

DELEGATED

AGENDA NO .

**PLANNING COMMITTEE
31st January 2007**

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

06/3462/FUL

Sun Gardens, Thornaby Road, Stockton on Tees

Substitution of house types, replacing 21 no. Townhouses with 36 no. Flats

Expiry date: 12th February 2007

Summary:

On 15th September 2004, planning permission was granted (planning application reference number 04/0318/FUL) for residential development comprising 84 flats and 45 town houses and associated car parking and landscaping on the former Reedblast Engineering works and petrol filling station on Sun Street. The development comprised 3-storey townhouses and 3 and 4-storey apartment blocks.

The application seeks permission to substitute 36 no. Apartments (in 3 No 4-storey blocks) for a previously approved 21 no. Townhouses, on the eastern boundary of the site close to the A66 (T).

The application has been publicised by individual letters of notification and site notice. No letters of representation have been received.

It is considered that scale and design of the proposal is in keeping with the surrounding residential development and will not involve a significant impact upon surrounding properties or the character of the area.

The design and layout of the proposal is complementary to the remainder of the site and would not have an adverse impact on local visual amenity. The mass and disposition of the apartment block would not have an adverse impact on the privacy and amenity of neighbouring properties or future residents of the proposed apartments.

The proposed access, level of car parking and location of cycle and bin storage is considered acceptable. The proposed layout has given rise to the need for a contribution of £5000 towards landscaping, which will be secured by a Section 106 agreement.

The proposal is considered to accord with policies GP1 and HO11 of the adopted Stockton on Tees Local Plan and therefore acceptable.

RECOMMENDATION

It is recommended that the application (06/3462/FUL) be approved subject to the following conditions and the completion of a Section 106 legal agreement in accordance with the Heads of Terms:

- 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): -SBC001 and SBC002.**

Reason: To define the consent.

- 02. This approval relates solely to this application for housing and does not in any way discharge the conditions contained in planning approval 04/0318/FUL, dated 7th October 2005.**

Reason: For the avoidance of doubt.

- 03. Construction of the external walls and roof shall not commence until details of the materials to be used in the construction of the external surfaces of the structures hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.**

Reason: To enable the Local Planning Authority to control details of the proposed development.

- 04 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 in to use.**

Reason: To achieve a satisfactory form of development.

- 05. Prior to any works commencing on site, a scheme of ground levels and finished floor levels for the dwelling, hereby approved, 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: To take into account the sites location in respect to the surrounding development.

- 06. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge into any watercourse, land or underground strata. Associated pipework should be located above ground and protected**

from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

Reason: To prevent pollution of the water environment.

- 07. During construction of the scheme, hereby approved, there shall be no development works undertaken outside the hours of 8.00am – 6.00pm weekdays, 8.00am – 1.00pm Saturdays and no times on Sundays or Bank Holidays.**

Reason: To avoid excessive noise and disturbance to the occupants of neighbouring properties.

- 08. Before the development, hereby approved, is occupied the buildings shall be provided with sound insulation to ensure that adequate protection is afforded against the transmission of noise between living accommodation and bedrooms in adjacent flats in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.**

Reason: In the interests of the amenity of neighbouring residents.

- 09. Before the commencement of the development, hereby permitted, a scheme for the protection of the proposed dwellings from noise from the adjacent roads shall be submitted to and approved in writing by the Local Planning Authority. All works, which form part of such a scheme, shall be completed before any of the permitted dwellings are occupied.**

Reason: To protect the amenity of the occupants of the dwellings from excessive traffic noise.

- 10. There shall be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters, whether direct or via soakaways.**

Reason: To prevent pollution of the water environment.

- 11. No dwelling shall be occupied until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.**

Reason: To ensure landscaping on the site is properly maintained.

- 12. Full details of hard and soft landscaping works shall be submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include any means of enclosure, tree and or shrub planting, car and cycle parking layouts, other vehicle and pedestrian access and circulation areas, hard surfacing materials and minor artefacts and structures.**

Reason: In the interests of amenity and the maintenance of landscaping features on site.

HEADS OF TERMS OF SECTION 106 AGREEMENT

Robertson Homes have agreed to enter into a section 106 agreement to secure: -

A commuted lump sum of £5,000 towards the enhancement of the existing off-site landscape area to the north of the site.

The Proposal has been considered against the policies below and it is considered that the scheme accords with these policies and there are no other material considerations, which indicate a decision, should be otherwise.

