

DELEGATED

AGENDA NO .

PLANNING COMMITTEE
12th July 2006

REPORT OF CORPORATE DIRECTOR
OF DEVELOPMENT AND
NEIGHBOURHOOD SERVICES.

06/1554/COU

47 YARM LANE, STOCKTON-ON-TEES, TS18 3DL
CHANGE OF USE OF FIRST FLOOR FROM OFFICES TO HOTEL
EXPIRY DATE: 13th JULY 2006

Summary:

The application site is a large two-storey property situated off Yarm Lane, Stockton, the immediate surrounding area is made up of a mix of both commercial and residential properties.

Planning consent is sought for a change of use for the first floor from offices to a hotel. The applicant's agent envisages that the proposed hotel would be used by contract workers.

This application is put before members of the planning committee at the request of the Local Ward Councillors.

Recommendations:

RECOMMENDED that application 06/1554/COU be refused for the following reason(s);

01. In the opinion of the Local Planning Authority the proposed development by virtue of the insufficient on-site car parking is likely to result in vehicles parking on Yarm Lane hazardous to the free and safe flow of traffic, to the detriment of highway safety, contrary to Policy GP1 of the adopted Stockton on Tees Local Plan.

02. In the opinion of the Local Planning Authority the conversion of the first floor from office to hotel would result in lower amenity standards prevailing in the area by virtue of the proximity of the building to No.2 Lawrence Street and to the detriment of these residents and future occupiers of the premises amenity and privacy, contrary to policy GP1 of the adopted Stockton on Tees Local Plan.

03. It is considered that the proposed Hotel would result in an unacceptable intensification of a residential use in a residential area, resulting in an increase in noise and disturbance to the detriment of the existing residents amenity, contrary to policy GP1 of the adopted Stockton on Tees Local Plan.

Policy GP1 of the adopted Stockton-on-Tees Local Plan is considered relevant to this decision.

History

1. The application site has a history of planning applications. In 1993 planning consent was approved for a change of use from a mixed use to tool hire centre (93/1846/P), while in 1998 planning permission for a change of use to a taxi booking office was refused (98/1238/P). More recently an application for a hostel has been received (06/1308/FUL) and a further application for flats (06/1310/FUL) was withdrawn at the applicant's request.

The Proposal

2. The application site is a large two-storey property situated off Yarm Lane, Stockton. Commercial premises are situated at the ground floor and to both the north and south of the property. Residential terraced properties are located to the west on Lawrence Street and Shaftesbury Street.
3. Planning consent is sought for a change of use at first floor from offices to a hotel. The proposed internal arrangements are to include 9 bedrooms, canteen, games room, toilets and washroom facilities. The bedroom accommodation will consist mainly of twin rooms although provision is suggested for a 4 bed and a 6 bed room.

Consultations

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

Head of Integrated Transport and Environmental Policy

The Councils Design Guide & Specification for a non-central area requires 1 car parking space per 2 bedrooms, 1 space per 5m² public floor area and 2 cycles per 10 bedrooms. I note the accommodation is 'dormitory' style however; the site has no incurtilage car parking provision.

Therefore, I object to the application, as it would lead to on street parking on Yarm lane, which is a heavily trafficked principal road, and the surrounding residential streets, which would be detrimental to the free flow of traffic and to highway safety

Environmental Health Unit

Further to your memorandum regarding the above, 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**

Due to the probability of noise complaints resulting from the intensified use of these residential premises, the building shall be provided with sound insulation, prior to being used, to ensure that adequate protection is afforded against the transmission of noise between living accommodation and bedroom in adjacent flats in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

Urban Renewal

We have received a planning application, No. 06/1554 for this property indicating that it is to be a hotel. I have discussed the proposal with the architect and he informs me that the developer intends to use the property for contract workers.

If this is how the property is used the Urban Renewal Division would have no comments to make and class it as an hotel, as the premises would not be there principal residence.

