

DELEGATED

AGENDA NO .

PLANNING COMMITTEE
2nd August 2006

REPORT OF CORPORATE DIRECTOR
OF DEVELOPMENT AND
NEIGHBOURHOOD SERVICES.

06/1435/FUL
45 - 53 DOVECOT STREET, STOCKTON-ON-TEES,
REVISED APPLICATION FOR ERECTION OF 1 NO. RETAIL UNIT WITH 36 NO.
BEDROOM STUDENT ACCOMMODATION ABOVE (DEMOLITION FO EXISTING
BUILDING)
EXPIRY DATE 11TH AUGUST 2006

Summary:

The application site has been subject to a previous application earlier this year that sought planning consent for the erection of 2 no. retail units with 46 no. Bedrooms for student accommodation above and the demolition of existing building. Discussions have taken place between the case officer, historic buildings officer and applicants in relation to submitting this revised application.

The application site is located on the corner of Dovecot Street and Brunswick Street, Stockton. A two-storey building is currently situated on the site and is used as a retail premises for the sale of furniture. Planning consent is sought for the erection of 1 no. Retail unit with 36 no. Bedrooms for student accommodation above and the demolition of the existing building.

Despite the pre-application discussions and changes made by the applicants and their agent the proposed design of the unit is still considered to be inappropriate and would be detrimental to the visual amenities of the locality as a whole, the adjacent conservation area and to the setting of the surrounding listed buildings.

Recommendations:

RECOMMENDED that application 06/1435/FUL be refused for the following reason;

01. In the opinion of the Local Planning Authority the proposed development is considered to be out of proportion and character with the surrounding area and would be detrimental to the visual amenities of the locality, character of the conservation area and setting of the adjacent listed buildings contrary to policies GP1, EN24 and EN28 of the adopted Stockton on Tees Local Plan.

Policies GP1, EN24, EN28 and HO11 of the adopted Stockton-on-Tees Local Plan were considered relevant to this decision.

History

1. The application site has been subject to a previous application earlier this year that sought planning consent for the erection of 2 no. Retail units with 46 no. Bedrooms for student accommodation above and the demolition of the existing building (06/0074/FUL). This application was withdrawn after the Local Planning Authority raised several issues in terms of the scale and massing, design and lack of supporting information.
2. Discussions have taken place between the case officer, historic buildings officer and applicants in relation to submitting a revised application. The applicants were advised that a conservation appraisal should be undertaken to form an initial basis for the design, justify how and why a particular design had been reached and to demonstrate that the height and massing is appropriate to the location and surrounding buildings. Advice was also given in relation to breaking up the mass of the building, creating strong corner treatments and to provide justification in terms of sustainability of the site and linkages to the nearby university.
3. Subsequently, the applicants and their agent have submitted a revised scheme, reducing the number of units and opting for a more traditional style design to try and reflect the character of the area and Stockton Town Centre and accompanied this with a supporting statement.

The Proposal

4. The application site is located on the corner of Dovecot Street and Brunswick Street, Stockton. A two-storey building is currently situated on the site and is used as a retail premises for the sale of furniture. The edge of Stockton Town Centre conservation areas lies adjacent to the site and several listed buildings lie to both the north and east of the site.
5. Planning consent is sought for the erection of 1 no. Retail unit with 36 no. Bedroom student accommodation above and the demolition of the existing building. The proposed unit will measure approximately 25m x 12m and reach a maximum height of 11.5 metres.
6. This application differs in that the number of proposed rooms has been reduced from 43 to 36, the height and massing of the building has been lowered and reduced, a more traditional design has been used and a greater level of supporting information has been provided.

Consultations

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

Environmental Health Unit

Revised application for erection of 1 no. Retail unit with 36 no. Bedroom student accommodation

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*
- ❑ *Possible land contamination*
- ❑ *Construction noise*

Head of Integrated Transport and Environmental Policy

The development should be designed and constructed in accordance with the Councils Design Guide and Specification (Residential and Industrial Estates Development) current edition, and to that end I would comment as follows:

The proposed accommodation has no incurtilage car parking. However, it is located on the Town Centre fringe, with nearby public parking and good public transport provision.

Provisions of 8 number covered and secured cycle spaces are required as specified in the Councils Design Guide.

A commuted lump sum of £1500 should be requested in order to contribute towards a Residents Parking Scheme for this area of Stockton Town Centre. This scheme is a contender for funding during this financial year.

I have no knowledge of flooding in this area and the applicant is advised to make their own enquiries.

Tees Archaeology

Thank you for the details of the above planning application.

Fiona Short has provided me with external images of the building, which I have used to compile a baseline record for the existing structure. This now stands as a basic formal record of the structure should the demolition go ahead.

