

DELEGATED

AGENDA NO  
PLANNING COMMITTEE

DATE 2nd August 2006

REPORT OF CORPORATE DIRECTOR OF  
DEVELOPMENT AND NEIGHBOURHOOD  
SERVICES

06/1747/OUT

1 SOUTH VIEW, EAGLESCLIFFE, STOCKTON-ON-TEES  
OUTLINE APPLICATION FOR THE ERECTION OF 2 NO. DETACHED DWELLING HOUSES  
AND ASSOCIATED MEANS OF ACCESS. (DEMOLITION OF EXISTING HOUSE)

Expiry date 8<sup>th</sup> August 2006

### **SUMMARY**

Outline planning permission is sought for siting and means of access in association with the erection of two detached dwellings. The site is currently occupied by a single dwelling, which would be demolished were the scheme to be implemented.

9 letters of objection from neighbours have been received in respect to the proposal. Objections are mainly based on traffic generation and the nature of South View as a one-way street, impact on surrounding properties and on the character of the area in general.

The proposed development is located within the limits of development, on previously developed land, provides adequate access for its purpose whilst is located a sufficient distance from surrounding dwellings to ensure the development should not have a significant detrimental impact on the surrounding residential properties to the north, south and west. As such, the proposed development is considered to accord to policies GP1, HO3 and HO11 of the Stockton on Tees Local Plan.

Additional neighbour consultation was required in respect of four newly constructed dwellings to the rear of the site. The consultation period with respect to these dwellings will not expire until the 4<sup>th</sup> August 2006. It is therefore recommended that the determination of the application is delegated to the Head of Planning Services and is determined as per the recommendation of this report

### **RECOMMENDATION**

***That determination of the application be delegated to the Head of Planning and Planning application 06/1747/OUT be Approved with the following conditions and subject to no new issues being raised by any objections received after the Planning Committee meeting and the end of the consultation period***

***In the event of an outstanding matter not being satisfactorily resolved by 8<sup>th</sup> August 2006 that the planning application be refused***

- 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): - 138.0616(00)01r4, 02r3, 03r2, 04r3, 05r4, 06r2, 07r2, 09r2, 10r1, 11r  
Reason: To define the consent.**

- 02. Approval of the details of the design and external appearance of the building(s), and the landscaping of the site, shall be in accordance with the details of a scheme to be submitted to, and approved in writing by, the Local Planning Authority before development commences.  
Reason: To reserve the rights of the Local Planning Authority with regard to these matters.**
- 03. 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.**
- 04. No Development hereby approved shall commence on site until a Phase 1a+b desk study investigation to involve hazard identification and assessment has been carried out, submitted to and approved in writing by the Local Planning Authority. The study must identify industry and geologically based contaminants and include a conceptual model of the site. If it is likely that contamination is present a further Phase 2 site investigation scheme involving risk estimation shall be carried out, submitted to and approved in writing by the Local Planning Authority prior to any development hereby approved commences on site.  
Reason: To ensure the proper restoration of the site.**
- 05. No development hereby approved shall commence on site until a remediation scheme to deal with contamination of the site has been submitted to and approved in writing by the Local Planning Authority. This scheme shall identify and evaluate options for remedial treatment based on risk management objectives. No Development hereby approved shall commence until the measures approved in the remediation scheme have been implemented on site, following which, a validation report shall be submitted to and approved in writing by the Local Planning Authority. The validation report shall include programmes of monitoring and maintenance, which will be carried out in accordance with the requirements of the report.  
Reason: To ensure the proper restoration of the site.**
- 06. 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 and in order to achieve the necessary visibility splay in the interests of highway safety.**
- 07. Notwithstanding details shown on the plans hereby approved, prior to any works commencing on site, a scheme of ground levels and finished floor levels for all properties within the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these approved details.  
Reason: To take into account the impact of the development on the surrounding dwellings**
- 08. 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.**
- 09. During construction of the scheme hereby approved there shall be no development works undertaken 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.**

10. **Notwithstanding the details hereby approved, the following details shall be submitted to and approved in writing by the Local Planning Authority prior to commencement on site; Precise details of the layout of the driveway access and internal turning head; and Details of the construction method and materials of the driveway.**

**Reason: In order to provide adequate access to the dwelling and to ensure adequate protection of surrounding landscape features in accordance with Policies GP1 and HO3 of the Stockton on Tees Local Plan**

11. **Notwithstanding the provisions of classes A, B, C, & 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.**

### **BACKGROUND**

1. The site formerly included the site to the rear, which was granted planning permission for the erection of four dwellings. These have been constructed on site. Planning permission has also been granted on the site for further residential development, although, having been considered under different circumstances of either reduced numbers or on a different site outline.