Adopted Stockton on Tees Local Plan (June 1997)

GP1 General Principles
HO11 Design and Layout

BACKGROUND

1. In 2004 a development of 84 flats and 45 townhouses was approved as part of application 04/0318/FUL. This development is located on the site of the former Reedblast Engineering works and a cleared petrol filling site at Sun Street/Thornaby Road. The current application site forms part of the northwestern side of this development.

THE PROPOSAL

2. The application is to replace the previously approved 21no. 3-storey townhouses with 36no, 2-bedroom, flats contained within 3no, 4-storey apartment blocks. Associated development also includes car parking, landscaping and 3no, cycle and bin stores.

PUBLICITY

3. The neighbours have been notified individually and by way of a site notice. The neighbour consultation period expired on the 6th Dec 2006. No letters of representation have been received.

CONSULTATIONS

CE Electric UK

4. No objections

Northern Gas Networks

5. No objections

Northumbrian Water

6. The developer should make early contact regarding a water supply and the costs involved and new connections to the sewerage system.

Environmental Health Unit

7. I have no objection in principle to the development; however, I do have concerns relating to the following environmental issues and recommend conditions to be imposed. The recommended condition relates to the provision of noise insulation between living accommodation.

Head of Integrated Transport and Environmental Policy

8. The proposals show 48 number parking spaces, however, in line with SBC standards this is inadequate. The applicant would need to complete a departure from standards form or increase the number of spaces. There is no provision for secure/covered cycle storage. The requirements can be found in SBC parking provision document. If these issues can be resolved I would have no adverse comments to make in relation to this application.

22.01.07

Following receipt of the requisite Departure from Standard for I accept the proposed reduction in parking from 150% to 125% for plots 200-235, for the reason outlined within the form.

Highways Agency

9. The Highways Agency has no objection in principle to the above being granted planning consent.

Landscape Architect

10. Due to the increase in density of the site with increased parking provision we are looking to increase the off-site landscaping contribution. The level of this contribution will be determined once the highway engineers have looked at the parking level increase in more detail. This further landscaping contribution will result in additional tree planting along the north boundary if the site to enhance the existing planting belt.
11. I note that the most easterly block of flats is located directly adjacent to the north boundary. Previously the townhouses had rear gardens, which meant that the houses themselves were set back from the boundary. The location of this particular block of flats will impact upon the existing planting and root system and any new development should be a minimum of 6m from the north boundary.
12. Whilst I have no objection in principle to the substitution to flats, I do not object to their arrangement and the impact upon the existing planting. The applicant should also note that the existing and proposed trees within this belt are ultimately large forest trees and the redesign of the arrangement of the flats should take their ultimate canopy spread into account.

13. The revised layout drawing (Drg no 4/05 AL (0) 01 Rev A) indicates an amendment to the position of the flats to the east of the site, to provide a greater distance from the existing planting. This layout is now acceptable and I withdraw my objection.

Campaign to Protect Rural England

14. The site is very close to designated Green Wedge and would appear to impact upon it. The site is adjacent to a very busy road, which suffers congestion and traffic noise already. The suggestion is that town houses would be less attractive due to road noise, surely this also applies to flats?
Given the existing congestion and proximity of the A66 we feel that the site Would benefit from screening from noise by establishing a better green barrier to facilitate the better quality of life for residents at the locality.
Careful consideration must be given the increasing the potential congestion to This area. Access from the development may be difficult at peak times.

PLANNING POLICY CONSIDERATIONS

15. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan 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).
16. The following planning policies are considered to be relevant to the consideration of this application:

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

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 HQ11

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.

MATERIAL PLANNING CONSIDERATIONS

17. The principle of residential development on this site has already been established. Therefore, the main planning considerations relate to design and layout, any impact upon the amenity of the residents of neighbouring properties and future residents of the apartment blocks, impact on the streetscene, landscape and access and highway safety.

Design and Layout

18. In order to reduce the massing of the development, the proposed apartments have been laid out in 3no. separate blocks and designed with hipped roofs. This reflects the layout of other 4-storey blocks within the development. The design of the buildings is as previously approved elsewhere on the site.
19. In order to protect existing planting, the most northern block would be located within 1m of the adjoining internal highway. Although close to the footway, this relationship proximity can be found elsewhere on the site
20. In light of the above, it is considered that proposed design of the apartments and their layout will blend with the remainder of the development on this site.