I have no further comments to make on the application but would be happy to support any comments Fiona has to make on the impact of the proposed new build on the adjacent Conservation Area and Listed Buildings.

NEDL

No objections to the application but refer the developer to the Health and Safety Executives publications on working in and around electricity.

Northern Gas Networks

No objections to the proposed development

Northumbrian Water Limited

No objections to the proposed development but require the developers to contact them with regards to connections to the water supply and foul discharge system.

Landscape Officer

Whilst I have no objection to the application, I would like to make the following observations:

1. Given the location of the site adjacent to a listed building, the historic planning officer is likely to make comment. I request that we continued to be consulted in respect of any subsequent changes to the application.

2. I request that a Section 106 contribution be obtained from the applicant towards open space provision.

3. Due to the likely increase in traffic, I request that traffic-calming proposal be investigated. This would provide an opportunity to improve the floorscape and street furniture along the street, should the highway engineers consider that the proposal have an implication on the adopted highway.

I trust you find this in order, however should you have any queries or require further information please do not hesitate to contact me.

English Heritage

While we welcome the steps that have been taken within this amended application to reduce the overall height and massing of the proposed development, we continue to have concerns about the form and architectural treatment of the proposed scheme.

In our view, the proposed development will have a detrimental effect upon the setting of the conservation area and the neighbouring listed buildings. We recommend that the application is not approved in its current form and that further discussions take place with the applicant to secure a more coherent and high quality solution that draws inspiration from its surroundings without resorting to the ill-considered imitation of historic elements.

English Heritage Advice;

1. This application is for the replacement of an existing two-storey building on a corner site between Dovecot Street and Brunswick Street with a five-storey block containing student flats above a ground floor retail unit. The site is located immediately adjacent to the boundary of the Stockton conservation area, and forms the immediate townscape setting of several distinctive historic buildings, including the Grade II* listed Friends Meeting House.
2. The current application follows an earlier application for development on this site, which was subsequently withdrawn. English Heritage's comments on this earlier application were provided in a letter dated 6 March 2006.
3. We are not unhappy with the principle of development on this site, and we welcome steps that have been taken with the current application to reduce the overall height and massing of the proposed development.
4. We continue to have concerns, however, about the form and architectural treatment of the proposed scheme. In our view, this site demands an intelligent and imaginative response that draws inspiration from its surroundings through the subtle echoing of form and materials. Given the diverse character of the surrounding area, a key challenge is to find an architectural language that is contemporary, contextual and of a high quality, and avoids the ill-considered imitation of historic elements.
5. In our view, the current proposal lacks coherence and quality, and will make a poor addition to the townscape setting of the conservation area and neighbouring listed buildings. The relationship of the proposed development to neighbouring properties is poor. The apparent random application of architectural forms and details is clumsy, and the conceit of breaking up the mass of the development through the creation of three distinct blocks (each with their own architectural character) is undermined through the poor articulation of the shop front at ground level.
6. No information is provided in the documents we have been sent on the proposed palette of external building materials. This is a significant omission.

Recommendation:

This development will, in our view, have a detrimental effect upon the setting of the conservation area and neighbouring listed buildings. We recommend that the application is not approved in its current form, and that further dialogue takes place with the applicant to secure a solution that draws inspiration from its surroundings but avoids the ill-considered imitation of historic elements.

We would welcome the opportunity of advising further. Please consult us again if any additional information or amendments are submitted. If, notwithstanding our advice, you propose to approve the scheme in its present form, please advise us of the date of the committee and send us a copy of your report at the earliest opportunity.

7. The Local residents and occupiers have been individually notified of the application. The neighbour consultation period expired on the 8th June 2006. 1 letters of representation has been received to the proposed development.

Mr Khushi – 55 Dovecot Street

We do not have any objections in principle to the plans for 45-53 Dovecot Street, however we would object to any balconies or windows to face over the roof space of 55 Dovecot Street, as this would limit our plans to do the same as the applicant.

Concerns are also raised in relation to the disruption to the area during construction the development

C Ditchburn – on behalf of the owners and users of 76 Brunswick Street

Raise concerns over the impact of the development on adjacent walls and foundations and level of disturbance to the offices. The new proposal would also block light to the stairwell/offices on the 1st and 2nd floors and raises potential security issues to access the roof.

Parking continues to be a major issue in the area and the development is likely to add to these current problems.

Concerns are also raised in relation to the impact of the retail unit of surrounding businesses.

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 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

Development which is likely to detract from the setting of a listed building will not be permitted.

Policy EN28

Development which is likely to detract from the setting of a listed building will not be permitted.