### **THE PROPOSAL**

2. Outline planning permission is sought for the erection of two detached dwellings with detached garages on a site, which is currently occupied by a single detached dwelling. The existing property has two-driveway access points onto South View and these are intended to be retained, one serving each individual dwelling proposed. The application seeks permission for the siting and means of access only with design, external appearance and landscaping forming reserved matters.

### **CONSULTATIONS**

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

#### **Cllr Fletcher**

The following comments are based on the information available to me & could change if I hear fresh facts or arguments before the Applications are determined.

I am concerned about the creation of another vehicular access onto South View. In the past SBC has opposed the unnecessary creation of additional vehicular accesses onto A135 Yarm Road. Although South View is not nominally the A135, it is effectively one limb of that road, being the only way that traffic from the southbound A135 can access the westbound A67.

#### **Egglescliffe Parish Council**

The above application was discussed at our Council meeting on Thursday evening and I am instructed to inform you that although my Council has no objection to the erection of two dwellings as opposed to the one which already has planning consent, the two new dwellings need to be in keeping with surrounding properties and need to reflect the character of the houses on that side of South View, ensuring that the brick colours and any render blends in with existing.

#### **Landscape Officer**

Summarised:

No objection to the scheme subject to new driveways being constructed in line with the existing to ensure existing trees are not damaged through new excavations.

### **Head of Integrated Transportation and Environmental Policy**

A previous speed survey has indicated that a sight line of 2.4m x 45m is applicable at this location. However, this is reliant on the removal of the existing hedge and location of the boundary wall, as conditioned in the planning approval 04/2237/FUL (condition 6).

It is considered that the proposed development will not result in an intensification of use of the existing driveway access; therefore, subject to the implementation of condition 6 or a new condition and the provision of a turning head to allow vehicles to exit in forward gear, I have no adverse comments regarding this application.

The applicant will need to contact Service Stockton regarding the requisite dropped kerb crossing.

### **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.

Possible land contamination

#### **ENVIRONMENTAL RISK ASSESSMENT PHASE 1a+b**

C219 No Development shall commence until a Phase 1a+b desk study investigation to involve hazard identification and assessment has been carried out. The developer must identify contaminants of concern whether industry based or geologically based. The developer must also provide a conceptual model of the site together with the Phase 1a+b desk study report. If it is likely that contamination is present a further Phase 2 site investigation must be carried out prior to any development.

#### **ENVIRONMENTAL RISK ASSESSMENT PHASE 2**

If it is likely that contamination is present, no development shall commence until a Phase 2 site investigation scheme to involve risk estimation has been carried out. The developer must design and implement intrusive investigations to provide sufficient information on potential contamination.

Reason: To ensure the proper restoration of the site.

Construction Noise

I am concerned about the short-term environmental impact on the surrounding dwellings during construction, should the development be approved. My main concerns are potential noise, vibration and dust emissions from site operations and vehicles accessing the site.

Should the application be approved, the developer should apply for consent under Section 61 Control of Pollution Act 1974. This would involve limiting operations on site that cause noise nuisance.

I will 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**

#### **Northern Gas Networks**

No objections

### **NEDL**

7. Neighbours were notified and the comments received are summarised below: -

Mrs J G Alexander, 6 The Crescent, Eaglescliffe

The development, along with other recent developments to the rear of the property would result in the over development of the site.

Mrs J Flint, 10 The Crescent, Eaglescliffe

Surely the approved one dwelling on the site is enough. How much more traffic is there to be on this extremely busy one-way street. Surely the limited access to the new properties already built is already overloaded and a danger on the main road.

June and Ian Laurie, 7 Langdale Close, Egglescliffe

Believes one dwelling on the site is more than adequate in an area where traffic problems exist and will be considerably increased when the new properties to the rear are occupied. Vehicles already exist south view in the wrong direction just adding to an accident waiting to happen.

Mr Doug Harrison, 18 The Crescent, Eaglescliffe

The site history is highlighted.

Traffic leaving the adjoining site travels the wrong way down the one-way street. The access should be moved and restrictions placed on no reversing onto the main single lane. Internal manoeuvring within the site is unsuitable due to the required movement of the vehicles and there would be little garden space remaining.

Concern is raised over the scale of development and the future potential of flatted development.

There is a hazard of the existing landscaping on the site within a visibility splay, which was required to be removed as part of an earlier application.

This plot of land is not big enough for 2 properties as they would be small in comparison to surrounding dwellings.

