

DELEGATED

AGENDA NO
PLANNING COMMITTEE

DATE 19th April 2006

REPORT OF CORPORATE DIRECTOR OF
DEVELOPMENT AND NEIGHBOURHOOD
SERVICES

06/0300/FUL

WILLOW BRIDGE WORKS, LETCH LANE, CARLTON
RESIDENTIAL DEVELOPMENT OF 10 NO. DETACHED DWELLING HOUSES AND
ASSOCIATED MEANS OF ACCESS AND LANDSCAPING
Expiry Date: 2nd May 2006

SUMMARY

Outline planning permission was approved for a residential development of 10 dwellings on this site on the 3rd May 2005. This current proposal is a detailed application for the erection of ten dwellings and associated ancillary development on the same site as the earlier outline approval.

A total of 9 letters of objection have been received in respect to the development with objections including concern over the impact on existing landscaping and the character of the area in general, the design and scale of the development, its proximity to existing houses and effects on wildlife.

The site falls within the limits of development as defined within the Local Plan and has a current outline approval for the same number of dwellings. As such, the principle of development is accepted. The layout and design of properties makes adequate provision for the surrounding properties, land uses and highway safety whilst is considered to be generally in keeping with the surrounding environment. As such, the proposal is considered to accord with relevant Local Plan policies and is recommended for approval subject to conditions.

Recommendations:

Recommended that application 06/0300/FUL be approved subject to the applicant entering into a Section 106 agreement for a commuted lump sum for the provision of active off site recreation within the Village.

- 01. *The development hereby approved shall be carried out in accordance with the following approved plan(s); unless otherwise agreed in writing with the Local Planning Authority.
Drawing Number(s) :- 1498-01-C, 02-C, 03-C, 04-D, 05-D, SBC001.
Reason: To define the consent.***
- 02. *Notwithstanding any description of the materials in the application, no above ground construction of the buildings shall be commenced until precise details of the materials to be used in the construction of the external walls and roof of the buildings have been approved in writing by the Local Planning Authority.
Reason: In order to allow the Local Planning Authority adequate control over the appearance of the development.***
- 03. *Prior to works commencing on site a scheme for a temporary car park to be provided on site shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented on site and brought into use during the initial construction phase to provide in curtilage parking for persons working on the site.
Reason: In the interests of highway safety***

- 04. No trees or landscaping on the site shall be lopped, topped, pruned or felled until a scheme of landscaping has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall indicate those areas of landscaping to be retained and a scheme for their protection in accordance with BS5837.**
Reason: In the interests of visual amenity.
- 05. No development should be commenced until a desk study report providing information on the previous land uses and an evaluation as to whether ground contaminants are likely to be present, has been submitted to and approved by the Local Planning Authority. The report shall detail appropriate remediation works based on the findings of the survey and these shall be carried out in accordance with a remediation strategy to be submitted to and approved in writing by the Local Planning Authority.**
Reason: To ensure the proper restoration of the site
- 06. During the construction phase of the development there shall be no burning of waste on the site.**
Reason: To protect the amenity of the occupants of nearby properties.
- 07. During construction of the scheme hereby approved there shall be no operation of plant outside the hours of 8.00a.m. - 6.00p.m. Weekdays, 8.00a.m. - 1.00p.m. Saturdays and at no times on Sundays or bank holidays.**
Reason: To avoid excessive noise and disturbance to the occupants of nearby properties.
- 08. Full details of the proposed means of disposal of surface water and foul drainage shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby permitted and shall be provided in accordance with the approved details before the development is brought into use.**
Reason: To achieve a satisfactory form of development.
- 09. All means of enclosure associated with the development hereby approved shall be in accordance with a scheme to be agreed with the Local Planning Authority before the development commences. Such means of enclosure as agreed shall be erected before the development hereby approved is occupied.**
Reason: In the interests of the visual amenities of the locality.
- 10. A detailed scheme for landscaping and tree and/or shrub planting shall be submitted to and approved in writing by the Local Planning Authority before the development authorised or required by this permission is commenced. Such a scheme shall specify types and species, layout contouring and surfacing of all open space areas. The works shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development whichever is the sooner and any trees or plants which within a period of five years from the date of planting die, are removed, become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation.**
Reason: To ensure satisfactory landscaping to improve the appearance of the site in the interests of visual amenity.
- 11. Notwithstanding the provisions of classes A, B, C, D & E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order), the buildings hereby approved shall not be extended or altered in any way, nor any ancillary buildings or means of enclosure erected within the curtilage without the written approval of the Local Planning Authority.**
Reason: To adequately control the level of development on the site to a degree by which the principle of the permission is based.

