

**DELEGATED**

**AGENDA NO  
PLANNING COMMITTEE**

**19 September 2007**

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

**07/1817/OUT**

**Land Adjacent To, 1 Manor Place, Off Bishopton Road West**

**Outline application for residential development of 8 no. apartments within one building and associated means of access (demolition of existing community centre building)**

**Expiry Date 9 August 2007**

**SUMMARY**

Outline planning permission is sought for the redevelopment of the site of a community association building to provide an 8 unit apartment block and associated parking, access amenity space and other ancillary development. The outline is submitted to establish the principle of the development and its point of access.

A total of 22 letters of objection have been received in respect to the proposed development with the majority of objections relating to the point of the access, impact on amenity and privacy and the scale of the development.

The proposal relates to a brownfield site within the defined limits of development and within close proximity to a range of services. As such the general principle of the development is considered to accord with both Local and National Planning Policy.

The location of the proposed access into the scheme was moved following concern that the existing vehicular access into the site was insufficient in width to provide for the new use and for an adequate footpath to be provided. The Head of Technical services considers the proposed new access (off Manor Place) is adequate in width, achieves adequate visibility whilst appropriate levels of parking can be achieved along with refuse storage. It is further considered that the proposed development could be located on the site without unduly compromising the character of the area or the privacy and amenity of the surrounding properties, thereby being in accordance with policies GP1, HO3 and HO11 of the Stockton on Tees Local Plan.

In view of there being a lack of formal play space within the site it is considered necessary to provide a commuted sum in lieu of such provision.

**RECOMMENDATION**

**Planning application 07/1817/OUT be Approved subject to the applicant entering into a Section 106 Agreement for a commuted lump sum of £7000 in lieu of on site provision of informal and formal recreation space and subject to the following conditions: -**

- 01     *The development hereby approved shall be in accordance with the following approved plan(s); unless otherwise agreed in writing with the Local Planning Authority.***

<b>Plan Reference Number</b>	<b>Date on Plan</b>
4242/100	14 June 2007
4242/1A	31 July 2007
4242/101	31 July 2007

**Reason:** *To define the consent.*

- 02.** *Approval of the details of the Layout, Scale, Appearance, and Landscaping of the development, 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.** *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 scheme shall indicate the finished floor levels of adjoining properties. The development shall be carried out in accordance with these approved details.*

**Reason:** *To take into account the properties position and impact on adjoining properties and their associated gardens in accordance with Policy HO11 of the Stockton on Tees Local Plan.*

- 04.** *Prior to any part of the development being occupied the proposed new access shall be constructed and brought into use and the existing access shall be extinguished in accordance with a scheme to be submitted to and approved in writing with the Local Planning Authority.*

**Reason:** *In order to adequately control the development in accordance with Policy GP1 of the Stockton on Tees Local Plan.*

### **Informatives**

*It is considered that the proposed development can retain adequate levels of privacy and amenity for surrounding properties whilst provide adequate access, parking and outdoor amenity space. The overall scale of the development is considered to be generally respect the surrounding development and would be generally in keeping with the scale of the street scene. It is therefore considered that the scheme is in accordance with Policies GP1, HO3 and HO11 of the Stockton on Tees Local Plan and there are no other material considerations which suggest the application should be determined otherwise.*

*The decision has been determined taking into account indicative floor layouts and building elevations as submitted, although these details do not form part of the approved plans.*

### **HEADS OF TERMS**

A commuted lump sum of £7000 is required in lieu of the provision of informal and formal recreation space. This would be used towards the provision of active off site recreation within the locality.

### **PROPOSAL**

1. Outline planning permission is sought for the redevelopment of a 0.13ha site at Manor Place. The scheme involves the demolition of the existing community hall and the

construction of 8 no. apartments over three floors with associated car parking and external works. The application seeks permission in respect to the principle of the development and its access with all other matters being reserved for later consideration. In accordance with Government Legislation, outline applications are required to be accompanied with details of upper and lower limits of the height, width and length of buildings and basic layout details in order to allow the a reasonable assessment of the proposal to take place.

