

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

29th July 2020

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

20/0767/FUL

2 Durham Road, Thorpe Thewles, Stockton-on-Tees

Change of use of the existing self contained residential annex to a luxury holiday let/ annex and erection of a Golf Simulator/Private Cinema.

SUMMARY

The application site is situated within the defined development limits of Thorpe Thewles and is surrounded by residential development to the northern, eastern and western boundaries.

This application is seeking planning permission for a change of use of existing annex to a one bedroom holiday let/annex and erection of a purpose built golf simulator/home cinema. The proposed boundary treatment has also been revised to take into account concerns over the loss of the existing hedgerow. The proposal has been revised to remove the proposed camping pod following concerns raised by officers and members of the public.

The applicant has confirmed that the operations of the golf simulator will be as follows;

The golf simulator will be by appointment only to reduce the potential of drive in custom. The average booking for the simulator will be 2-3 hours per group (based on 2-3 golfers playing 18 holes), so would result in a maximum of 3-4 booking per day. Guests of the annex would also get priority booking.

The operating times of the golf simulator will be limited to:

- 9am-6pm Monday to Friday
- 10pm-4pm Saturdays
- Closed on Sundays

A total of 18 number of neighbour letters have been received 8 in support and 10 objecting.

The revised development is considered to have overcome officer's previous concerns, subject to the imposition of the recommended conditions and is considered to represent a small scale tourist activity within a village location, the principle of which is supported by Local and National Planning Policy.

The proposed development is therefore considered to be acceptable and is recommended for approval.

RECOMMENDATION

That planning application 20/0767/FUL be approved subject to the following conditions and informatives detailed below;

Approved Plans;

- 01 The development hereby approved shall be in accordance with the following approved plans;

Plan Reference Number	Date Received
SBC0001A	20 April 2020
SBC0003	20 April 2020
SBC0004	20 April 2020
SBC0002A	13 July 2020

Reason: To define the consent.

Controls on use;

- 02 The development hereby approved must comply with the following requirements:

(i) the annex accommodation shall be occupied for holiday purposes only or as a residential annex to the occupiers of the property known currently as 2 Durham Road, Thorpe Thewles;

(ii) when being used as a holiday let, the owners/operators shall maintain an up to-date register of the names of all owners/occupiers of the accommodation, and of their main home addresses. The owner/operator shall advise the Local Planning Authority of the name and address of the holder of the records and shall make the information on the register available at all reasonable times to the Local Planning Authority.

Reason: To ensure that the use of the accommodation is sustainable and supporting the rural economy in accordance with Policy SD4 and Policy EG7 of the Local Plan.

Provision of access;

- 03 Prior to the commencement of the development, hereby approved the re-location of the existing access to the south which enables the required 2.4m x 43m visibility splay shall be completed in accordance with the details shown on drawing SBC0002A , received by the Local Planning Authority 13 July 2020.

Reason: To ensure highway safety.

Provision of parking/turning area;

- 04 Notwithstanding the provision of any Town and Country Planning General Permitted or Special Development Order for the time being in force, the areas shown on Drawing /10/19 Rev A1, for parking spaces, turning areas and access shall be kept available for their intended purposes at all times for the lifetime of the development.

Reason: To ensure highway safety.

Hard landscaping;

- 05 No development shall commence until full details of proposed hard landscaping has been submitted to and approved in writing by the Local Planning Authority. This will include all external finishing materials, finished levels, and all construction details confirming materials, colours, finishes and fixings. The scheme shall be completed to the satisfaction of the Local Planning Authority and in accordance with the approved details within a period of 12 months from the date on which the development commenced or prior to the occupation of any part of the development. Any defects in materials or workmanship appearing within a period of 12 months from completion of

the total development shall be made-good by the owner as soon as practicably possible.

Reason: To enable the LPA to control details of the proposed development, to ensure a high quality hard landscaping scheme is provided in the interests of visual amenity which contributes positively to local character of the area.

Means of enclosure:

- 06 Notwithstanding the proposals detailed in the submitted plans, prior to the commencement of development, details of the enclosure shall be submitted to and approved in writing by the Local Planning Authority. Such means of enclosure shall be erected before the development hereby approved is occupied.