12. The windows in the following locations shall be obscurely glazed in accordance with a scheme to be submitted to and approved in writing with the Local Planning Authority.
- Window within the side elevation of the dwelling occupying plot 8, which is shown on the approved, plans as serving bedroom 1.
 - Windows within the side elevation of the dwellings occupying plots 4 and 7, which are shown on the approved plans as serving a living room.
- The approved details shall be incorporated into the construction of the development and retained in perpetuity thereafter unless otherwise agreed in writing with the Local Planning Authority.
- Reason: In the interests of the privacy and amenity of the occupiers of the adjoining property, and to comply with Policy HO11 of the Stockton on Tees Local Plan.
13. Notwithstanding details shown on the plans hereby approved, prior to any works commencing on site, a scheme of finished floor levels for all properties within the development shall be submitted to and approved in writing by the Local Planning Authority. The dwellings shall be built in accordance with these approved details.
- Reason: To take into account the sites location in respect to a watercourse.

HEADS OF TERMS

A commuted lump sum of £23,800 is required in lieu of the provision of informal and formal recreation space.

This would be used towards the provision of active off-site recreation within the village.

THE PROPOSAL

1. Detailed planning permission is sought to carry out a residential development of 10 dwellings on a former works site located in the South East corner of Carlton Village.
2. Supporting documentation has been submitted with the application in the form of a Flood Risk Assessment, Soakaway Tests and Level Details.
3. The site has been laid out having two private shared drives served off a single cul de sac off Letch Lane. All properties are inward facing, provide for off street parking and garaging whilst have front and rear garden areas.

CONSULTATIONS

The following Consultations were notified and any comments they made are below: _

Councillors

Cllr Salt. Supports the views of the parish council in its opposition to the proposed development.

Carlton Parish Council

The parish Council objects to the application on the grounds that the three storey houses are not in keeping with the rural scene in the village and they would appear far too prominent at the entrance to the village.

Head of Integrated Transport and Environmental Policy

The development will need to comply with the Design Guide and Specification (Residential & Industrial Estates Development). To That end the following matters are among those requiring attention: -

- All highway works including the entrance should be undertaken via Highways Act section 38 agreement.
- A dropped kerb crossing is required to the North of the entrance
- The maintenance responsibility for the culvert needs to be clearly identified to the prospective owners of plot nos 5 & 10

- The maximum extension of a cul-de-sac must not exceed 14 metres beyond the tangent point.
- Driveways to plots 5, 6, 8 & 9 require turning facilities.
- The turning head should be at 90 degrees.
- Driveways must not be surfaced using unbound material as this can cause premature failure of the adjacent adopted highway.
- Driveways should be at 90 degrees to the carriageway.
- The private shared drive exceeds the maximum 25m.
- If the applicant would like anything to be considered which does not meet normal highway standards then the applicant must apply for a Departure from Standard in accordance with Council policy. Supporting information must be provided with reasons for the departure and any proposed mitigation measures.

The Council has no specific information regarding any flooding of this site. The applicant is advised to make local inquiries

Environmental Health Unit

I have no objection in principle, however, have concerns regarding the following environmental issues and would recommend that conditions be imposed should it be approved.

Possible land contamination. Therefore no development should be commenced until a desk study report providing information on the previous land uses and an evaluation as to whether ground contaminants are likely to be present, has been submitted to and approved by the Local Planning Authority (LPA) and appropriate remediation works are undertaken.

Construction Noise. Therefore hours of operation on site should be restricted to 8:00a.m. - 6.00p.m. Weekdays and 8.00a.m. - 1.00 p.m. on a Saturday with no Sunday working.

Landscape Officer

Summarised:

A contribution is required towards active off-site recreation within the village. The commuted lump sum is calculated as follows:

Apply rate of £3,500.00 per 0.1 hectare
Site area of 0.68 hectares = £23,800.00

Full detailed landscape proposals are required and should be developed in conjunction with the following information:

All the trees and conifer hedges to be retained and must be protected during the construction period strictly in accordance with B.S.5837 Trees in Relation to Construction 2005:

No changes in levels within the branch spread of the trees.

Where tree roots are encountered only hand digging will be allowed.

Compaction to the root spread of the tree must be avoided and protective fencing should be erected around the canopy spread of all trees.

No storage of materials will be permitted within the branch spread of the trees.