2. The submitted details show a building footprint measuring 25.5m in width, 9.2m in depth (excluding entrance detail and bay windows) and 10m to ridge. 12 no. parking spaces are indicated as being achievable as well as bin and cycle storage, communal amenity garden area and frontage landscaping onto Manor Place.

## **CONSULTATIONS**

The following Consultations were notified and any comments received are set out below: -

### **Councillors**

3. Cllr M Perry  
I would like to object to the revised proposal dated 25 July 2007, as I prefer the original scheme with the entrance to the apartments from Bishopton Road West and not from Manor Place. There is also 1 extra parking space in the original Scheme.
4. Cllr Woodhead  
Objects on grounds that the access into the site would be totally unsuitable
5. Cllr Cockerill  
I object to the above development of apartments on the grounds, We already have a very busy road junction in the immediate vicinity, how would the extra traffic generated be absorbed?  
The scale and design out the building is entirely out of character for the area, in not harmonising with the existing mature houses.  
On the corner of the avenue / Bishopton road there is already an apartment building which taking into account the location, looks like a 'box'. Again, with no thought given to the existing properties.  
In this area of Stockton there seems to be a proliferation of this type of building, indeed with one being withdrawn in the very recent past, due to the impact it would have on the immediate residents. I fear if this were to go ahead, a precedent would be set for others, and the whole area would become one huge soulless housing estate

### **Urban Design - Engineers**

6. A visibility splay of 2.4 x 43m is required and can be achieved on the site. The access is located approximately 40metres from the Bishopton Road West junction and is also acceptable. The access width is 4.1metres, which is the minimum acceptable. The level of car parking is acceptable with the introduction of 1.5 spaces per dwelling (12no in total) including 2 no disabled parking. The location of the bin store is acceptable and within 25metres of the adopted highway. It should be conditioned that covered and secured cycle storage is to be provided with details to be submitted for approval.

### **Urban Design - Landscape**

7. The revised layout is much more suitable in terms of the provision of amenity space and if this meets the councils planning policy guidance we would not be seek a contribution to offsite improvements for adjacent open space. The main use of the southern site on account of its linear nature and 'separation' from the proposed building is likely to be as decorative amenity space only and should be used to soften the views of the development

from south and notably 1 Manor Road. The northern space could be designed to provide an attractive communal garden and details of both the southern and northern area are requested as detailed in the previous memorandum.

Details of boundary treatments most notably along the eastern edge where the car park meets the edge of the Fairfield Church Hall are requested.

All points regarding tree protection mentioned in the previous memo still stand and should be addressed most notably the mature trees on the western boundary - a detailed plan should clearly show the accurately show the spread and root protection zone of these trees.

#### Environmental Health Unit

8. I have no objection to this application.

#### Northern Gas Networks

9. No objections

#### NEDL

10. No objections

No comments were received from the following consultee:  
Stockton Police Station - Eddie Lincoln

### **PUBLICITY**

Neighbours were notified and a total of 24 objections have been received from the following addresses: -

1, 2, 3, 4, 7, 8, 10, 13, 15, 20, 23, 24, 25, 26, 28, 30, 33, 40 Manor Place, Fairfield

Objections are summarised as follows: -

- Insufficient car parking spaces for proposal
- Increase overflow of on street parking resulting in illegal parking
- Adversely affect emergency services access
- Existing access too narrow for refuse services
- Increase in traffic flow
- Road access too narrow
- Not in keeping and out of character to existing building
- Not suitable house types
- Over dominating proposal on existing dwellings
- Insufficient amenity space for future residents
- Loss of amenity space
- Over shadowing on The Elms/1 Manor Place
- Loss of privacy
- Noise levels
- Damage to existing trees
- Advise that the development of the site should be considered at the time of redeveloping the adjacent land belonging to the church.

### **PLANNING POLICY**

The relevant development plan in this case is the adopted Stockton on Tees Local Plan.