Mrs Lawrence, 657 Yarm Road, Eaglescliffe

Loss of existing dwelling, road safety grounds as a result of people abusing the one-way system and as a result of the increased traffic.

Mrs N Farish, 1 South View, Eaglescliffe

There is a serious issue of road safety. It is congested many throughout the day, particularly during peak times. The one-way system is abused. There are nearby schools, which generate significant levels of traffic. The junction with Butts Lane is already dangerous.

Dr A N Thompson, 4 Ashville Avenue, Eaglescliffe

Appalled at application at the application to replace one substantial Victorian dwelling with tiny modern brick built houses, as this would be out of character with the area.

Mrs H V Thompson, 4 Ashville Avenue, Eaglescliffe

The site is too small to accommodate 2 dwellings, there is concern that the dwellings will be a min. of 2 storeys which will be out of keeping with the area and the indicated 6 cars per house will cause congestion near a busy hazardous junction.

Win Campbell, South Lodge, The Avenue

This is a very busy junction with restricted access already exacerbated by the developments already passed.

The entrance and exit from the site would be in a dangerous position and there will have to be sufficient drive at the front in order to allow vehicles to exit in a forward gear, leaving very little garden space.

The development cannot provide enough amenity space for two detached dwellings and the proposed plan would therefore involve houses of a small size totally out of character with those surrounding.

The plan does not include details to ensure that the application is in keeping with the character with the area. The site is too small for two dwellings and the position cannot provide safe access for cars.

### **PLANNING POLICY CONSIDERATION**

8. 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 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.

### **SITE AND ITS SURROUNDINGS**

9. The site is currently occupied by a single dwelling set within a large plot having garden area on all sides. The site currently has two accesses onto south view. Residential properties side the site to the north, west, and south, although there is an intervening access track to the south. The highways of South View and Yarm Road lie to the east.

## **MATERIAL PLANNING CONSIDERATIONS**

10. The site falls within the limits of development as defined within the Borough Local Plan and as such, being a brownfield site, there is a presumption in favour of development. The main considerations in determining the application are therefore the impact of the development on the surrounding properties, their impact on the area in general and highways related matters. These are considered as follows;

### **Impact on adjoining properties**

11. There are habitable room windows within the side elevations of properties to both the north and south. The property to the north (Wootton Cottage) is distanced from the proposed dwellings by approximately 13m, having mature landscaping within its own side garden. The property to the south (2 South View) has a large picture window at first floor level within its side elevation (towards the rear). This would be approx. 8m away from the proposed dwelling, having two curtilage boundaries and an access highway to properties to the rear, in between. The front elevation of the proposed dwelling is staggered in front of that associated with no. 2 South View and would therefore not obscure the window in its entirety.
12. In view of these factors it is considered the distances between dwellings, the location of dwellings in respect to one another and the nature of the intervening spaces is sufficient to mitigate any significant impacts on the privacy or amenity of these dwellings. However, it is considered appropriate to remove the Permitted Development rights, which would normally apply to residential properties to control the future impact on the neighbouring properties.
13. The proposed dwellings are located either in line or further away from the rear garden boundary with the property to the rear than that of the existing dwelling and as such it is considered the impact on this dwelling in terms of privacy and amenity would not be significantly worse.

### **Impact on area in general**

14. The section of housing fronting Yarm Road to the north is generally characterised by large dwellings with larger than average curtilage and side garden areas. However, to the south lies semi detached more modern houses, which have an increased density and limited gardens. As such, the increased density and reduced spacing of the proposed development is considered to be in keeping with the surroundings.
15. The front elevation of one of the proposed dwellings is in line with that of the existing dwelling whilst one is set 3.6m further forward. This property would be further forward than existing dwellings on either side of the site, although these properties are already staggered, following the line of South View. This proposal would continue this staggering with the curve of the highway and as such, result in a continuation of the established building line between plots 7, 5 and 3 South View.
16. The dwellings are spaced from the adjoining properties on both sides (8m and 13m) as well as from one another (4m), which should give a reasonable spacing generally within the street scene, retaining an existing characteristic of the area.

### **Highways issues and related matters**

17. The dwellings have ample driveway space to the front and side of the dwellings, having garages located within the rear garden areas. The driveways at their narrowest are 3m (along side of properties) which then opens out behind the properties before reaching the double sized garages. Access into the garages appears tight as a result of the limited drive width and the position of the garages although this should not prevent their use.
18. The Head of Transport and Environmental Policy has indicated a need for a visibility splay and internal turning heads to be provided. Appropriate conditions are attached.