Level changes

Cross sections

Hard Landscaping

Ground Modelling

Advice is also given in respect to tree and shrub planting, maintenance and title transfer.

The Environment Agency

Summarised:

The Agency has no objections, subject to conditions.

Floor levels for all 10 proposed properties should be set at least 600mm above the 100-year flood level of 43.50 metres above Ordnance Datum to protect the development from flooding.

No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been submitted to and approved in writing by the Local Planning Authority. The drainage works shall be completed in accordance with the details and timetable agreed. To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.

The Environment Agency made the following comments on a Flood Risk Assessment for this site (dated 27/01/06):

"We confirm that your FRA is considered to meet the requirements of PPG25 Development and Flood Risk. As such the Agency will not object on flood risk grounds, subject to the advice and conditions.

NEDL

No objections

Northern Gas Networks

No objections

Northumbrian Water Limited

Development Plans Officer

Care For Your Area

Neighbours were notified and the following comments were received

Frank B Andrews

High Meadow Farm, Letch Lane

Is concerned over the height difference between the redevelopment land to their own which until recently was safeguarded by a concrete barrier.

Ian And Janet Scott

8A Poplars Lane, Carlton

Summarised: Object for the following reasons:

Sewage management.

We have alerted about the ability of the local sewage system to cope with extra housing in the area and cannot find any reference to an exploration of this problem within the application and would suggest that an independent survey is conducted prior to development commencing. Any increase in the occurrence of raw sewage overflow into Letch Beck caused by the increased housing would be unacceptable.

We strongly object to the leylandii hedge where it borders with the properties in Poplars Lane. We do appreciate that consideration has been made to effectively screen the site for the privacy of all parties, although would suggest that a boundary that is more easily maintained and is more in keeping with the character of the location is considered.

A beech hedge would certainly be far more acceptable, but we would suggest that, although slow growing, a hawthorn hedge would preserve the character of the location and provide a more equitable habitat for the indigenous wildlife

Robert Douglas

3 Ash Tree Green, Carlton

If planning permission is granted it is requested a restriction be put on the builders to work during the summer months, Mondays to Fridays between 8 am and 5pm with no work at weekends. In particular, the restriction of heavy noisy plant and machinery.

Mr And Mrs G And J A Marron
7 Poplars Lane, Carlton

Objection is raised on grounds that the three storey houses are not in keeping with the rural outlook of the village and would be too obtrusive at the entrance to the village.

There is currently a total disregard to health and safety on the site, work is extending beyond the legal limit and there is poor security on site.

Mr Peter Hardwicke

Chestnut House, Carlton Village

Ten houses seems too many. Plot 7 is too close to chestnut house, Deepdale and Bielside gardens whilst plot 7 would block views from Ash tree Green house. No's 8, 9 and 10 are too far back, near to Rowan Lodge with back windows being too close.

It is suggested plot 7 should not be built and that other plots be more suitably spaced to provide better proportioned landscape and access.

Plots 1 to 4 appear to be too close to one another and therefore only three should be built.

Planting of screening conifers is necessary and existing hedge screening to Ash Tree Green should be allowed to grow higher.

On no account should the existing conifer screen or two Ash Trees be removed.

This is an already crowded works site and the infill will further crowd the site to its detriment.

A Magee

Glen Cottage, Carlton Village

Objects to the 2nd floor window on the side elevation of house type 3 on plot no. 8 as it may allow overlooking of adjoining gardens.

E A Heatly

Eheatley@dtva.co.uk

Removal of the leylandii hedge would interfere with the fence dividing properties which is owned by the adjoining property whilst remove the positive contribution to environmental, wildlife and screening. Any replacement would compromise the rural feel of the environment.

Existing works being undertaken on site and not being carried out appropriately with regards to health and safety and hours of operation.

PLANNING POLICY CONSIDERATION

4. Where an adopted or approved development plan contains relevant policies, section 54A of the Town and Country planning Act requires that an application for planning permission shall be determined in accordance with the Plan, unless material planning considerations indicate otherwise. The relevant development plan in this case is the adopted Stockton on Tees Local Plan.

Policy GP1

Proposals for development will be assessed in relation to the policies of the Cleveland Structure Plan and the following criteria as appropriate:

- (i) The external appearance of the development and its relationship with the surrounding area;
- (ii) The effect on the amenities of the occupiers of nearby properties;
- (iii) The provision of satisfactory access and parking arrangements;
- (iv) The contribution of existing trees and landscape features;
- (v) The need for a high standard of landscaping;
- (vi) The desire to reduce opportunities for crime;
- (vii) The intention to make development as accessible as possible to everyone;
- (viii) The quality, character and sensitivity of existing landscapes and buildings;

- (ix) The effect upon wildlife habitats;
- (x) The effect upon the public rights of way network.