It was explained to the architect that should the property be used to provide accommodation to persons who use it as there permanent or only residence then it would become a House in Multiple Occupation and may require to be licensed under the Housing Act 2004

5. The Local residents and occupiers have been individually notified of the application. The neighbour consultation period expired on the 16th June 2006, 1 letter of objection has been received in relation to the application as detailed below (in summary).

Baines Jewitt - 41-45 Yarm Lane, Stockton

The proposed development regardless of the description is directed towards having residents occupying the first floor in some form of dormitory accommodation. If it is the stated intention to re-develop the whole of the Parkfield housing area, then creation of this accommodation would definitely not fit in with that objective.

Finally we must emphasise the problem that we have in the area regarding the lack of parking facilities which would be worsened should the application be approved.

Planning Policy Considerations

6. 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).
7. 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.

Material Planning Considerations

8. 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.

Impact on the character of the area.

9. The proposed change of use details several changes to the external appearance of the building in terms of window and door openings. These changes are unlikely to materially change its existing external appearance or have a detrimental impact on the visual appearance of the locality as a whole, in accordance with policy GP1 of the adopted Stockton on Tees Local Plan.
10. The proposed development would result in an unacceptable intensification of a residential use in the locality and would be out of keeping with the surrounding residential area, contrary to the provisions of policy GP1 of the adopted Stockton on Tees Local Plan.

Impact on residential amenity.

11. The windows in the rear of the existing building are situated approximately 4 metres from the sidewall of No.2 Lawrence Street and approximately 6.5 metres from No.13 Shaftsbury Street. The Council's recommended distance from side-to-rear elevations on residential developments in a minimum of 11 metres in order to protect occupier's amenity and privacy. Whilst this arrangement may be historical it is considered that the intensification of its use via the proposed hotel use would worsen the situation in comparison to the existing planning consent for office use. It is therefore judged that the arrangement between the two properties is unsuitable and would be detrimental to the amenity and privacy of No. 13 Shaftsbury Street and the future residents of the proposed hotel use.
12. Whilst obscure glazing may potentially address this privacy use issue, it is not considered that this would be suitable for the living conditions of the occupiers and may potential result in overlooking problems when the windows are opened. Equally this would not negate the proximity of the application site and the sidewall of No's 13 Shaftsbury Street and. 2 Lawrence Street and the potentially overbearing impact these properties would have on the future residents of the proposed development and is therefore contrary to policy GP1 of the adopted Stockton on Tees Local Plan.
13. Also of concern is the noise and disturbance levels that the proposed development would have on the adjacent residential properties from all the comings and goings of the occupiers of the premises, in particular this may be attributed to problems associated with the private motor car and would have a detrimental impact on the existing level of residential amenity in the area.

Impact of Traffic and Highway safety

14. The application site has no provision to provide off-street parking facilities for the hotel use. The Head of Integrated Transport and Environmental Policy has commented that the proposed development requires 1 parking space per two bedrooms, 1 space per 5 sq. metres of public floor are a 2 cycles spaces per 10 bedrooms.
15. Given the lack of car parking provision on the site it is considered that the proposed development would lead to on-street parking on Yarm Lane, which is already heavily trafficked principal road and would therefore be detrimental to the free flow of traffic and highway safety.

Conclusion.

16. Whilst the proposed change of use to a hotel is in a sequentially suitable location in that the site lies adjacent to the town centre and would bring into use a vacant first floor it is considered that the proposed impacts on the adjacent residential properties and the future occupiers of the unit are sufficient enough to warrant a refusal of the application. Concerns are also raised in relation to the lack of incurtilage car parking facilities for the development and the potential impacts this may have on highway safety within the locality.
17. For the reasons outlined above the proposed development is recommended for refusal.

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)
Planning Applications 06/1308/COU

Ward and Ward Councillors

Ward Parkfield And Oxbridge
Ward Councillors R Rix and C. Coombs