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 Statement 1: Delivering Sustainable Development, Planning Policy Guidance 3: Housing and Planning Policy Guidance 15: Planning and the Historic Environment were also considered relevant to this decision.

Material Planning Considerations

9. The main planning considerations of this application are the impacts on the visual amenities of the locality, the conservation area and listed buildings, amenity of neighbouring occupiers and access and highway safety.

Principle of Development;

10. The application site lies within the defined limits to development as indicated on the Council's 1997 adopted Local Plan proposals map. The site is also classed as previously developed land as outlined in Planning Policy Guidance No.3. Given the close proximity of the site to Stockton Town Centre and a range of transport modes the site is considered to be a sustainable location

for this type of accommodation. The principle of student accommodation on the site is therefore considered to be acceptable.

11. Although the site lies outside the defined Stockton Town Centre, there is an existing retail unit on the site, the proposed retail unit is therefore deemed acceptable as it replaces the existing unit and would not be detrimental to the vitality or viability of the nearby defined retail centres.
12. The application site does however, lie adjacent to the Stockton Town Centre Conservation area and several listed buildings, policies EN24 and EN28 are therefore considered material to this decision along with policies GP1 and HO11 of the Stockton on Tees adopted Local Plan.

Impact on the character of the area.

13. Planning Policy Statement 1 (PPS1) states that developments should promote high quality inclusive design in individual buildings in terms of function and impact, not just for the short term but over the lifetime of the development. It is also stated that design which fails to take the opportunities available for improving the character and quality of an area should not be accepted.
14. The proposed development involves the demolition of the existing building with the replacement of a five-storey building, which has the appearance of being 3 separate units. Whilst the building may relate in height to that of the surrounding buildings it is considered that the development is out of keeping in terms of proportion with the neighbouring units and would not sit well with the surrounding units to the detriment of the character of the area, contrary to policy GP1 of the adopted Stockton on Tees Local Plan and PPS1.

Character of the conservation area setting of the listed buildings;

15. English Heritage have commented that they believe that the proposed design is unacceptable and would be detrimental to the character of the conservation area and the setting of nearby listed buildings and consider that the scheme needs to be re-designed. Given this advice and the concerns outlined in terms of the impact on the visual amenities of the locality it is considered that the proposed development would be contrary to policies EN24 and EN28 of the adopted Stockton on Tees Local Plan.

Impact on residential amenity

16. As the majority of habitable windows face towards either Dovecot or Brunswick Street the main impact in terms of overlooking and potential loss of privacy will be towards the properties on these two streets.
17. The proposed development would be situated approximately 13 metres from the properties on the opposite side of Dovecot Street and 16 metres from the properties on Brunswick Street, although this is less than the recommended 21 metres distance, this is a historic problem within the area and would replicate the existing situation with the current building. It is therefore considered that proposed development would not worsen the existing situation in terms of overlooking and privacy.
18. Concerns have been raised in relation to a potential loss of daylight to the neighbouring offices the proposed development will be a maximum of 6

metres higher than the neighbouring office unit. Given the existing office use of the unit it is considered that the proposed development will not have a detrimental impact on the neighbouring unit or the amenity of the occupiers so as to justify a reason for refusal of the application.

19. Although the proposed development does not contain any private amenity space within the proposal this could be overcome by a contribution towards the enhancement/improvement of nearby open space provision in line with the Council's current policies.
20. Issues raised in relation to party walls, foundations and other structural and security issues are civil issues and cannot be considered as part of the considerations material to this decision.

Impact of Traffic and Highway safety

21. Concerns have been raised in relation to existing parking problems in the area; however, the Head of Integrated Transport and Environmental Policy commented that although there is no parking provision this is acceptable given its town centre location. However, 8no. covered and secure cycle spaces are required and that a commuted lump sum of £1500 should be requested towards a Residents Parking Scheme. It is therefore considered that there are no outstanding issues in terms of highway safety.

Conclusion.

22. It is appreciated that the applicants have attempted to overcome the Local Planning Authorities previous concerns over the scale and massing and the original contemporary design of the building and have provided a greater level of supporting information in this submission.
23. However, the proposed design of the unit is still considered to be inappropriate and would be detrimental to the visual amenities of the locality as a whole, the adjacent conservation area and the setting of the listed buildings, contrary to policies GP1, EN24 and EN28 of the adopted Stockton on Tees Local Plan, consequently 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 Policy Statement 1: Delivering Sustainable Development
Planning Policy Guidance 3: Housing
Planning Policy Guidance 15: Planning and the Historic Environment
Planning Application 06/0074/FUL

Ward and Ward Councillors

Stockton Town Centre Ward
Councillors D. W. Coleman and P. Kirton