended for refusal.

There had been fourteen letters of support for the proposal and one objection letter received and in accordance with the Scheme of Delegation the application was being reported to the Planning Committee for determination.

The consultees that had been notified and the comments that had been received were detailed within the report.

With regard to publicity neighbours had been notified and the comments that had been received were detailed within the report.

With regard to planning policy where an adopted or approved development plan contained relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 required that an application for planning permissions should be determined in accordance with the Development Plan(s) for the area, unless material considerations indicate otherwise. In this case the relevant Development Plan was the Core Strategy Development Plan Document and saved policies of the Stockton on Tees Local Plan.

Section 143 of the Localism Act came into force on the 15th January 2012 and required the Local Planning Authority to take local finance considerations into account, this section s70(2) Town and Country Planning Act 1990 as amended requires in dealing with such an application the authority shall have regard to a) the provisions of the development plan, so far as material to the application, b) any local finance considerations, so far as material to the application and c) any other material considerations.

The planning policies that were considered to be relevant to the consideration of the application were detailed within the report.

The Planning Officers report concluded that there were significant concerns that the proposed development would result in the unjustified creation of a new dwelling in the open countryside and have a significant detrimental impact on the character and appearance of the area and on the 'strategic gap'.

As a consequence the proposed development was considered to be contrary to the guidance set out in paragraph 17 and 55 of the National Planning Policy Framework, saved policies EN13 and EN20 of the Stockton on Tees Local Plan and policies CS3 and CS10 of the Core Strategy. It was therefore recommended that the application be refused.

The Development Services Manager read out a statement from Mr Housen as Mr Housen could not be in attendance at the meeting.

Mr McGill (the agent for the applicant) was in attendance at the meeting and was given the opportunity to speak in favour of the application. His comments could be summarised as follows:-

- * Some of the SBC policies are out of date
- * The report is an oversimplification of the situation
- * Planning is in a state of flux at the moment
- * SBC Planning needs to be more flexible
- * The application site is not in open countryside
- * There is no demonstrable harm in the application
- * There are far more bigger developments in Yarm
- * Members of the Committee should visit the site

Mr Lees a supporter of the application was in attendance at the meeting and was given the opportunity to speak in favour of the application. His comments could be summarised as follows:-

- * The location is 20 minutes walk from Yarm High Street and not in open countryside or a rural location
- * There have been no issues from Highways regarding access
- * Local people will work on the project
- * There has been 15 letters of support
- * The Committee needs a common sense approach

The Development Services Manager reported that there was a difference of opinion with regard to the planning policies with the applicant and his agent and that the comments from Spatial Planning were relevant.

Members then discussed the application and felt that the proposed development would have a detrimental impact on the character and appearance of the area and on the 'strategic gap' and that the policies in the Local Plan were relevant to the application.

A vote then took place and the application was refused.

RESOLVED that planning application 12/1056/FUL be Refused for the following reason:-

1. In the opinion of the Local Planning Authority the conversion and extension of the outbuildings would create new residential development within the open countryside for which no appropriate justification has been provided, consequently the development would have detrimental impact on the rural character, the strategic gap and the intrinsic value of the countryside and is considered to be contrary to saved policies EN13 and EN20 of the Stockton on Tees Local Plan, policy CS10(3) of the adopted Core Strategy and guidance within the National Planning Policy Framework (specifically paragraphs 17 and 55).

**P
76/12 1. Appeal - Mrs P Dalby - 235 Surbiton Road Fairfield Stockton -
12/1320/RET - DISMISSED**

RESOLVED that the appeal be noted.

