

DELEGATED

AGENDA NO.

REPORT TO PLANNING COMMITTEE

DATE: 10 May 2006

REPORT OF CORPORATE DIRECTOR,  
DEVELOPMENT AND NEIGHBOURHOOD  
SERVICES

06/0799/COU

HARTBURN POST OFFICE, 73 HARTBURN VILLAGE, STOCKTON-ON-TEES  
CHANGE OF USE FROM POST OFFICE TO 2 NO. FLATS AND TWO STOREY EXTENSION TO  
SIDE.

### **SUMMARY**

The planning application seeks approval for the change of use from former post office to 2no flats and the erection of a two storey extension to the side at Hartburn Post Office, 73 Hartburn Village, Stockton

The application site is located in Hartburn Conservation area and 5no objections have been received from local residents and 1no objection from the Ward Councillor.

The application accords with the local plan policies and the application is recommended for approval with conditions.

### **RECOMMENDATION**

***Subject to no new planning issues arising from reconsulting neighbours on the revised car parking scheme planning application 06/0799/COU be Approved subject to the following conditions:***

- 01. The development hereby approved shall be carried out in accordance with the following approved plan unless otherwise agreed in writing with the Local Planning Authority.  
Drawing Number: - sbc002***

***Reason: To define the consent.***

- 02. Construction of the external walls and roof shall not commence until samples of the materials to be used in the construction of the external surfaces of the structures hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.***

***Reason: To enable the Local Planning Authority to control details of the proposed development.***

- 03. Construction of the proposed hard standing shall not commence until samples of the materials to be used in the construction of the surface hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.**

**Reason: To enable the Local Planning Authority to control details of the proposed development.**

- 04. The proposed driveway within the curtilage of the property shall be retained, for the use of parking of private vehicles.**

**Reason: To ensure that the level of off-street parking is maintained**

- 05. A detailed scheme for supplementary planting of the existing hedge shall be submitted to and approved in writing by the local planning authority before the development authorised by this permission is commenced. Such a scheme shall specify types and species. The works shall be carried out in the first planting season following the occupation of the stables or the completion of the development whichever is the sooner and any trees or plants which within a period of five year 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: In the interests of amenity and the maintenance of landscaping features on the site.**

- 06. During the construction period, the retained trees should be protected in accordance with B.S.5837 2005 Trees in relation to Construction and in particular the following:**
- Changes in levels near the branch spread of the trees should be avoided.**
  - Where tree roots are encountered only hand digging will be allowed and these are likely to be encountered within the branch spread of the trees.**
  - Compaction to the root spread of the tree should be avoided and a protective fence should be erected around the branch spread of the trees, prior to any construction works commencing on site.**
  - No storage of materials will be permitted within the branch spread of the trees.**
  - The access road/drive should be of a loose gravel construction, avoiding gravels of a heavy limestone content, to allow moisture to reach the tree roots.**

**Reason: To preserve the said trees in the interest of the amenities of the area.**

- 07. Before the use commences the building shall be provided with sound insulation to ensure that adequate protection is afforded against the transmission of noise between living accommodation and bedrooms in adjacent flats in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.**

**Reason: To protect the amenity of residents from excessive noise from adjacent dwellings.**

- 08. Working hours on site to be restricted to 8.00 a.m. - 6.00 p.m. on weekdays, 8.00 a.m. - 1.00 p.m. on a Saturday and no Sunday working.**

**Reason: To avoid excessive noise and disturbance to the occupants of nearby dwellings.**

## **THE PROPOSAL**

Planning permission is sought for the change of use of the former Hartburn Post Office in Hartburn Village. The application also seeks permission for a two storey extension to the side, and the provision of car parking to the front. A revised car parking scheme comprising two spaces has now been received and neighbours have been reconsulted. The period for comment will expire on 6th May 2006

## **CONSULTATIONS**

The following Consultees were notified and the comments they made are below:

### **Councillor Lupton**

I wish to object to the proposals as there is insufficient parking provision for the proposed development and I would certainly not accept the access and parking in the front garden of the property on safety grounds and the effect on the frontages in a conservation area.

