

DELEGATED

AGENDA NO. 4
PLANNING COMMITTEE

DATE 25th October 2006

REPORT OF CORPORATE DIRECTOR OF
DEVELOPMENT AND NEIGHBOURHOOD
SERVICES

06/2783/FUL

Harpers Garden Centre, Junction Road, Norton

Revised application for residential development comprising 46 no. dwelling houses and 36 no. apartments together with associated means of access and landscaping.

Expiry Date 5th December 2006

Update Report

1. An amended plan layout has been received in draft to address concerns raised in respect to some landscape and highways related matters, although a full size scaled plan has not yet been received.

The following additional comments have been received in respect to the proposed development:

2. The Head of Integrated Transport and Environmental Policy has advised the marginally revised layout is acceptable subject to providing driveway lengths are maintained and the incurtilage parking is not adversely affected.
3. Question has been raised from the occupier of the property adjoining the site with regards to the ability of emergency vehicles to gain access to this property. An additional drawing has been submitted which indicates a 'swept path analysis' for emergency vehicles to this property.
4. The Councils Environmental Health Officer has indicated the need to control noise disturbance between apartments as well as from the road and rail traffic, possible land contamination and construction site operational hours.
5. The Environment Agency has raised no objection in principle to the development although has recommended several conditions relating to surface water drainage, and run off limitation, in order to adequately address drainage, flooding and pollution of the water environment. Furthermore, comment is made in respect to connection of foul sewage to the existing foul drain being acceptable and that the Environment Agency are keen to promote sustainable urban drainage schemes.
6. The Councils Landscape Officer advised that the revised scheme provides a reduced area of open space to the previously refused application whilst was concerned over pressures for such as a result of the increase in the number of family homes on the site. The Landscape Officer advises that a minimum area of 0.6ha is required to create a useable active recreation / informal kickabout area but the area on this planning layout represents less than half this size. The councils Landscape Officer considers that development of this scale should be providing a greater provision of open space and that this application could only be supported were a contribution to off site open space provided based on £3500 per 0.1ha of developable area (£83,800). Other comments received from the Landscape Officer are repetition of earlier comments made in respect to management of open space, the provision of landscaping schemes and maintenance schedules.

MATERIAL PLANNING CONSIDERATIONS

Highways related matters

7. With regard to emergency vehicles accessing the property adjoining the north western corner of the site, the submitted 'swept path analysis' shows adequate access is being provided, although this is currently being considered by the Head of Integrated Transport and Environmental Policy.
8. In order to prevent the future loss of garages and their associated parking spaces without suitable re provision as a result of conversion, it is considered necessary to attach a condition to the approval which requires permission to be granted for such works.

Landscape matters

9. The Councils Landscape Architect has advised that an area of 0.6ha is required for active recreation play space and that the provision shown on site is insufficient, measuring (0.22Ha) with other amenity planting areas measuring 0.04ha. Policy HO11 of the Stockton on Tees Local Plan advises the National Playing Fields Association figure of 2.46ha per 1000 population shall be used as a guideline for such areas. Estimating the population of the estate to be approximately 196 (2.4 per unit) it would indicate a guideline provision of 0.48ha would be required. It is considered however that the site and its constrained layout is not appropriate for the provision of active play space for an informal kick about area as this is likely to give rise to a significant number of complaints regarding anti social behaviour and the playing of ball games from surrounding residents. In such circumstances the Local Planning Authority would normally require a contribution in lieu of on site provision for the difference. However, the nearest site for provision is indicated by the councils Landscape Officer as being 2km away which is beyond several busy main roads within the town. It is considered the demand created on this site could not be adequately justified as being addressed through provision 2km away. In view of these factors, although there is a short fall in provision of open space as per the guideline of Policy HO11, it is considered the provision of open public amenity space shown on site is adequate.

Other matters

10. With regard to issues raised by the Environment Agency and the Councils Environmental Health team, suitable conditions are attached to the main report and recommendations.
11. In view of their being expansive areas of parking within the site and the provision of an emergency access at the entrance to the site it is considered adequate control over the surfacing materials for these areas is required in order to control the appearance of the area. A condition is recommended accordingly.
12. A revised house type plan for corner plot units has been submitted with respect to plots 1, 66 and 82. However, it would appear that the window configuration does not work with the layout for plots 66 and 82, having kitchen windows facing blank gables of the adjoining properties side elevation only 2m away. The location of these properties and associated impacts is considered to be acceptable in all other areas and therefore it is considered appropriate to condition the precise location and detailing of these two properties in order to ensure they allow adequate outlook for future occupants.
13. Having considered the revised scheme, with particular regard to the scale of property curtilages, the prominence of properties fronting Junction Road and the provision of landscape areas outside the formal curtilages of properties, in order to retain a suitable form of development, it is considered appropriate to remove householder permitted development rights throughout the scheme. A suitable condition is attached.

Conclusion

14. In view of the above it is considered that there is an adequate level of open amenity space within the site. It is considered the site is too small to adequately provide for active recreational equipped play space whilst there are no areas within a reasonable locality to which the development could justifiably contribute to. The comments from the Head of Integrated
15. Transport and Environmental Policy advise the layout is acceptable, although it is considered appropriate to await final confirmation on the submission of a full size scaled plan. As such, it is recommended that the determination of the application be delegated to the Head of Planning.

RECOMMENDATION

That determination of the application be delegated to the Head of Planning and that planning application 06/2783/FUL be approved in accordance with the recommendation within the main report subject to the highways related matters being addressed and subject to the additional conditions listed below. However, if there are still matters outstanding on 5th December 2006 that planning permission be refused.

Conditions

- 20 *Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order), no integral garages shall be converted into part of the house without the prior written consent of the Local Planning Authority.
Reason: To ensure adequate garaging and parking spaces are made available.*
- 21 *Notwithstanding the provisions of classes A, B, C, D & 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.*
- 22 *Notwithstanding any description of the materials in the application, the precise details of the surface materials for the car park areas and the emergency access shall be submitted to and approved in writing by the local Planning authority. The development shall be carried out in accordance with these details.
Reason: In order to adequately control the appearance of the development.*
- 23 *Notwithstanding details hereby approved, properties located on plots 66 and 82 as indicated on layout plan reference QD55-01-05 rev.E shall not be constructed until their precise location within the site, their precise elevation details and location of windows has been submitted to and approved in writing with the Local Planning Authority.
Reason: In the interests of amenity and privacy for the future occupants of the site.*

Human Rights Implications

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

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