Residential Amenity

21. The proposed apartment blocks will be located immediately opposite a row of 3-storey town houses. Unlike the large blocks of apartments around the perimeter of the site, the proposed apartments are designed as three blocks separated by car parking and planting, which will prevent a significantly overbearing impact upon the dwellings opposite.
22. The main elevation of the opposite apartments will face inwards towards the car parking area. This will ensure that any habitable room windows will be over 23m from the development opposite. The general arrangement of the apartment blocks reflects that previously approved elsewhere on the site. The Environmental Health Officer's concerns in respect of noise between units of accommodation can be controlled by condition. It is therefore considered that there will not be a significant impact upon the privacy and amenity of the residents of neighbouring properties and future occupiers of the apartment blocks.

Impact on Visual Amenity/Street Scene

23. The application site is located on the northwestern edge of a newly built residential development. The application site will not be immediately visible Thornaby Road, which bounds the eastern side of the development.

24. The proposal will, however, be within 30m of the A66 trunk road on the northern side of the site. Robertson Homes have agreed to enter into a section 106 agreement to secure additional planting along the outside of this boundary. It is considered that this will provide sufficient screening for the development.
25. The proposed apartments will maintain the design and scale of the surrounding residential development and it is, therefore, not considered that there will be any significant impact upon the character of the area or the street scene.

Landscape Features

26. There are no existing landscaping features within the application site, although there are a number of trees on the northwestern boundary of the site. The revised layout for the proposed northern apartment block, will ensure that those trees would be protected and additional planting will be provided from the monies secured in the Section 106 agreement.
27. It is not considered that the proposal will have any significant impact upon the landscape features bounding the site and the Landscape Architect has no objections to the scheme.

Access and Highway Safety

28. The access to the main site is via previously approved internal roads to Thornaby Road. The Head of Integrated Transport and Environmental Policy has not expressed any concerns regarding this access and is therefore considered to be acceptable.
29. The applicant is proposing to provide 48 car parking spaces for the 36 no. apartments. This is below the normal recommendation of 1.5 no. spaces per apartment. However, this level of provision reflects that previously accepted as the site is considered to be in a sustainable location, less than 1 mile from Stockton town centre and on a principle bus route. On this basis, the Head of Integrated Transport and Environmental Policy does not object to the proposal on those grounds.
30. It is considered that the access and proposed car parking is acceptable and would not lead to any significant impact upon highway safety.
31. The Head of Integrated Transport and Environmental Policy has stated that there is no provision for secure cycle storage and should this be resolved there will be no adverse comments to make. However, the submitted plans indicate that this has been provided within the site.

CONCLUSION

32. The design and layout of the proposal is complementary to the remainder of the site and would not have an adverse impact on local visual amenity. The mass and disposition of the apartment block would not have an adverse impact on the privacy and amenity of neighbouring properties or future residents of the proposed apartments.
33. The proposed access, level of car parking and location of cycle and bin storage is considered acceptable. The proposed layout has given rise to the need for a

contribution of £5000 towards landscaping, which will be secured by a Section 106 agreement.

34. In light of the above assessment, the proposal is considered to accord with policies GP1 and HO11 of the adopted Stockton on Tees Local Plan and therefore acceptable. It is recommended that application 06/3462/FUL be approved with conditions as set out above.

Corporate Director of Development & Neighbourhood Services

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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