### **Engineers and Transportation**

Amended plans have been submitted that show 1 in curtilage car parking space per flat are to be provided, resulting in a total of 2 spaces for this property. Generally 1.5 in curtilage car parking spaces per flat is required in non-central locations, which would mean a total of 3 spaces would be required. The applicant has submitted an application for Departure from Standard requesting a relaxation to 2 spaces be considered in this case.

It is accepted that Hartburn Village has on street parking problems due to limited in curtilage car parking provision for properties in the area and concerns have been raised regarding the impact on highway and pedestrian safety. However, this property currently has permission for a change of use to a single dwelling and could potentially be converted to a family dwelling with no in curtilage car parking provision.

Therefore, the creation of 2 in curtilage car parking spaces for this application would not significantly increase on-street parking in Hartburn Village.

Objections to this application have referred to problems with parking on close to the junction with Fraser Road and the Hartburn Village Road, however, whilst inconsiderate and obstructive parking is a police issue, the creation of an acceptable vehicular access on Fraser Road which is a residential road and a cul-de-sac, would in fact act as a further deterrent to vehicles parking close to the junction.

Therefore, in this case I consider 2 spaces to be acceptable and have no objection to this application. The applicant will need to contact Service Stockton regarding the installation of a dropped Kerb crossing and to discuss the relocation of the street sign.

### **Environmental Health Unit**

I have no objection in principle to the development, however, I do have concerns regarding the following environmental issues and would recommend the conditions as detailed be imposed on the development should it be approved

- Noise disturbance between living accommodation
- Construction Noise

I recommend working hours on site to be restricted to 8.00 a.m. - 6.00 p.m. on weekdays, 8.00 a.m. - 1.00 p.m. on a Saturday and no Sunday working.

**Northumbrian Water Limited**

No comments received

**Landscape Officer**

We have no objections to this application from a landscape point of view, however the two existing trees should be retained.

During the construction period, the retained trees should be protected in accordance with B.S.5837 2005 Trees in relation to Construction and we would also ask for retention of as much of the existing hedge as is possible and gapped up with appropriate species.

**Neighbours**

Neighbours were notified and 5 letters of objection were received. A revised car parking scheme comprising two spaces has now been received and neighbours have been reconsulted. The period for comment will expire on 6th May 2006 and any comments received will be reported at the meeting.

**Ms D Johnson, 4 Quebec Road, Hartburn**

The Fraser Road/Hartburn Village junction is obstructed most weekends and evenings due to parked vehicles. Any planning which is to increase the amount of parked vehicles can only add to these problems and have a detrimental effect on pedestrian safety.

**Owner/Occupier, 40 Hartburn Village, Stockton-On-Tees**

Object to the flats if they are for rental as the possibility of noisy tenants will change the character of the conservation area.

**Mr A Johnson, 67 Hartburn Village, Stockton-On-Tees**

The Fraser Road/Hartburn Village junction is obstructed most weekends and evenings due to parked vehicles. Any planning which is to increase the amount of parked vehicles can only add to these problems and have a detrimental effect on pedestrian safety.

**David Pickup, 71 Hartburn Village, Stockton-On-Tees**

The extension to the rear and the use of the garden for car parking will be an over intensification of the use. The windows will look directly into my property and will not only add to the existing parking problem but will remove existing street parking.

**Andrew and Kay Branch, 79 Hartburn Village, Stockton-On-Tees**

Do not object to the change of use or the rear alterations however object to any parking of vehicles on the front garden, which is not in keeping with the conservation area and involves the removal of the hedge.

Object to the existing hard standing being used for car parking and recommends street parking is more appropriate.

**PLANNING POLICY CONSIDERATION**

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 EN24**

New development within conservation areas will be permitted where:

- (i) The siting and design of the proposal does not harm the character or appearance of the conservation area; and
- (ii) The scale, mass, detailing and materials are appropriate to the character and appearance of the area

## **MATERIAL PLANNING CONSIDERATIONS**

The application seeks planning permission for the change of use of the former post office in Hartburn Village to 2no self contained flats and the erection of two-storey extension to the side of the property. The property consists of an existing shop unit and a first floor flat situated at the junction of Hartburn Village and Fraser Road within Hartburn conservation area. The applicant is proposing to provide 2no off street car parking spaces to the front of the property accessed from Fraser Road. An application for planning permission for the conversion of the property to a single dwellinghouse was approved under application 04/2543/COU.

