

DELEGATED

AGENDA NO .

PLANNING COMMITTEE  
31<sup>st</sup> May 2006

REPORT OF CORPORATE DIRECTOR  
OF DEVELOPMENT AND  
NEIGHBOURHOOD SERVICES.

**06/0745/FUL**

**EAGLE HOUSE, MARTINET ROAD, THORNABY  
ERECTION OF 2NO. THREE STOREY APARTMENT BLOCKS (27 APARTMENTS  
IN TOTAL) WITH ASSOCIATED CAR PARKING AND CYCLE STORAGE  
FACILITIES (DEMOLITION OF EXISTING WORKSHOP/OFFICE BUILDING).  
EXPIRY DATE: 13<sup>TH</sup> JUNE 2006**

**Summary:**

The application site is situated on the corner of Martinet Road and Master Road, Thornaby the site includes two existing business sites and associated land.

The proposed apartment blocks are to be arranged in an L-shaped format upon the site with a shared parking area to the south west of the site and provide a total of 27 no. units. Amended plans have also been received to address the Head of Integrated Transports and Environmental Policy's comments in terms of access and highway safety aspects.

Vehicular access into the site is via Martinet Road and has a gated access to the main parking area containing 37 parking spaces, 3 visitor spaces are provided outside of this area adjacent to the main entrance. A Transport Assessment has also been received to support the application.

Overall the proposed development accords with policies GP1, HO3 and HO11 of the adopted Stockton on Tees Local Plan and the application is subsequently recommended for approval.

**Recommendations:**

***RECOMMENDED that application 06/0745/FUL be approved subject to the following conditions and the applicant entering into a unilateral undertaking for a commuted lump sum toward open space provision.***

***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): 05093 S [00] 01, 05093 D [00]10 Rev A, 05093 D [00] 11 Rev B and 05093 D [90] 10 Rev B.***

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

***02. Notwithstanding any description of the materials in the application, precise details of the materials to be used in the construction of the external walls and***

**roofs of the building(s) shall be submitted to and approved in writing by the Local Planning Authority prior to the construction of the external walls and roofs of the building(s).**

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

**03. Before the commencement of the development hereby permitted, works for the disposal of sewage shall be provided on the site to serve the development, the details of such works being first submitted to, and approved by, the Local Planning Authority. The sewage disposal shall be completed in accordance with the approved details prior to any other building for which permission has been granted.**

**Reason: To ensure satisfactory means of sewage disposal.**

**04. Development shall not begin until drainage works have been carried out in accordance with details to be submitted to and approved in writing by the Local Planning Authority.**

**Reason: To achieve a satisfactory form of development.**

**05. 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.**

**06. 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. Such a scheme shall be implemented in accordance with these agreed details**

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

**07. Before the permitted dwellings are occupied, any living rooms or bedrooms with windows affected by traffic noise levels of 68db (A)L10 (18 hours) or more (or predicted to be affected by such levels in the next 15 years) shall be insulated in accordance with a scheme to be submitted to and approved by the Local Planning Authority for the protection of this proposed accommodation from traffic noise. Such a scheme shall be implemented in accordance with these agreed details.**

**Reason: To protect the amenity of the occupants of the dwellings from excessive traffic noise**

**08. No development approved by this permission shall be commenced until a desk study report providing information on the previous land uses and an evaluation as to whether land contamination is likely to be present is submitted and approved by the Local Planning Authority (LPA). If the site has a contaminative use a site investigation including risk assessment report and**

**full details of the proposed method for the removal/treatment shall be submitted and a validation report shall be submitted upon completion of the works and approved by the LPA. All works referred to above shall be carried out by or under direct supervision of a qualified environmental consultant.**

**Reason: To ensure proper restoration of the site.**

**09. Notwithstanding any description contained within this application, no development shall take place until full details of hard landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be implemented in accordance with the approved details. These details shall include proposed finished levels or contours; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; A detailed planting plan indicating soil depths, plant species, numbers, locations, and sizes, planting methods, maintenance and management; minor artefacts and structures (e.g. furniture, play equipment, signs and lighting etc) proposed and existing functional services above and below ground (e.g. drainage power, communication cables, pipelines etc, indicating lines, manholes, supports etc) retained historic landscape features and proposals restoration, where relevant.**

**Reason: In the interests of amenity and the maintenance of landscaping features on the site.**

**10. No construction activity shall take place on the site outside the hours of 8.00am – 6.00pm Monday to Friday, 8.00am – 1pm Saturday and nor at any time on Sunday's or Bank Holiday's.**

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

**11. Full details of the covered cycle storage facilities shall be submitted to and agreed in writing with the Local Planning Authority before the hereby approved development is occupied.**

**Reason: To ensure a satisfactory form of development.**

Policies GP1, HO3 and H011 adopted Stockton-on-Tees Local Plan and Planning Policy Guidance No. 3; Housing were considered relevant to this decision.

