

DELEGATED

**AGENDA NO. 9
PLANNING COMMITTEE**

DATE 15th November 2006

**REPORT OF CORPORATE
DIRECTOR OF DEVELOPMENT
AND NEIGHBOURHOOD
SERVICES**

Unauthorised Works 13-15 Station Road, Eaglescliffe, Stockton-On-Tees

1. Update

Members will recall that the item was discussed at Planning Committee on the 25th October 2006. Following discussion, the item was deferred for further clarification of the issues, which Members considered were outstanding. Appendix A attached to the main report contains a summary table of the issues raised.

Further comments have been received in respect of this site and the issues raised are addressed below

2. Materials

Materials to be used in the finish and construction of the extension were specified on plan number (204-03) 03 REV B and (204-03) 04 REV D granted approval on planning application 04/2058/FUL and 05/0178/FUL respectively, and these are specified below.

- Walls-Cavity blockwork walls with external render painted cream
- Roofs-Grey Slate
- Windows- White uPVC double-glazed units
- Rainwater goods-Half round gutters and circular section downpipes in black uPVC

A condition attached to both permissions required that, prior to the commencement of development and notwithstanding any description of materials in the application, the precise details of the materials to be used in the construction of the external walls and roofs were to be submitted and approved. This condition sought to ensure that the materials used were acceptable for use in the Conservation Area.

Given that the condition limited itself to the materials of the walls and roof, the detail of the windows and the rainwater goods have been accepted. The detail of the walls and roof therefore remain outstanding. Members should take into consideration that any changes to the external materials need to be in character with the Conservation Area, and that it is considered that render is an appropriate material.

3. Right to Light

Comments continue to be made on this matter. The Principal Solicitor has previously outlined the issues concerning 'Right to Light', and confirmed that this is a civil matter. The impact on daylight is, insofar as it impacts upon the amenity of the occupants of neighbouring premises, a material planning consideration, and is taken into account in the determination of each planning application where relevant.

Consideration of the planning issues in relation to this development included the impact on the amenity of neighbours, which amongst others related to any overshadowing or loss of light.

The issue of amenity has also been considered in relation to the height by which the current works exceed the approved height, and therefore whether or not the additional 1.2 metres has an adverse impact on the amenity of neighbours. It is the opinion of the Local Planning Authority that the amenity of neighbours is not compromised by the unauthorised increase in height.

Cases involving 'Right to Light' are not new, nor raise new issues that would change the way in which the Local Planning Authority consider and determine planning applications.

4. Parking on Swinburne Road

The Head of Integrated Transport and Environmental Policy is satisfied that the development as approved has sufficient on site parking. The provision of the necessary dropped kerbs is in hand. Failure to provide dropped kerbs is enforceable under the Highway Acts.

The Council's Car Parking Manager is to investigate complaints of unauthorised parking on the yellow lines on Swinburne Road and ensure due enforcement of the regulations is undertaken.

The impact of additional services at Eaglescliffe train station will be observed by car parking. Although it is not anticipated that yellow line abuse by someone leaving a vehicle for a journey on a London bound train will occur, it may happen that on-street parking increases. If this does occur then it will be investigated by the Traffic Management team to ascertain if a Traffic Regulation Order is needed.

5. Bin Storage

There is adequate space for on site storage of bins. Care for Your Area and Highways are currently investigating any unauthorised bin storage on the highway and will action as necessary.

6. Drainage

Not a planning issue, Building Control are currently investigating and will action as necessary.

7. Roof Space

Enforcement Officers have visited the site and found there is no direct access to the loft space of the rear extension. Access is via a standard loft hatch and steps.

The investigating officer could not verify whether or not plumbing or electrics have installed for a future conversion as the floor of loft space is covered by loft insulation.

8. Conclusion

The further issues raised do not alter the recommendation in the accompanying main report that it is not expedient to take enforcement action.

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Financial Implications

Possible costs in defending an appeal should enforcement action be pursued.

Environmental Implications

As Report.

Community Safety Implications

Not Applicable.

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

Complaint file 22.0.1

Planning applications 04/2058/FUL & 05/0178/FUL

Adopted Stockton-on-Tees Local Plan (June 1997)

Ward	Egglescliffe
Ward Councillor	Councillor J.A. Fletcher MA
	Councillor Mrs M Rigg
	Councillor M Cherret