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

Soft landscaping:

- 07 No development shall commence until full details of Soft Landscaping has been submitted to and approved in writing by the Local Planning Authority. This will be a detailed planting plan and specification of works indicating soil depths, plant species, numbers, densities, locations inter relationship of plants, stock size and type, grass, and planting methods including construction techniques for pits in hard surfacing and root barriers. All works shall be in accordance with the approved plans. All existing or proposed utility services that may influence proposed tree planting shall be indicated on the planting plan. The scheme shall be completed in the first planting season following:

- (i) Commencement of the development;
- (ii) or agreed phases;
- (iii) or prior to the occupation of any part of the development;

and the development shall not be brought into use until the scheme has been completed to the satisfaction of the Local Planning Authority.

Reason: To ensure a high quality planting scheme is provided in the interests of visual amenity which contributes positively to local character and enhances bio diversity.

Hours of operation - Golf Stimulator/ Private Cinema:

- 08 The Golf Stimulator/ Private Cinema, hereby approved, shall be limited to a maximum of 4 bookings per day and shall not be used outside of the hours of;
- 09:00hrs to 18:00Hrs Monday – Friday; and
 - 10:00hrs to 16:00Hrs Saturday.
 - Closed Sunday

Reason: To protect the amenities of nearby residents

Hours of operation – amenity area/hot tub:

- 09 The amenity area, including hot tub associated with the holiday let, hereby approved, shall not be in operation past 22:00hrs and there shall be no external music system installed.

Reason: To protect the amenities of nearby residents

External Illumination:

- 10 Prior to the installation of any external lighting, full details of the method of external illumination including; Siting; Angle of alignment; Light colour; and Luminance, of all buildings facades and external areas of the site, shall be submitted to and agreed in writing by the Local Planning Authority, the lighting shall be implemented wholly in accordance with the agreed scheme.

Reason: To enable the Local Planning Authority to control details and in the interests of the amenity of adjoining residents; Highway Safety; and Protection of sensitive wildlife habitats

Waste Collection;

- 12 Prior to the commencement of the development hereby approved being brought into operation a plan shall be submitted to and agreed in writing by the Local Planning Authority for the management of waste collection. The plan shall provide details of the containers for the storage and disposal of waste foods and other refuse from the premises, including their location and frequency. Those containers shall be constructed, maintained, and located so that access to them by vermin and unauthorised persons is prevented and arrangements shall be made for the regular lawful disposal of their contents. The waste storage arrangements shall be maintained for the life of the development to the satisfaction of the Local Planning Authority.

Reason: To ensure a satisfactory development in respect of waste collection arrangements in the interests of the amenities of the area.

INFORMATIVE OF REASON FOR PLANNING APPROVAL

Informative: British Gas

The applicant is advised that Northern Gas Networks require the promoter of these works to contact them directly to discuss our requirements in detail. Should diversionary works be required these will be fully chargeable.

Informative: Northumbria Water

Northumbrian Water actively promotes sustainable surface water management across the region. The developer should develop their surface water drainage solution by working through the following, listed in order of priority:

- Discharge into ground (infiltration)
- Discharge to a surface water body
- Discharge to a surface water sewer, highway drain, or another drainage system
- As a last resort, discharge to a combined sewer

SITE AND SURROUNDINGS

1. The application site, is an end of terrace dwellinghouse within the defined development limits of Thorpe Thewles. The site already benefits from an attached annex, detached garage, raised garden and area of hard surface.
2. Access is currently taken off Durham Road.

PROPOSAL

3. The proposed development is a revised scheme to the one submitted in April 2020. Following concerns raised, the application has been revised to accommodate the change of use of the

existing annex to Holiday Let/Annex and erection of a purpose built golf stimulator/home cinema. All other commercial aspects of the development have been omitted.

4. The applicant has confirmed that the operations of the golf stimulator will be as follows;
 - The Golf simulator will be by appointment only to reduce the potential of drive in custom.
 - The average booking for the simulator will be 2-3 hours per group (based on 2-3 golfers playing 18 holes),
 - A maximum of 3-4 booking per day. Guests of the annex would also get priority booking.
5. The operating times of the golf simulator will be limited to:
 - 9am-6pm Monday to Friday
 - 10pm-4pm Saturdays
 - Closed on Sundays
6. The annex/ holiday cottage has only one bedroom and therefore is only likely to attract couple of sole occupiers rather than groups/ parties.
7. In addition to the widening of the existing access and works to the proposed boundary treatment, it is also proposed that access will be taken through the housing development to the east.