### **UNILATERAL UNDERTAKING HEADS OF TERMS**

**Commuted lump sum of £7,700 towards improvement/enhancement of nearby open space provision**

#### **Background**

1. Previously outline planning permission has been approved in principle subject to the completion of a section 106 agreement for a commuted lump sum towards the improvement of nearby open space provision for the erection of 2no. three storey blocks providing 24 flats in total (application no. 05/1366/OUT). The section 106 agreement has however, not been completed and the outline consent has not therefore been formally granted.

## **The Proposal**

2. The application site is situated on the corner of Martinet Road and Master Road, Thornaby; the site includes two existing business sites and associated land. The surrounding area as a whole is mixed use although is predominately made up of small industrial units and new residential developments such as Sir Douglas Park and Squadron Court.
3. The proposed apartment blocks are to be arranged in an L-shaped format upon the site with a shared parking area to the south west of the site. Apartment block no. 1 will measure approximately 23m (long) x 16m (wide) and reach a height of approximately 11 metres housing 12no units. Apartment block no.2 will measure approximately 30m (long) x 16m (wide) and reach a height of 11.5 metres allowing space for a further 15no flats.
4. Amended plans have also been received to address the Head of Integrated Transport and Environmental Policy's comments in terms of access and highway safety aspects.
5. Vehicular access into the site is via Martinet Road and has a gated access to the main parking area has been amended to contain 37 parking spaces, 3 visitor spaces are provided outside of this area adjacent to the vehicular entrance. A Transport Assessment has also been received to support the application.

## **Consultations**

6. The following responses have been received from departments and bodies consulted by the Local Planning Authority

### ***Environmental Health Unit***

No objections in principle to the proposed development but request that planning conditions be imposed on the following issues;

- Noise disturbance between living accommodation
- Possible land contamination
- Construction noise

### ***The Head of Integrated Transport and Environmental Policy***

Initially raised concerns over a number of aspects such as level of parking provision, sightlines and the reinstatement of the footpath in the northwest corner of the site.

However, after receiving the amended plan the Head of Integrated Transport and Environmental policy commented that they have no adverse comments.

***Northumbrian Water Limited*** had no objections but require the developer to contact them with regards to connections to the water supply and the foul and surface water discharge systems

***Northern Gas Networks*** had no objections to the proposed development

***NEDL*** have no objections, but draw the developer's attention to the Health and Safety Executives publications on working with electricity

### ***Landscape Officer***

The site located on the corner of Martinet Road is bounded by Thornaby Police Station to the north, a children's nursery to the west and by existing garage businesses to the south and east.

An existing maple tree is located adjacent to the entrance into the site, within the public highway. This tree is worthy of retention as it contributes towards the visual amenity along the street scene. The tree should be protected during the construction period, in accordance with BS 5837:2005 (recommendations) Trees in relation to Construction:

Changes in levels near the branch spread of the trees must 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 as shown in BS5837: 2005

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

The proposed apartment blocks are indicated as being in close proximity to the public highway boundary. This positioning of the development is in character with other properties within the street, however in order to soften the overall feel of the apartments, ornamental shrub planting with occasional specimen plants should be provided along these areas.

Full hard and soft landscaping details should be provided to the following minimum standard:

A. A detailed landscape plan for hard construction indicating materials and construction methods

B. Detailed treatments to all boundaries

C. A detailed planting plan indicating soil depths, plant species, numbers, densities, locations, and sizes, planting methods, maintenance and management

D. Full details of the tree protection measures should be submitted for approval

### ***Corporate Director Children, Education and Social Care***

Schools serving the area around Martinet Road have some surplus capacity at present, and it seems unlikely that the proposed development would create any additional need. We would welcome this development for that reason.

### ***Thornaby Town Council***

Details of the Planning Application have been forwarded to all Thornaby Town Council Councillors and no comments or objections have been made.

### ***Care for your area***

The development lacks any open space provision within the proposals; a contribution should be sought for the improvement of the existing open space at Village Park.

The contribution towards existing open space should be worked out in accordance with the existing formula of £3,500 per 0.1 hectare, which equates to £7,700 for this scheme.