Where an adopted or approved development plan contains relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 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 planning policies are considered to be relevant to the consideration of this application: -

#### 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 SURROUNDINGS**

11. The development site is located within Fairfield to the western side of Stockton. The site is surrounded by residential housing to the north, south and west with St Marks Church and St Marks School to the east. The site is currently served off Bishopton Road West via an access, which runs between two properties although the site has no frontage onto this road. The only part of the site with road frontage adjoins Manor Place. The area is generally characterised by two storey semi detached properties although there is a single storey cottage at the entrance to Manor Place immediately adjacent to the existing access into the site.
12. At the point of the application site there are several mature street trees within Manor Place, which have a positive greening affect on the character and appearance of the area.

## **MATERIAL PLANNING CONSIDERATIONS**

13. The site is located within the defined limits of development, on a brownfield area of land within reasonable proximity to the defined local centre of Rimswell Parade. Furthermore, there are good bus links, a school and other neighbourhood services and provisions with close proximity. As such, it is considered that the principle of flatted development on the site generally accords with both Policy H03 of the adopted Local Plan as well as Supplementary Planning guidance Note no. 4.
14. The application site measures approximately 0.132ha, therefore achieving a density of 60 dwellings per hectare. The indicative minimum guideline density of 30 dwellings per hectare within Governments Planning Policy Statement No.3 Housing is a minimum guideline whilst there is no specific maximum guideline. However, this planning guidance document indicates that  

'The density of existing development should not dictate that of new housing by stifling change or requiring replication of existing style or form. If done well, imaginative design and layout of new development can lead to a more efficient use of land without compromising the quality of the environment'  
(Para. 50 PPS 3).
15. In view of the sites sustainable location it is considered that a density of 60 dwellings per hectare is generally acceptable, although it is actually the scale, mass and provision of a proposal and its ability to be fitted onto a site without significant compromise of the surrounding properties or environment, which dictates whether or not, its density is acceptable. These considerations are as follows: -

### **Scale**

16. The submitted details show a building footprint measuring 25.5m in width, 9.2m in depth (excluding entrance detail and bay windows) and 10m to ridge. As these are the only dimensions shown they are taken as being an upper limit. The building as shown at these dimensions would be larger than those surrounding although the properties immediately opposite are semi detached houses and as such have a relatively large bulk in their own right. There are larger buildings within the vicinity with respect to the Rimswell Hotel, Fairfield Church Hall, the school and terraced housing on Bishopton Road West. The indicative footprint indicates approximately 30m between opposing elevations with properties in Manor Place, 19m from properties to the south, 7m from the side elevation of the adjoining property to the north and 35m from the Church Hall to the east. In view of the distances from opposing properties, the existing scale of surrounding development and the limits to the proposed building, it is considered that the scheme, although larger than the immediately surrounding properties, would not be unduly dominant within the street scene.
17. The proposed building is located set behind the existing grass verge and a further landscaping strip, which achieves an overall spacing of the building from the highway of approximately 11m with landscaping intervening. The buildings front elevation is located in line with that of the property to the north and behind that of the property to the south of the site, thereby respecting these existing built features.

### **Privacy and amenity**

18. The proposed building is located approximately 30m from the frontages of opposing properties in Manor Place whilst achieves a distance of 7m from the adjoining property to

the north (side elevation to side elevation) and over 17m from the adjoining bungalow to the south (side elevation to side elevation). In view of these distances it is considered that the indicative position of the proposed building and its associated use would not unduly compromise the privacy or amenity of surrounding properties.

19. The Councils Urban Design Officer has advised that there could be a problem of shading from the building onto the adjoining property to the North, however, in view of the openness of this property at the rear, the spacing in between properties and the limited height of the proposed building it is considered that this impact would not be unduly detrimental
20. The existing access is to be extinguished which will prevent vehicular traffic running behind no. 1 Manor Place and replacing this with garden area. This would be a clear improvement to the impact of the existing access onto the privacy and amenity of the occupants of this property whilst would be no different to a usual garden-to-garden arrangement between dwellings.
21. Objection has been raised with respect to the bin store and its proximity to existing residential properties, however, in view of the scale of the development and the intervening distances it is considered that a bin store in this location would be acceptable, although the precise siting of such would be a matter to be considered at reserved matter stage.