CONSULTATIONS

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

Parish Council

The majority of Members of Grindon and Thorpe Thewles Parish Council object to this development for the following reasons:-

The Councillors are concerned that the site will not hold all of the vehicles used by residents or people visiting or working at the site and the proposed facilities at all times. Councillors would not like to see any additional cars parked on Durham road. Street parking in this area is limited and the space that is available on the street is already fully utilised by residents in neighbouring properties. Local residents walk, cycle and jog along Durham Road, despite the lack of footpath and very limited road verges, Durham road is also regularly used for horse riding and by farm vehicles and machinery. Any additional traffic or parked cars will increase the risk to pedestrians and other road users in this area.

Despite the proposal to move the access point for vehicles Councillors feel that the visibility for cars leaving the site will still be restricted and add an additional hazard to the area. The applicant mentions that traffic calming in the area may be a possibility but there are no plans for traffic calming associated with the adjacent housing development, other than an extension of the 30mph speed limit to the access point for the housing estate. As far as the Parish Council is aware the Local Authority currently do not have any proposals in place for traffic calming on Durham Road. It is thought that a road use survey associated with this development was carried out following the submission of the planning application - which was during the lockdown period associated with the measures to prevent the spread of Covid 19. If this is the case then it is felt that true results for traffic volume and speed in this area will not have been obtained due to significantly lower traffic during this period.

The plans show an additional access point for the property from the new adjacent housing development to reduce the use of the access point from the main road. No confirmation has been provided that Homes by Carlton, the developers of the adjacent land, have agreed to this access point. Use of this access will involve driving over the private driveways of three new properties on sections of road that are not intended for adoption by Stockton-Borough-Council. Will this access be protected by a legal access agreement of some kind or could it become an area of

dispute in the future between the owner of 2 Durham Road and the owners of the three new Homes by Carlton properties?

The glamping pod and holiday let will generally be used by people on holiday who, if the weather is fine, will want to socialise in the outdoor areas around the accommodation. The number of people who could potentially be on the site if all of the permanent and holiday accommodation is full is higher than the current domestic property would generally hold. In addition, the guests may be in two or three different social groups - and may have visitors on the site at night. The Councillors feel that the noise from music and voices that this will generate will not be acceptable for the residents who currently live nearby - and residents who will live in the new properties that are due to be built to the east of this site.

The creation of a new access point from Durham Road will entail the removal of a section of natural hedgerow that contains a mix of native species and will have significant wildlife value. The Councillors feel that this is an additional negative aspect of the development.

The Parish Councillors have concerns about reports that have appeared in the press where the applicant is quoted as saying "We want to start small and build up over time." They think that the issues of noise, traffic etc. potentially associated with the current proposals will be detrimental to local residents. While the Councillors appreciate that the current planning application is the only item being considered at this time, they would not like the precedent set for a development of this nature to be approved which could then open the door for the approval of associated applications to extend the facilities in the future.

The Parish Councillors think that many residents of Thorpe Thewles who might want to comment on this application may not be aware of it due to the measures in place to prevent the spread of the Covid 19. Only a few households were notified by the planning department about this application. When a similar application was submitted in 2019 many residents found out about it by word of mouth and subsequently submitted comments. This hasn't been possible on this occasion due to the social distancing and shielding measures that the majority of people are co-operating with. The Parish Councillors would like any decision about this application to be deferred until residents have had a more reasonable chance to find out the about the proposals and submit their views to Stockton Borough Council.

Highways Transport & Design Manager General Summary

Subject to the comments below the Highways, Transport and Design Manager has no objections to the proposals.

Highways Comments

The update proposals, as shown on drawing /10/19 Rev A1, include the re-location of the existing access to the south which enables the required 2.4m x 43m visibility splays to be achieved.

There are no highways objections to the proposals.

Landscape & Visual Comments

The updated proposals for the site require changes to the site boundary along the Durham Road frontage and removal of a section of existing hedgerow and highway verge. Full details of the proposed new boundary treatment, and hard landscaping materials are required, however this information could be conditioned. The suggested condition wording is included below.

Landscaping Hardworks No development shall commence until full details of proposed hard landscaping has been submitted to and approved in writing by the Local Planning Authority. This will include all external finishing materials, finished levels, and all construction details confirming materials, colours, finishes and fixings. The scheme shall be completed to the satisfaction of the

Local Planning Authority and in accordance with the approved details within a period of 12 months from the date on which the development commenced or prior to the occupation of any part of the development. Any defects in materials or workmanship appearing within a period of 12 months from completion of the total development shall be made-good by the owner as soon as practicably possible.

Reason: To enable the LPA to control details of the proposed development, to ensure a high quality hard landscaping scheme is provided in the interests of visual amenity which contributes positively to local character of the area.

