

**DELEGATED**

**AGENDA NO 7**

**PLANNING COMMITTEE**

**22 February 2017**

**REPORT OF DIRECTOR,  
ECONOMIC GROWTH AND DEVELOPMENT  
SERVICES**

**16/3022/REV**

**Land South Of Cayton Drive, Thornaby,**

**Revised application for reserved matters approval (appearance, landscaping, layout, access and scale) for the erection of 45 No. dwellings, access from Cayton Drive and ancillary works pursuant to outline planning consent ref:15/1466/OUT**

## **UPDATE REPORT**

### **Summary**

The appeal for non-determination and costs for the previous outline application for the site (16/1024/REM) which members were minded to refuse has been dismissed by the Planning Inspectorate. In summary, the Inspector concluded that a single access to the development site was acceptable in terms of highway safety; having assessed the potential impact in terms of additional on street parking, potential access for emergency vehicles within the neighbouring streets and having considered the parking provision for the development accords with the requirements set out in the Council's SPD3 guidance.

In term of the amenity of the existing residents, the Inspector considered the potential impact in terms of loss of light and concluded that the siting of the dwellings, separation distances, gaps and the hipped roof design would ensure no significant impact in this regard.

However, the Inspector dismissed the appeal on the grounds that the development would cause harm to the living conditions of the occupiers of the neighbouring dwellings with regard to outlook which would not be outweighed by the benefits of the scheme. The impact on outlook related primarily to the separation distances between plots 4 and 43 and the fact the proposed dwellings would extend across the full width of the rear boundaries of the existing properties. The Inspector concluded separation distances of between 1.5 - 3 metres to the shared boundary and 8.5 - 9 metres between rear elevations (including extensions) for plots 4 and 43 was unacceptable.

A briefing note has been submitted from the agent following the appeal (appendix 2) which comments that the current application has increased the separation distances between the existing properties and the proposed dwellings which addresses the reason the appeal was refused.

The current revised scheme is considered to be acceptable as both the separation distances have been improved, with the dwellings having been repositioned further south. The minimum separation distance between the rear elevations is now 23 metres (plot 33) and the minimum

separation distance between side and rear elevations is now 16.7 - 16.3 metres (plots 6 and 20). This accords with the guidance set out in SPD 1 - Sustainable Design Guide.

Taking the separation distances into account the revised proposal is considered to have addressed the Inspectors reason for refusal of the previous scheme in terms of the potential impact on the existing neighbours' amenity in terms of outlook.

Further objection comments have been received from the neighbours at 33 Liverton Crescent, 25 Lockton, 10 Cayton Drive and 91 Bassleton Lane. The majority of the comments have been addressed within the original report in relation to the overdevelopment of the site, requirement for a second access, requirement to establish the ownership of the ransom strip of land, proximity of plots 6 and 20 to existing dwellings and the fact the application should be considered at Public Inquiry.

In summary, the additional comments are :-

- 91 Bassleton Lane owns an additional area of land to the rear of their property which impacts on separation distances
- the requirement for the access road within the development to be moved further south to remove the grassed area and the need for its long term maintenance
- question on why the scheme is being recommended for approval when a letter from the agent in September 2016 showing the properties close to the southern boundary mentions it was to be recommended for refusal by the planners.

These additional comments have been addressed below.

### **Recommendation**

That the application be approved in accordance with the recommendation in the main report