The main consideration in regards to the development is the visual effect of the proposals in terms of the size and scale of the property and conservation area and the potential impact on the amenities of neighbouring properties. The application has 3 proposals and I will address each in turn, taking into consideration the objections raised to the development.

Change of Use: The proposed change of use is from a shop unit and flat to 2no self contained flats. Comments have been made regarding the potential use of the property as rented accommodation, however this is not a material planning consideration when considering applications for residential use. The building has an existing flat at first floor and it is considered that the proposed ground floor flat would not have an adverse effect on the character of the area or the amenities of neighbours. Objections have been raised regarding the possibility of increased traffic through the change of use and this is covered later in the report.

Extension: The proposed extension is to the side of the property on Fraser Road. The proposed extension will fill the yard area at ground floor, measuring 3.4 metres x 1.5 metres, with a first floor extension above. The proposed extension will project further than the existing first floor bathroom extension, however the roof will be lower than existing on the boundary with No 75 Hartburn Village and it is considered that the proposed alterations will not have an adverse effect on the neighbouring property. One objection has been raised about the ground floor windows by the occupier of 71 Hartburn Village, as they will be on the street frontage opposite his dwelling.

The dwellings are 15 metres apart and the lounge window at ground floor exists, the new windows proposed serve the kitchen and bedroom. These face onto a public road, as do the windows of No 71 and it is considered that the proposed windows are unlikely to have a negative effect on the privacy or amenity of the neighbour whose window faces onto a public road.

Parking: The applicant proposed to provide 2 no car parking spaces to the front of the property. Objections have been raised regarding the paving being out of character with the area and the existing traffic problems that currently exist. The Head of Integrated Transport and Environmental Policy has viewed the proposals and confirm that generally 1.5 in curtilage car parking spaces per flat is required in non-central locations, which would mean a total of 3 spaces would be required. The applicant has submitted an application for Departure from Standard requesting a relaxation to 2 spaces be considered in this case.

Hartburn Village has on street parking problems due to limited in curtilage car parking provision for properties in the area and concerns have been raised regarding the impact on highway and pedestrian safety. However, this property currently has permission for a change of use to a single dwelling and could potentially be converted to a family dwelling with no in curtilage car parking provision and it is considered that the creation of 2 in-curtilage car parking spaces for this application would not significantly increase on-street parking in Hartburn Village.

Objections have referred to problems with parking on close to the junction with Fraser Road and the Hartburn Village Road, however, whilst inconsiderate and obstructive parking is a police issue, the creation of an acceptable vehicular access on Fraser Road which is a residential road and a cul-de-sac, would in fact act as a further deterrent to vehicles parking close to the junction.

Taking the above into consideration it is considered that the provision of two in curtilage car parking spaces where none currently exist is an improvement on the existing commercial and first floor residential use and is considered acceptable.

There are two trees on the site, which are to be retained and protected during construction. Concerns have been raised regarding the removal of the hedge, however a condition has been added to retention and enhancement the remainder of the hedge, which will provide screening to the proposed car parking.

Comments have been made that hard standing to the front is out of character with the area, however examples can be seen at 85, 87 (The Masham), 89 and 93 Hartburn Village.

It is considered that the proposals accord with the policies contained in the local plan and there will be no adverse impact on the street scene, conservation or amenities of neighbours as a result of the proposals and the application is recommended for approval.

## **CONCLUSION**

The proposed use is considered to be in accordance with the Policy GP1 and EN24 of the Stockton on Tees Local Plan and the application is recommended for approval subject to the conditions above.

**Director of Development and Neighbourhood Services**

**Contact Officer: Elaine Atkinson – Telephone 01642 526062**

## **Financial Implications**

As report.

**Environmental Implications**

As Report

**Community Safety 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.

**Background Papers**

Stockton-on-Tees Adopted Local Plan (1997)

Planning Application 06/0799/COU

**Ward and Ward Councillors**

Ward **HARTBURN**

Ward Councillors **Councillor Lupton and Councillor Laing**