Enclosure Notwithstanding the proposals detailed in the Design and Access Statement/ submitted plans, (whichever is applicable) prior to the commencement of development, details of the enclosure shall be submitted to and approved in writing by the Local Planning Authority. Such means of enclosure shall be erected before the development hereby approved is occupied.

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

Environmental Health Unit

I have assessed the resubmitted plans which shows a reduction in the proposed use of the space by eliminating one glamping pod and associated external areas. The revised plans include an apartment holiday let, golf simulator/cinema and one glamping pod.

I have considered the likelihood of noise from this proposal, and note that the applicant has provided mitigations in the form of acoustic insulation to the glamping pod, and to the boundary fencing which is close to the nearest residential premises.

However, the issue remains that the proposal is an intensification of the existing residential use. The plans involve an increase in car usage of up to 6 cars, and this excludes external visitors for the golf simulator/cinema room which will be open for public use. As the proposed use, frequency and numbers of people using the simulator are unknown, I have concerns that if used to full capacity that this will create an adverse noise impact by cars and visitors using the site.

The proposed hours for communal areas are 10 am - 10pm weekdays, 10 am- 11pm weekends. In view of the above, these hours would not be suitable for use of the golf simulator. I would recommend that the hours of use are significantly reduced, should the application be approved.

Northern Gas Networks

Northern Gas Networks has no objections to these proposals, however there may be apparatus in the area that may be at risk during construction works and should the planning application be approved, then we require the promoter of these works to contact us directly to discuss our requirements in detail. Should diversionary works be required these will be fully chargeable.

Northumbrian Water Limited

Thank you for consulting Northumbrian Water on the above proposed development.

Having assessed the proposed development against the context outlined above I can confirm that at this stage we would have the following comments to make:

Northumbrian Water actively promotes sustainable surface water management across the region. The developer should develop their surface water drainage solution by working through the following, listed in order of priority:

- *Discharge into ground (infiltration)*
- *Discharge to a surface water body*

- *Discharge to a surface water sewer, highway drain, or another drainage system*
- *As a last resort, discharge to a combined sewer*

Sabir UK Petrochemicals Ltd

Please note the planning application enquiry above will not affect SABIR/INEOS ethylene pipeline apparatus.

PUBLICITY

9. Neighbours were notified and a summary of the comments received are set out below, the full versions can be viewed on the public access:-

10. Eight Letters of support have been received from;

1. Mr and Mrs Lord, 5 Jasper Grove Stillington
2. Miss Morgan Parker, 5 Deanery Court Darlington
3. Mr and Mrs Lawson, Blakeston Croft Farm Blakeston Lane
4. Mr Richard Mudd, Hamilton Russell Bank Terrace
5. Mrs Gillian Overton, 10 Durham Road Thorpe Thewles
6. Mrs Jayne Steel, 21 Wynyard Road Thorpe Thewles
7. Mr Stephen Leather, 31 Astral Drive Thorpe Thewles
8. Mrs Christine Kilfeather, Ivy Cottage Bank Terrace

The following comments have been raised;

- Bring custom to the existing facilities including the Hamilton Russel Pub
- Bring employment
- I work in the village and I am a keen golfer. Having a simulator over the road would allow me to play a lot more frequently, along with some of my workmates.
- I would like to support this application because I think that any new business should be supported & encouraged.
- The village would benefit from this venture.
- everyone agrees that Thorpe Thewles is a lovely village and is very enthusiastic about bringing visitors to the village on other occasions e.g. fetes and festivals and also often complain about the un sustainability of the village but never seem to want to move towards sustainability I feel that more business in the village could possibly warrant even more desirable business in the village for example a village shop
- The applicant seems to have amended the issues raised towards the previous application and has been respectful in doing so
- As the manager of a pub in the village we often have customers enquiring about places to stay in the local area and options are very limited without leaving the immediate area
- I think everybody deserves a chance to start a business and support their family in any way they can especially in ways that will benefit the local economy.
- I have lived in the village for 22 years opposite the Hamilton Russell public house car park. I am therefore used to traffic coming and going at all times throughout the day, commencing with deliveries around 7.30am and visitors/ staff leaving around 11.00 -11.30pm. I do not see how the addition of this would add to noise pollution particularly when we are having a new housing estate built past this proposed development.
- I note that the Carlton Homes have already removed some of the hedgerow as part of their development plans. I do not see how this would differ from the applicant removing some hedgerow if indeed this was required.
- I am fully aware the applicant has a young family and would not tolerate or accept any disturbance. I understand this proposal is to be respectful of neighbours, and the village environment.
- No substantial grounds for refusing the planned development of 2 Durham Road.
- Any impact would be minor