### **Access, parking and highway safety**

22. Initial comments from the Head of Technical Services indicated that the existing access into the site, although achieving adequate visibility and spacing with the access into Manor Place, was of insufficient width, being 3.7m where there would be a requirement for a 4.1m highway and a segregated pedestrian footway. As such, the intensification of the existing access was not considered to be acceptable. Furthermore, concern was raised in respect to this access and its impact on the occupant of no. 1 Manor Place, which has a rear elevation of its property within approximately 3m of this access road.
23. A revised plan has been submitted which gains access off Manor Place. This access is located approximately 40metres from the Bishopton Road West junction whilst achieves a visibility splay of 2.4 x 43m, both of which are acceptable to the Head of Technical Services. The access width is 4.1metres in width; footways have been indicated as being achievable whilst bin and cycle stores are also shown. Furthermore, an adequate level of parking has been provided at a ratio of 1.5 spaces per unit including a provision of 2 no. disabled parking spaces.

### **Landscaping**

24. There are several small to medium sized pine trees to the rear of the site within the adjoining land. The canopies of these do not generally overhang the site apart from one and it is considered that these trees should not be significantly affected by the scheme.
25. There is an elderberry tree to the front of the site which has no particular value within the street scene and as such its removal is accepted whilst would make way for a more suitable landscaping to be achieved in association with the developments frontage. There are two large, semi mature trees to the northwestern corner of the site, which are considered to be an important feature of the street scene. Having assessed these trees on site against the indicative footprint of the proposed development it is considered that the development would be no closer to these trees or their canopies than the existing building on site and therefore, the trees can be retained.

### **Other Matters**

26. There is no play space within the site whilst the site is of a scale, which would be unlikely to be able to provide such without significantly compromising the privacy and amenity of existing and future residents. As such, in order to comply with the requirements of Local Plan Policy HO11, a commuted sum is required in lieu of on site provision. The Councils Environmental Development Officer has advised that the commuted sum in lieu of adequate on site formal and informal amenity space could be used towards environmental and recreational improvements to the large open space adjacent to St Marks Elm tree School along Bishopton Road West.
27. An objector to the scheme raised an issue with respect to the consultation process associated with the proposed development. Consultation was undertaken with the nearest properties within Manor Place, Bishopton Road West and Welldale Crescent. Only three letters of objection were received within the initial 3-week consultation period, after which amended plans were submitted. These amended plans related to the relocation of the access and properties located immediately adjacent to the existing and newly proposed accesses were consulted. There are properties elsewhere within Manor Place, which were not consulted on the revised plans, which will have to drive past the site in order to be accessed, however, these were not considered to be directly impacted. No site notice was erected at site in line with the normal procedures adopted for a scheme of this scale. In view of the above, the Local Planning Authority considers adequate consultation was undertaken with respect to the scheme.

## **CONCLUSION**

28. It is considered that the proposed development can retain adequate levels of privacy and amenity for surrounding properties whilst provide adequate access, parking and outdoor amenity space. The overall scale of the development is considered to be generally respect the surrounding development and would be generally in keeping with the scale of the street scene. It is therefore considered that the scheme is in accordance with Policies GP1, HO3 and HO11 of the Stockton on Tees Local Plan.

**Corporate Director of Development and Neighbourhood Services  
Contact Officer Mr Andrew Glossop Telephone No 01642 527796**

### **Human Rights Implications**

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

### **Environmental Implications**

**As report**

### **Financial Implications**

**None**

### **WARD AND WARD COUNCILLORS**

<b>Ward</b>	<b>Fairfield</b>
<b>Ward Councillor</b>	<b>Councillor W. Woodhead</b>
<b>Ward Councillor</b>	<b>Councillor M Perry</b>