Policy EN13

Development outside the limits to development may be permitted where:

- (i) It is necessary for a farming or forestry operation; or
 - (ii) It falls within policies EN20 (reuse of buildings) or Tour 4 (Hotel conversions); or
- In all the remaining cases and provided that it does not harm the character or appearance of the countryside; where:
- (iii) It contributes to the diversification of the rural economy; or
 - (iv) It is for sport or recreation; or
 - (v) It is a small scale facility for tourism.

Policy HO3

Within the limits of development, residential development may be permitted provided that:

- (i) The land is not specifically allocated for another use; and
- (ii) The land is not underneath electricity lines; and
- (iii) It does not result in the loss of a site which is used for recreational purposes; and
- (iv) It is sympathetic to the character of the locality and takes account of and accommodates important features within the site; and
- (v) It does not result in an unacceptable loss of amenity to adjacent land users; and
- (vi) Satisfactory arrangements can be made for access and parking.

Policy HO11

New residential development should be designed and laid out to:

- (i) Provide a high quality of built environment, which is in keeping with its surroundings;
- (ii) Incorporate open space for both formal and informal use;
- (iii) Ensure that residents of the new dwellings would have a satisfactory degree of privacy and amenity;
- (iv) Avoid any unacceptable effect on the privacy and amenity of the occupiers of nearby properties;
- (v) Pay due regard to existing features and ground levels on the site;
- (vi) Provide adequate access, parking and servicing;
- (vii) Subject to the above factors, to incorporate features to assist in crime prevention.

BACKGROUND

5. The application site is part of a former works site which has become surplus following the expansion of the business onto new buildings to the south east corner of the village. Outline planning permission was granted on the 3rd May 2005 for the erection of 10 dwellings on the site. This revised application does not relate to the reserved matters of the earlier approval but instead is a detailed application for a different scheme.
6. The site is bounded by residential properties to the north, east and west and works to the south. The site has effectively been cleared apart from peripheral landscaping and a culverted stream, which runs through the centre of the site.

MATERIAL PLANNING CONSIDERATIONS

7. The site falls within the limits to development as defined under Policy EN13 of the Borough Local Plan, within which, there is a presumption in favour of development. In addition to this, there is a current approval on the site for the erection of ten dwellings, which does not expire until 4th May 2010. The principle of development has been established on the site and it is considered there is no change in planning policy to suggest the principle is unacceptable.
8. The main issues to be considered in determining this application are therefore, the impact of the proposed development on the neighbouring properties, highway safety relating to the proposed access and site layout, its overall design, character and impact on its surroundings and its general provision within the site. These issues are considered as follows;

Design and Character

9. Carlton Village is made up of properties from a variety of periods, having a historic core with more modern development emanating from this. In particular, there is a group of modern detached dwellings adjoining the western boundary of the site.
10. There are four different house types within the proposed scheme which incorporate detailing such as chimneys, steeply pitched roofs, cement verges, soldier course brickwork open feature porches, large conservation style roof lights and vertical boarded garage doors. Such detailing should help to prevent the development having a standardised appearance and one, which has ties to both the surrounding modern development and the more historic village centre. Furthermore, plans have been amended to introduce windows and doors into some gable elevations where there is sufficient space to allow this without compromising privacy. This reduces the massing and dominance of the blank elevations within the scheme.
11. Objection is raised regarding the scale of the development, suggesting that it would not be in keeping with the rural outlook of the village and that it would be obtrusive at the entrance to the village. In assessing these particular points, it is considered that although the site is visible from Letch Lane, the housing is set back from this highway by approximately 75m, screened and obscured from visibility by the works building to the south east of the site and existing development to the west, north and east. The proposed scheme would effectively fill an alcove within the existing built development and as such it is considered the development would not have a significant detrimental visual impact at the entrance to the village.