11. Letters of objection have been raised from
 1. Mr Jeffrey Gillson, 4 Hamilton Court Thorpe Thewles
 2. Mrs Margaret Rees, 2 School Close Thorpe Thewles
 3. J B Wells, Iona Wynyard Road
 4. Mr Nick Waites, 3 Wynyard Court Thorpe Thewles
 5. Mrs P L John, 4 Durham Road Thorpe Thewles
 6. Carole Sharkey, 17 Durham Road Thorpe Thewles
 7. Gareth Rees, 2 School Close Thorpe Thewles
 8. Mrs Janet Martin, Brooklyn Bank Terrace
 9. Dennis Brown, 3 Mill Terrace Thorpe Thewles
 10. Lorraine Webster, Vine Cottage Mill Terrace

The following comments have been raised;

- Thorpe Thewles is a quiet rural village classified as unsustainable by Stockton Council. The proposed development is not appropriate for the location.
- The potential for noise and antisocial behaviour. Clients would rightly expect to have a good time at the facility, including eating & drinking at the local pubs, using the hot-tubs & outdoor socialising. This will inevitably result in noise and the potential for antisocial behaviour.
- Traffic density and parking is already a problem in the village, there are already too many vehicles parking in our country lanes. This will increase when the new housing development in Durham Road is occupied.
- Highway safety
- Impact on new houses.
- Ultimate aim appears to be to develop additional facilities with associated additional noise issues and the potential for increased antisocial behaviour.
- I believe the proposed facility is simply in the wrong place and the application should therefore be rejected by Stockton Planning.
- Loss of hedgerows
- It is a totally inappropriate venture for a village with no facilities - no shop, no post office and very little reliable transport.
- Visibility Splays (Entry & Exit through new access gateway Durham Road) To achieve a 43metre safe visibility splay to the south of Durham Road exiting the site has to be achieved by a removal of a 2metre depth by 10metre length of wildlife hedgerow which will then continue for another 30 metres which has apparently been agreed between by Homes by Carlton and the environment department with the owner of 2 Durham Road to allow this visibility splay.
- Creation of Litter
- Devaluation of property
- No Community Support
- Loss of open space

PLANNING POLICY

12. 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 Plan is the Stockton on Tees Borough Council Local Plan 2019.
13. Section 143 of the Localism Act came into force on the 15 January 2012 and requires 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.

National Planning Policy Framework

14. The purpose of the planning system is to contribute to the achievement of sustainable development. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. These are economic social and environmental objectives.
15. So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11) which for decision making means;
 - approving development proposals that accord with an up-to-date development plan without delay; or
 - where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Local Planning Policy

16. The following planning policies are considered to be relevant to the consideration of this application.

Strategic Development Strategy Policy 4 (SD4) - Economic Growth Strategy

1. Economic development needs will be directed to appropriate locations within the Borough to ensure the delivery of sustainable economic growth.
2. Proposals for the redevelopment of previously developed land, in particular prominent sites which have been derelict for a significant period of time, will be supported.

Sustainable Tourism and the Tranquil River Corridor

17. Support will be given to sustainable tourism proposals in the Borough's main town centres, tourist attractions, main parks and country parks, as well as enhancing the River Tees as a leisure, recreation and water sports destination. Out of centre proposals should be clearly related to activity in these areas and be of an appropriate scale, having regard to the intrinsic character of the countryside, in particular the desire to protect and enhance the tranquil River Tees, Leven and Bassleton Beck corridors as represented by the green wedge.

18. The Council will support appropriate economic growth development within the countryside that cannot be located within the limits to development, or is of an appropriate scale and does not harm the character and appearance of the countryside; where it:
 - a. Is necessary for a farming or forestry operation; or
 - b. Provides opportunities for farm diversification; or
 - c. Provides opportunities for equestrian activity; or
 - d. Is a tourism proposal requiring a rural location; or
 - e. Is a site for new and existing land based rural businesses/enterprises.