### **Material Planning Considerations**

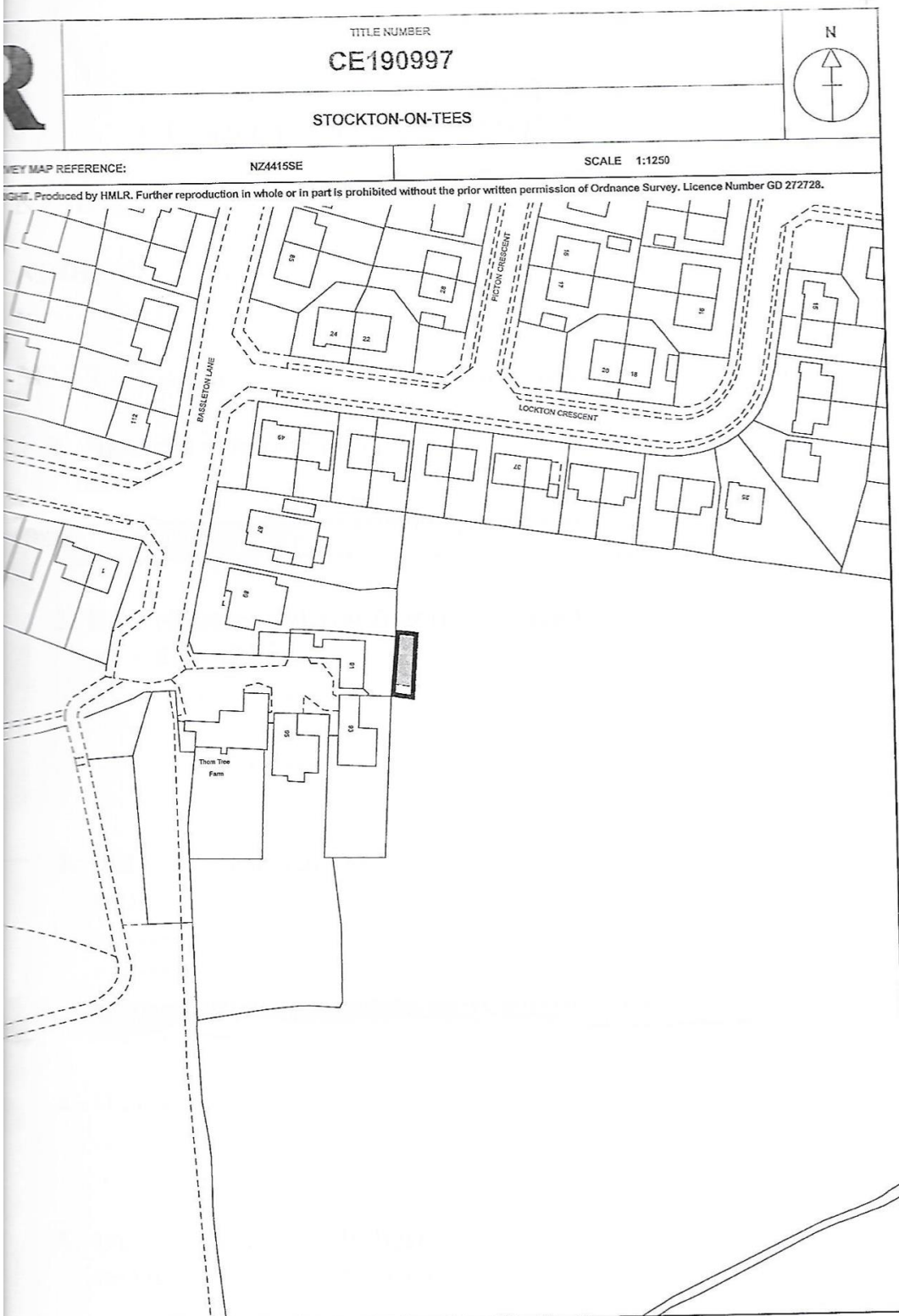
1. Comments have been received from the owner of 91 Bassleton Lane that they own an additional area of land to the rear of their current fence line (Appendix 1) and therefore the separation distances between the proposed development and their rear boundary and the plans are misleading, out-dated and show a gap between the development and their boundary. The plans which have been submitted do not include this area of land within the red line boundary of the application site. Although this additional section of land owned by 91 Bassleton Lane will abut the development boundary, the minimum 24 metre separation distances between the proposed dwellings and the rear of 91 Bassleton Lane is considered not to have a significant impact on the amenity of these neighbours.
2. With respect to the grassed area of land to the south of the access road and the fact if this area was removed it would resolve the maintenance issues. The area of grassed land will provide an area of open space between the development and the woodland which is considered to be acceptable in terms of the character and appearance of the development. Given the separation distances between the proposed dwellings and the existing dwellings are considered to be acceptable, there is no requirement to remove the grass area from the proposal.
3. Reference has been made to the contents of the planning agent's letter sent to the neighbours in September 2016. This queried that despite the advice from the planners that moving the housing further south in the plot would result in a refusal, due to the impact on the trees, this proposal has been recommended for approval. The proposal has been considered by the Council's Landscape Architects who have commented that they have no objections to the submitted scheme as a 15 metre buffer will be retained between the

houses and the existing woodland. The only exceptions are plots 1 and 45 which are side-on to the woodland edges and so are considered to be acceptable.

## **IMPLICATIONS**

No additional implications to those detailed within the main report are raised by the content of this update report.

Appendix 1- Land ownership plan 91 Bassleton Lane



This plan shows the general position of the boundaries: it does not show the exact line of the boundaries. Measurements scaled from this plan may not match measurements between the same points on the ground. For more information see Land Registry Public Title Plans.  
 This copy shows the state of the title plan on 18 August 2006 at 15:58:13. It may be subject to distortions in scale.  
 Under the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.  
 18 August 2006.