### **Other matters**

19. The site lies adjacent to a conservation area and as such consideration needs to be given to the impact on this conservation area. In view of the above comments it is considered the principle and siting of properties is acceptable and should not detrimentally affect the conservation area. The main issues for the impact on the conservation area would be considered in the reserved matters applications for the design and external appearance of properties.

### **CONCLUSION**

20. The proposed development is located within the limits of development, provides adequate access for its purpose whilst is located a sufficient distance from surrounding dwellings to ensure the development should not have a significant detrimental impact on the surrounding residential properties to the north, south and west. As such, the proposed development is considered to accord to policies GP1, HO3 and HO11 of the Stockton on Tees local Plan.

### **Human Rights Implications**

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

***Corporate Director of Development and Neighbourhood Services***

**Contact Officer Mr Andrew Glossop**

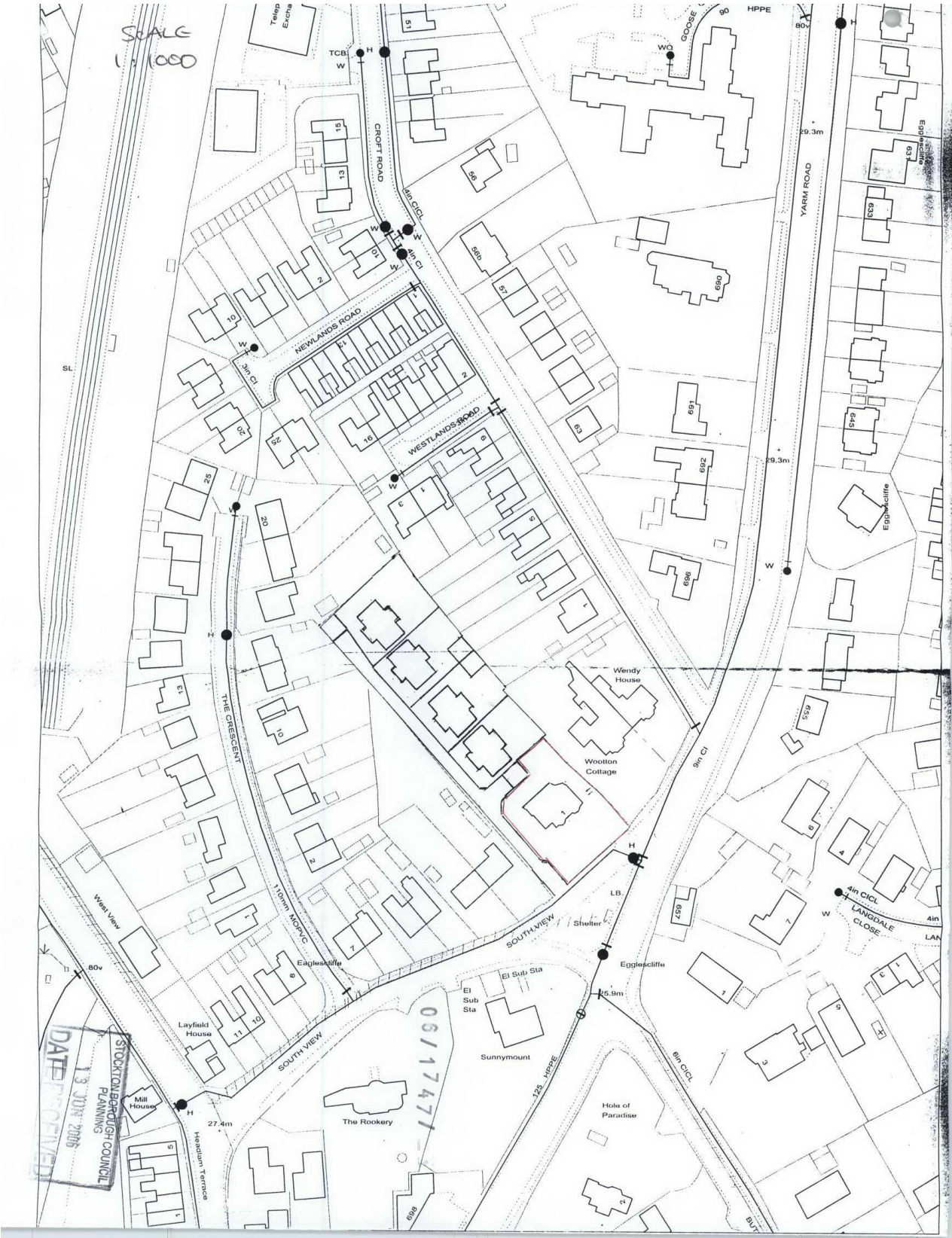
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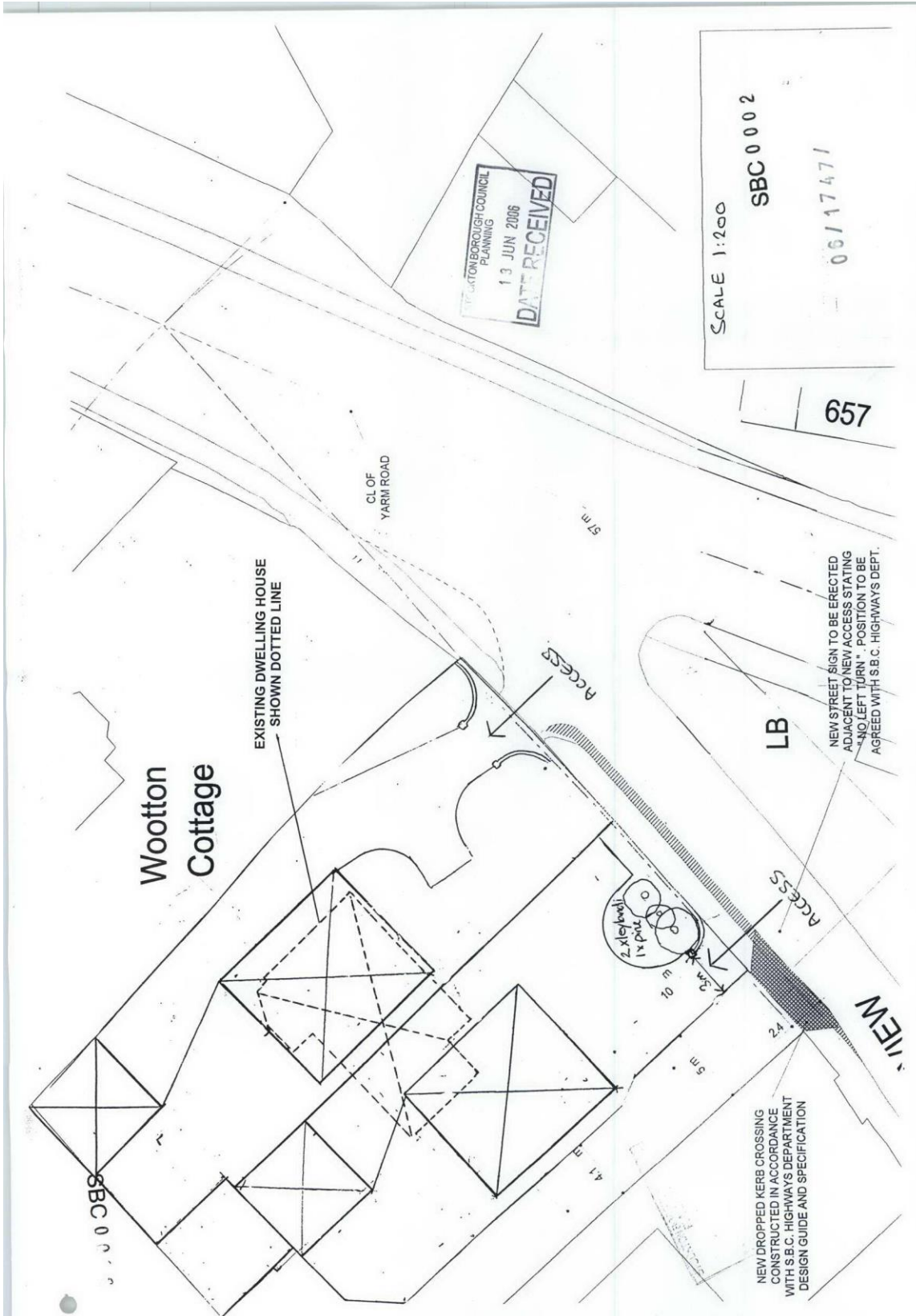
<b>Ward</b>	<b>Eaglescliffe</b>
<b>Ward Councillor</b>	<b>Councillor M. F. Cherrett</b>
<b>Ward Councillor</b>	<b>Councillor J. A. Fletcher</b>
<b>Ward Councillor</b>	<b>Councillor Mrs M. Rigg</b>







**Site Location Plan**  
**06/1747/OUT**  
**1 South View, Eggescliffe, Yarm**



06/1747/OUT  
1 South View, Eaglescliffe, Yarm  
Site Layout Plan