Strategic Development Strategy Policy 5 (SD5) - Natural, Built and Historic Environment

To ensure the conservation and enhancement of the environment alongside meeting the challenge of climate change the Council will:

1. Conserve and enhance the natural, built and historic environment through a variety of methods including:

- a) Ensuring that development proposals adhere to the sustainable design principles identified within Policy SD8.
- c) Protecting and enhancing green infrastructure networks and assets, alongside the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species.
- d) Enhancing woodlands and supporting the increase of tree cover where appropriate.
- e) Supporting development of an appropriate scale within the countryside where it does not harm its character and appearance, and provides for sport and recreation or development identified within Policies SD3 and SD4.
- f) Ensuring any new development within the countryside retains the physical identity and character of individual settlements.
- g) Directing appropriate new development within the countryside towards existing underused buildings on a site for re-use or conversion in the first instance. Only where it has been demonstrated to the satisfaction of the local planning authority that existing underused buildings would not be appropriate for the intended use should new buildings be considered.
- h) Supporting the conversion and re-use of buildings in the countryside where it provides development identified within Policies SD3 and SD4, and meets the following criteria:
 - i. The proposed use can largely be accommodated within the existing building, without significant demolition and rebuilding;
 - ii. Any alterations or extensions are limited in scale;
 - iii. The proposed use does not result in the fragmentation and/or severance of an agricultural land holding creating a non-viable agricultural unit; and
 - iv. Any associated outbuildings/structures are of an appropriate design and scale.
- m) Encouraging the reduction, reuse and recycling of waste, and the use of locally sourced materials.

2. Meet the challenge of climate change, flooding and coastal change through a variety of methods including:

- a. Directing development in accordance with Policies SD3 and SD4.
- b. Delivering an effective and efficient sustainable transport network to deliver genuine alternatives to the private car.
- c. Supporting sustainable water management within development proposals.
- d. Directing new development towards areas of low flood risk (Flood Zone 1), ensuring flood risk is not increased elsewhere, and working with developers and partners to reduce flood risk.
- e. Ensuring development takes into account the risks and opportunities associated with future changes to the climate and are adaptable to changing social, technological and economic conditions such as incorporating suitable and effective climate change adaptation principles.
- f. Ensuring development minimises the effects of climate change and encourage new development to meet the highest feasible environmental standards.
- g. Supporting and encouraging sensitive energy efficiency improvements to existing buildings.

Strategic Development Strategy Policy 8 (SD8) - Sustainable Design Principles

1. The Council will seek new development to be designed to the highest possible standard, taking into consideration the context of the surrounding area and the need to respond positively to the:

- a. Quality, character and sensitivity of the surrounding public realm, heritage assets, and nearby buildings, in particular at prominent junctions, main roads and town centre gateways;

- b. Landscape character of the area, including the contribution made by existing trees and landscaping;
- c. Need to protect and enhance ecological and green infrastructure networks and assets;
- d. Need to ensure that new development is appropriately laid out to ensure adequate separation between buildings and an attractive environment;
- e. Privacy and amenity of all existing and future occupants of land and buildings;
- f. Existing transport network and the need to provide safe and satisfactory access and parking for all modes of transport;
- g. Need to reinforce local distinctiveness and provide high quality and inclusive design solutions, and
- h. Need for all development to be designed inclusively to ensure that buildings and spaces are accessible for all, including people with disabilities.

2. New development should contribute positively to making places better for people. They should be inclusive and establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit.

3. All proposals will be designed with public safety and the desire to reduce crime in mind, incorporating, where appropriate, advice from the Health and Safety Executive, Secured by Design, or any other appropriate design standards.

4. New development will seek provision of adequate waste recycling, storage and collection facilities, which are appropriately sited and designed.

Economic Growth Policy 7 (EG7) - Supporting Rural Economic Development

1. The Council will support and promote the sustainable growth and expansion of both new and existing rural land-based businesses and enterprises, both through the conversion of existing buildings and well-designed new buildings which are well related to existing development and respect the character of the countryside.

2. Support will be given to farm, agricultural and land based diversification schemes, rural leisure and tourism developments which build on the unique assets of the Borough, the introduction and improvement of information communications technology (ICT) networks to help support local businesses, including the expansion of high-speed broadband.

5. The Council will support and promote the retention and development of local services and community facilities in villages, which meet the day to day needs of rural communities such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship. Proposals which involve the re-use or redevelopment of existing land or buildings where the last use was for community purposes or providing community facilities will be considered against Policy TI2.

Natural, Built and Historic Environment Policy 4 (ENV4) - Reducing and Mitigating Flood Risk

1. All new development will be directed towards areas of the lowest flood risk to minimise the risk of flooding from all sources, and will mitigate any such risk through design and implementing sustainable drainage (SuDS) principles.