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

Planning Applications 04/0318/FUL and 06/3462/FUL

Ward

Mandale and Victoria

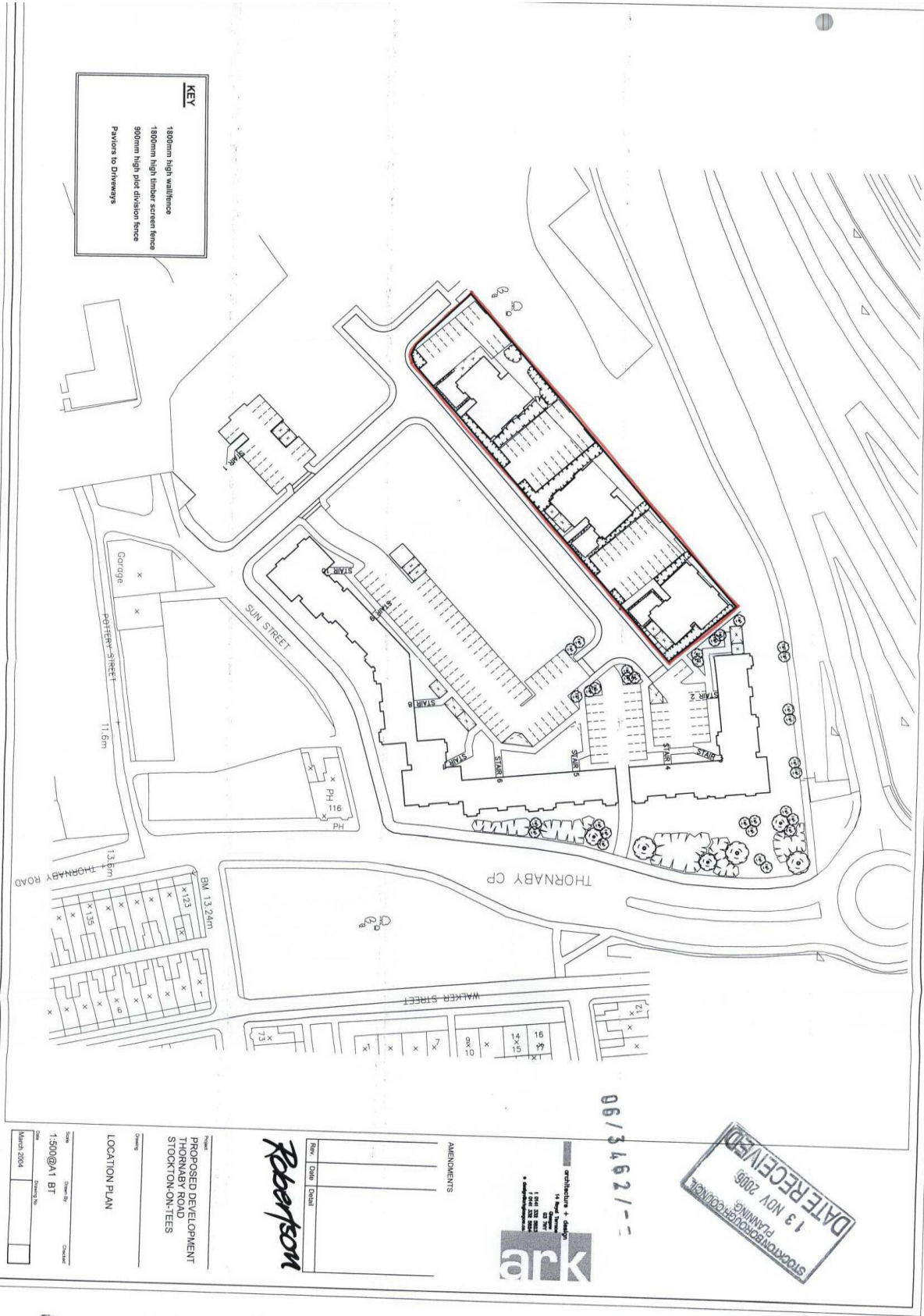
Ward Councillors

Councillor Mrs A. Norton

Councillor Mrs A. Trainer

Councillor S. Walmsley

06/3462/FUL
Appendix 1
Location Plan



KEY

- 1800mm high wallfence
- 1800mm high timber screen fence
- 900mm high plot division fence
- Pavers to Driveways

DATE RECEIVED
13 NOV 2005
PLANNING
STOCKPORT BOROUGH COUNCIL

06/3462/-

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Architecture + Design
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www.arkdesign.co.uk

Robertson

Rev.	Date	Detail

Proposed
PROPOSED DEVELOPMENT
THORNABY ROAD
STOCKTON-ON-TEES

Location Plan

Drawn By: []
Checked By: []
Scale: 1:500 @ A1 BT
Date: March 2004

06/3462/FUL
Appendix 3
Apartment Elevations

REAR ELEVATION

GABLE ELEVATION

SIDE ELEVATION

FRONT / GABLE ELEVATION

06/3462/-

CONSTRUCTION

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architecture + design
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E - EMERGENCY ESCAPE WINDOWS
AMENDMENTS

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Project
PROPOSED DEVELOPMENT
THORNABY ROAD
STOCKTON-ON-TEES

Drawn
ELEVATIONS
BLOCKS 4, 5 & 6

Scale
1/100

Date
October '08

Checked
PR

Drawing No.
456/AL(O)63

Rev. 1/08 ENH

DATE RECEIVED
1 3 OCT 2008