7. The Local residents and occupiers have been individually notified of the application, an advert placed in the local press and a site notice has been

placed adjacent to the site. The neighbour consultation period expired on the 13<sup>th</sup> April 2006. No letters of objection have been received to the proposed development.

### **Planning Policy Considerations**

8. Where an adopted or approved development plan contains relevant policies, Section 54A of the Town and Country Planning Act 1990 (as amended) 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 Plans are the Tees Valley Structure Plan (TVSP) and the Stockton on Tees Local Plan (STLP).

The following policies of the adopted Stockton on Tees Local Plan are considered to be relevant to this decision;-

#### **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 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.

Planning Policy Guidance No.3 – Housing is also considered to be relevant to this decision.

### **Material Planning Considerations**

9. The main planning considerations of this application are the impacts on the character of the area, amenity of neighbouring occupiers and access and highway safety.

#### **Principle of development.**

10. The application site is classed as previously developed land as defined in Planning Policy Guidance No.3 and therefore the principle of residential development in this locality is considered to be acceptable subject to local plan policies. As the application site lies within the limits to development and is not allocated a specific use the principle of residential development on the site is considered to be acceptable in terms of the Local plan. Therefore, policies GP1, H03 and H011 will apply, the development will also be subject to the council's Supplementary Planning Guidance (SPG no.4) on flatted developments.
11. Guidance with SPG no.4 sets out the required criteria of a flatted development scheme. As the site lies within the limits to development, falls within the definition of previously developed land, is within 500m metres of a bus stop and 500m of Thornaby town centre (as the crow flies) it is considered that the principle of flatted development on the site is acceptable, in line with the council's guidance.
12. As the application site is within easy walking distance of the Thornaby Town Centre, local facilities, has good access to transport links, convenience shopping facilities and a local park it is considered that the proposed development is in a sustainable location and can accommodate as development of this scale while also meeting a variety of sustainable development objectives.
13. Equally a scheme for a flatted development was approved by the planning inspectorate on the Thornaby Snooker Club site on the opposite side of Martinet Road; it is considered that the principle of flatted development in this locality has therefore already been established.

#### **Impact on the character of the area.**

14. It is appreciated that this area of Martinet Road is made up of a variety of industrial style units. It is therefore considered that the proposed design and style of the proposal is acceptable and would be an improvement to the site and area as a whole.
15. Equally as mentioned previously a similar development, which involved the construction of a three-storey flatted development, was approved by the Planning Inspectorate, it is therefore considered that the principle of scale and massing of this nature is acceptable.

16. Overall it is considered that the proposed development will provide a building that will fit into the surrounding area in terms of its style, scale and proportion, providing a suitable design and is in accordance with policies GP1, H03 and H011 of the adopted Local Plan.

**Impact on residential amenity.**

17. Given that the surrounding buildings in the area are at present either industrial units/warehouses/workshops and the vast majority of the residential properties are located some distance away from the site it is considered that the proposed development will not cause any significant loss of amenity or privacy to the surrounding businesses or residential premises in line with policies GP1, HO3 and HO11 of the adopted Local Plan.

18. The internal arrangements of the site are considered to be acceptable and would not result in any significant loss of amenity or privacy to the future residents of the properties.

19. Although the development does not provide any internal amenity area for the future residents of the site, a public open space lies some 300 metres to the north of the site off Thorntree Road. A contribution towards the improvement of this open space is therefore required to negate to lack of amenity area provided by the development as outlined in the Councils Supplementary Planning Guidance document on high density development.

**Impact of Traffic and Highway safety**

20. The Head of Integrated Transport and Environmental policy have commented that they are now satisfied with the overall level of parking and with the development as a whole. The proposed development is therefore considered to be acceptable and should not be detrimental to the free flow of traffic and to highway safety.

**Conclusion.**

21. It is considered that the application site is a suitable location for a high-density residential development of this nature due to the proximity of both local amenities and services and the public transport infrastructure. The development is judged to be in keeping with the scale, style and proportion of developments in the area and is acceptable visually. The Head of the Engineering and Transportation department are also satisfied that the development will not have any significant impacts on highway safety.

Overall the proposed development accords with policies GP1, HO3 and HO11 of the adopted Stockton on Tees Local Plan and the application is subsequently recommended for approval subject to the entering into a unilateral undertaking as detailed previously within the report.

**Corporate Director of Development & Neighbourhood Services**  
**Contact Officer: Simon Grundy**  
**01642 528550**

**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)

PPG 3: Housing

Application No. 05/1366/OUT

**Ward and Ward Councillors**

Village Ward

Councillors B Robinson and I J Dalgarno