

Addendum

LA01/2017/0549/O

Outline Planning

Update

An email was received from TC Town Planning on 17 January 2017 raising issues in support of the above application.

- TC Town Planning (TTP) states that the previous application at this location for replacement (LA01/2016/0710/O) was withdrawn due to inadequate access provision, which has now been resolved.

The application referred to above was presented previously to the Planning Committee, 23rd November 2016 with a recommendation to refuse. One of the three refusal reasons related to the inadequate access. See Paragraph 3 of the Committee Report and the refusal reasons below for LA01/2016/0710/O. The Committee agreed with the Officer recommendation that the application be refused on the principle of

a replacement dwelling in addition to the access reason.

“1. The proposal is contrary to Paragraph 6.73 of the Strategic Planning Policy Statement and Policy CTY1 of Planning Policy Statement 21, Sustainable Development in the Countryside in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement.

2. The proposal is contrary to Paragraph 6.73 of the Strategic Planning Policy Statement and Policy CTY3 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the building does not exhibit the essential characteristics of a dwelling.

3. The proposal is contrary to Paragraph 6.303 of the Strategic Planning Policy Statement and Policy AMP 2 of Planning Policy Statement 3, in that it would, if permitted, prejudice the safety and convenience of road

users since it would not be possible within the application site to provide the appropriate access and visibility splays.”

- TTP has submitted evidence retrieved from historic tenement records which they state identifies the building as being inhabited in the past.

The policy test of CTY 3 is that the “dwelling to be replaced exhibits the essential characteristics of a dwelling” see paragraph 8.5 of the Committee Report. This test applies on the date of the application. Therefore, demonstrating that the building was previously a dwelling in the past will not satisfy this criteria of the policy if the essential characteristics of a dwelling are no longer present. Officials in assessment of the proposal did not contest if a dwelling existed at the site in the past. Paragraphs 8.6 to 8.12 of the Committee Report describe the building and conclude that it does not currently exhibit the essential characteristics of a dwelling.

- TTP refers to existing building features including the outline of a chimney breast.

Refer to paragraphs 8.8– 8.10 of the Planning Committee Report which outlines and assesses the built form.

- TTP refers to a number of planning applications approved in accordance with Policy CTY3.

Each example was considered to exhibit all the essential characteristics of a dwelling and are not comparable to the current application.

Recommendation

That the Committee notes the content of this addendum and agrees with the recommendation to refuse as set out in paragraph 9.1 of the Planning Committee Report.