Impact on adjoining properties

12. The proposed dwellings have been laid out in a manner, which takes adequate account of the need for privacy and amenity requirements of surrounding properties as well as the occupants of the scheme itself. The main elevations of the dwellings are distanced sufficiently from boundaries whilst several properties have only single storey development immediately adjacent to the boundaries with existing properties. Furthermore, there is sufficient space around the perimeter of the site for screen planting to be incorporated into the scheme, which has been illustrated on the layout plan.
13. Objections have been raised to the proposed development in respect to the distance of the development from existing properties, height differences between properties and boundary details. However, taking into account the distances achieved between existing and proposed dwellings and the ability to control the final boundary treatment through condition, it is considered that the relationships between existing and proposed dwellings are acceptable.
14. There is an existing bungalow to the east of the site (Rowan Lodge), which has an area of raised decking to the rear. This has the potential to afford views over the boundary fence and into the rear garden areas of the proposed plot 9. However, there is sufficient space to the rear of plot 9 to allow screen planting or fencing to be erected and as such, this issue can be resolved through condition.

Highway safety

15. The proposed development incorporates an access, which is also intended to serve the existing business immediately to the south as well as a private drive to an existing dwelling. The access road continues into the site to provide a turning head. From the turning head there are two private shared drives, one serving three dwellings and the other serving 5 dwellings. The remaining two dwellings are served directly from the access road.
16. The Head of Integrated Transport and Environmental Policy has raised several issues in respect to the proposed development where the highway layout does not conform to the Transport Design Guide. The applicant is submitting a 'Departure from standards Form' in respect to these areas of difference and it is intended to address these matters in an update report to committee.

Landscaping

17. There is some existing peripheral planting to the site which may be of benefit to the overall scheme whilst the proposed dwellings and associated hard works are in the main set in from the boundaries by several metres. If required, this should allow the majority of existing landscaping to be retained as well as adequate space for additional landscaping to be provided.
18. Existing landscaping does offer a degree of privacy screening, however, in view of the distances between proposed and existing dwellings it is not considered essential that the landscape screening is required for this purpose. In view of these factors it is considered the landscaping of the site can be adequately controlled by condition.

Play space

19. The proposed development provides individual domestic garden areas to the front and rear of each property, which will provide a degree of amenity space. However, the scheme fails to provide any meaningful formal or informal play space as required by criteria ii of Local Plan Policy HO11.
20. It is considered that a site of this scale would be unable to provide any meaningful play space without either significantly reducing the scale of the scheme or without detrimentally affecting the levels of privacy and amenity, which the occupiers of the dwellings could reasonably expect to have. In view of this and the requirement under Policy HO11 to adequately provide such space, the applicant has agreed to enter into a S106 agreement to pay a commuted sum to the Local Authority in lieu of such space, which will be used in connection with off site recreation within the village.

Flood Risk

21. A Flood Risk Assessment has been submitted as part of the application detail along with a plan showing the finished floor levels of each property. The Environment Agency, in their consultation response, commented specifically on the risk of flooding and advised that if permission should be granted then it should be on the conditional requirement that the finished floor levels for all ten properties be set at least 0.6m above the 100 year flood level of 43.5m. The submitted details show the lowest finished floor levels of the dwellings as being 43.8m. As such, in order to ensure the Environment Agencies minimum finished floor levels are achieved, a condition is recommended which requires the levels details to be agreed in writing with the Local Planning Authority.
22. In order to adequately control surface water run off from the scheme a condition has been attached which requires precise details of such to be approved in writing by the Local Planning Authority.

Area of Archaeological Significance

23. Comments were received from Tees Archaeology in respect to the earlier application, which advised that the site lies outside of the medieval settlement of Carlton and that the former works would have caused significant disturbance to the site and therefore unlikely that archaeological material will survive here.
24. Tees Archaeology have advised that these comments remain in respect to this latest proposal and that neither a survey or watching brief need to be undertaken on the site.

Other matters

25. In view of the location of the site, past uses and comments raised in consultation responses, conditions have been attached to the recommendation, which require a land contamination assessment to be carried out, restrict the hours of operation during the construction phase and prevent the burning of waste on the site.

CONCLUSION

26. It is considered that the proposed development is of a scale and type which fits with its immediate surroundings, is positioned and designed in a manner which should achieve adequate privacy and amenity for the surrounding dwellings as well as those within the site whilst providing a suitable highway access and vehicle parking numbers. Furthermore, it is considered the risk of flooding can be suitably addressed through increasing the finished floor levels of properties and without unduly compromising the privacy and amenity of surrounding properties. In view of the above, it is considered the scheme accords with the relevant policies of the development plan.

Corporate Director of Development and Neighbourhood Services

Contact Officer Mr Andrew Glossop

Telephone No 01642 527796

Email address development.control@stockton.gov.uk

Human Rights Implications

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

Ward

Western Parishes

Ward Councillor

Councillor F. G. Salt,