5. Surface water run-off should be managed at source wherever possible and disposed of in the following hierarchy of preference sequence:

- a. To an infiltration or soak away system; then,
- b. To a watercourse open or closed; then,
- c. To a sewer.

6. Disposal to combined sewers should be the last resort once all other methods have been explored.

9. Sustainable Drainage Systems (SuDS) should be provided on major development (residential development comprising 10 dwellings or more and other equivalent commercial development) unless demonstrated to be inappropriate. The incorporation of SuDS should be integral to the design process and be integrated with green infrastructure. Where SuDS are provided, arrangements must be put in place for their whole life management and maintenance.

Natural, Built and Historic Environment Policy 5 (ENV) - Preserve, Protect and Enhance Ecological Networks, Biodiversity and Geodiversity

7. Existing trees, woodlands and hedgerows which are important to the character and appearance of the local area or are of nature conservation value will be protected wherever possible. Where loss is unavoidable, replacement of appropriate scale and species will be sought on site, where practicable.

Natural, Built and Historic Environment Policy 7 (ENV7) - Ground, Air, Water, Noise and Light Pollution

1. All development proposals that may cause groundwater, surface water, air (including odour), noise or light pollution either individually or cumulatively will be required to incorporate measures as appropriate to prevent or reduce their pollution so as not to cause unacceptable impacts on the living conditions of all existing and potential future occupants of land and buildings, the character and appearance of the surrounding area and the environment.

6. To improve the quality of the water environment the Council will:

- a. Support ecological improvements along riparian corridors including the retention and creation of river frontage habitats;
- b. Avoid net loss of sensitive inter-tidal or sub-tidal habitats and support the creation of new habitats; and
- c. Protect natural water bodies from modification, and support the improvement and naturalisation of heavily modified water bodies (including de-culverting and the removal of barriers to fish migration).

MATERIAL PLANNING CONSIDERATIONS

17. The main planning considerations of this application are the compliance with the development plan and national and local planning guidance as well as the impacts of the development on the character of the area, amenity of neighbouring occupiers and highway safety, such matters are discussed below;

Principle of development

18. Both National and Local Planning Policy puts emphasis on the benefits tourism can have in terms its contribution to the rural economy and the wider social and economic benefits surrounding it.

19. Para 83 of the NPPF requires that decisions should enable, the sustainable growth and expansion of all types of business in rural areas (through conversion of existing buildings and well-designed new buildings) and sustainable rural tourism and leisure developments which respect the character of the countryside. This proposed development would make use of an existing annex which is no longer required by the new occupiers.

20. Local Plan Policy SD4(17) in line with the NPPF, seeks to support out of centre proposals where they are of an appropriate scale and have regard for the intrinsic character of the countryside. SD4 (18) whilst focused more on development outside of development limits seeks to support developments that do not harm the character and appearance of the countryside; where it is a tourism proposal requiring a rural location; or is a site for new and existing land based rural businesses/enterprises. Additionally, the Local Plan supports and promotes the sustainable

growth and expansion of both new and existing rural land-based businesses and enterprises, which are well related to existing development and respect the character of the countryside.

21. Tourist accommodation in itself is a widely accepted form of development which offers a contribution to the rural economy. The proposal would make provision for tourist accommodation within Thorpe Thewles village and as visitors using the proposed accommodation would be likely to visit other places to eat, drink and utilise leisure and recreation facilities, the proposal would make a positive contribution to the local economy. A number of the letters of support raise such arguments. Furthermore, it is recognised that holiday use would be materially different from permanent residential use in terms of access and travel requirements and the daily needs of occupants.
22. With regards to the proposed golf stimulator/ private cinema, Policy EG7 supports the principle of conversion or new building which are well related to existing development and respect the character.
23. It is considered that the principle of the development has been established, all other material planning considerations are considered in the later stages of this report.

Character and Visual Impact

24. The impact on the character of an area is not something which is purely about the visual appearance, it is also about the nature of development and how that creates a sense of place.
25. The site is within the defined development limits within close proximity the one of two public houses within Thorpe Thewles. As set out within the proposal section of this report, the application has been significantly scaled back to take into consideration the Council Officers and members of the public concerns.
26. It is not an uncommon arrangement to have holiday lets/ cottages within residential areas such, as proposed. It is not considered that the proposed use of the existing annex to holiday let would have an adverse impact on the character.
27. Within the Site boundary the only new form of development would be the proposed golf stimulator building which due to the proposed timber cladding and pitched roof would not appear to dissimilar to a typical garden shed. It is not considered that the scale of the building would appear incongruous within the surrounding area. Restrictions on the use of the facility (hours of use and maximum number of bookings) will result in a low level of commercial activity which are considered not to have any significant impacts on the character of the area so as to warrant refusal of the application on these grounds.
28. The Highways Transport and Design Manager has raised no objection to the proposed development. Concerns over the loss of the hedge have been considered and the applicant has revised the proposed boundary treatment to allow for the retention of part of the existing hedgerow. Notwithstanding that, a condition is recommended with regards to further details of the boundary treatments, as well as soft landscaping, to ensure a satisfactory form of development could be achieved. Subject to the recommended conditions it is considered that the proposed development would safeguard the amenity of the street scene and would therefore not be a substantiated reason for refusal.
29. A condition has been proposed to be attached to a decision, should members be minded to approve the application which would require the submission of any external lighting to be submitted to the Local Planning Authority prior to the installation, to ensure any illumination within the site is appropriate to the setting.

Amenity

30. A number of the complaints raised are concerned with the introduction of a commercial business within the context of this village location, surrounded by residential dwellings.
31. It is also noted that initial concerns were raised on the basis of the operating hours of the communal facilities being until 10pm on evenings and 11pm weekends, as well as the proposed camping area with associated seating. The Environmental Health Officer raised concerns over the level of activity and intensification of use and proposed hours.
32. The revised plans have scaled back the operations to omit the proposed camping pod resulting in the proposed development of a one bedroom holiday let/ annex and the golf stimulator which would be severely limited (to the maximum of 4 booking within the restricted operating hours). Which as set out above would be within the 'normal' working day and restricted further on Saturdays to 10:00 to 16:00.
33. The provision of outdoor amenity space about the cottage and the fact that holiday makers do have a tendency to sit and enjoy the outdoors there is likely to be additional noise as a result of this development. The outdoor space has however been sited to the east of the building beyond the existing built form and away from the immediate neighbours, due to the level changes it is also set down from the adjacent properties amenity space. The holiday cottage would only have one bedroom and therefore is likely to be occupied either on a single occupancy or by a couple, the removal of the pod migrates the risk of groups of people visiting the site. As such, whilst any noise may be audible to the neighbours this is not considered, due to the revised scale of the proposed operation, to be of such a significant harmful impact upon the neighbours amenities that it could warrant a refusal. It is however recommended that the hours of use on the hot tub is limited to 10pm and a condition is imposed preventing any music systems to be installed to outdoor areas.

Highway Safety

34. It is noted that a number of the objectors have raised concern over the impact of the development with regards to access and to parking issues within this part of Thorpe Thewles. However, the Highways Transport and Design Manager has raised no objection to the proposed development. It is therefore not considered that a reason for refusal could be substantiated on highway safety grounds.

Residual Matters

Waste

35. With the exception of the location of the bin storage, no details have been provided as to the collection of waste and recyclables. A suitably worded condition has been recommended.
36. The site is not allocated within the Local Plan as a public area of open space, the land is enclosed and within private ownership.
37. The concern over impact of valuation of properties is not a material consideration of which any weight can be attributed to.
38. Concern has also been raised that the proposed development would lead to an expansion of the business, however, it is only what is being proposed under this application which can be considered.

CONCLUSION

39. The proposed development would represent a small scale tourist activity within a village location, the principle of which is supported by Local and National Planning Policy. Whilst acknowledged that the use of a holiday let may involve some disturbance in relation to the use, the scale of the

revised operations and the imposition of the recommended conditions would ensure that the proposed development would not result in an adverse impact to such a degree that it would warrant refusal of the application. Furthermore, conditions have been recommended to safeguard the visual amenity of the site and wider area.

40. It is recommended that the application be Approved with Conditions for the reasons specified above.

Director of Economic Growth and Development
Contact Officer Helen Boston Telephone No 01642 526080

WARD AND WARD COUNCILLORS

Ward	Northern Parishes
Ward Councillor	Councillor John Gardner

IMPLICATIONS

Financial Implications:

N/A

Environmental Implications:

N/A

Human Rights Implications:

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

Community Safety Implications:

The provisions of Section 17 of the Crime and Disorder Act 1998 have been taken into account in the preparation of this report

Background Papers

Stockton on Tees Local Plan Adopted 2019

Supplementary Planning Documents

SPD1 – Sustainable Design Guide

SPD2 – Open Space, Recreation and Landscaping

SPD3 – Parking Provision for Developments