

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

19 September 2007

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

07/1698/FUL

690 Yarm Road, Eaglescliffe, Stockton-on-Tees

Revised application for residential development comprising 10 no. new build apartments and conversion of existing dwelling into 4 no. apartments together with associated access, parking and landscaping.

Expiry Date 4 September 2007

SUMMARY

Planning permission is sought for a residential development of 14no. 2 bed. Apartments being provided through the conversion of an existing house into 4no. units and 10 no. new build units being constructed within the associated garden. The development includes single, two and three storey elements, 24no. parking spaces and a revised access as well as other ancillary works such as cycle and bin store.

The application is a revision to application 06/1869/FUL, which was withdrawn following concerns over the access to the site and other matters.

A total of 30 letters of objection have been received from 25 different properties within the locality. The main objections relate to the over development of the site, the type of accommodation being provided, the impact on the existing property, the loss of landscaping and the impact on the amenity and privacy of neighbouring properties.

The proposed development is considered to achieve adequate spacing between existing dwellings and within the site between each unit of accommodation thereby preventing any significant undue impact on privacy or amenity. Adequate parking is provided to the satisfaction of the Head of Technical Services whilst the proposed tree retention and removal works is considered to retain adequate levels of landscaping.

The Head of Technical Services is considering the detailed nature of the access and the associated highway works and these comments will be updated at committee.

There is limited area for play provision or open space within the site. As such a commuted sum has been agreed in lieu of on site provision.

RECOMMENDATION

That the determination of planning application 07/1698/FUL be delegated to the Head of Planning and approved subject to highway issues being resolved to the satisfaction of the Head of Planning, subject to the Section 106 agreement being completed and subject to the following conditions. Should these matters not be resolved then the application be refused.

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.

Plan Reference Number	Date on Plan
SBC0001	5 June 2007
101B	25 July 2007
102B	25 July 2007
103B	25 July 2007
104B	25 July 2007
105B	25 July 2007
100C	6 August 2007
106	6 August 2007

Reason: To define the consent.

02. Notwithstanding details shown on the plans hereby approved, prior to any works commencing on site, a scheme of finished floor levels for all buildings 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 and 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.

03. No trees or landscaping on the site shall be lopped, topped, pruned or felled and no development shall be commenced until a scheme of landscaping has been submitted to and approved in writing by the Local Planning Authority. The scheme shall detail the following;

- a) Areas of soft landscaping including plant species, numbers, densities, locations, and sizes, planting methods, maintenance and management.**
- b) Hard landscaping throughout the site,**
- c) Areas of landscaping to be retained and a scheme for their protection.**
- d) Precise locations of protective fencing,**
- e) Areas of level change,**
- f) Areas of material storage within the site, and**
- g) Excavations required for service runs.**

The development shall be carried out in accordance with the approved details. Planting works shall be carried out during the first planting and seeding season following the substantial completion of the development and any trees or plants which within a period of five years from the date of planting, die are removed or become seriously damaged, shall be replaced with others of a similar size and species in the next planting season unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of privacy, visual amenity and in order to adequately protect the landscape features of the site in accordance with Policies GP1 and HO11 of the Stockton on Tees Local Plan.

04. Notwithstanding any description of the materials in the application, no above ground construction of the buildings shall be commenced until precise details of the materials to be used in the construction of the external walls and roof of the

buildings have been approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In order to allow the Local Planning Authority adequate control over the appearance of the development and to comply with Policy GP1 of the Stockton on Tees Local Plan.

- 05. *Notwithstanding details hereby approved, the access road and car parking associated with the development shall be constructed, surfaced marked out and drained in accordance with a scheme of such to be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall incorporate 2 no. disabled parking bays and the approved scheme shall be maintained for the duration of the uses operation unless otherwise agreed in writing by the Local Planning Authority.***

Reason: In order to ensure the access and car park are suitable in their design and appearance for their location whilst do not unduly affect localised flooding in accordance with Policies GP1 and HO11 of the Stockton on Tees Local Plan.

- 06. *Notwithstanding details hereby approved, the development hereby approved shall not be occupied until there has been submitted to and approved in writing by the Local Planning Authority precise details of the proposed boundary enclosures and other internal boundary details. The development shall be carried out in strict accordance with the approved details.***

Reason: In order to ensure a satisfactory form of development is carried out in accordance with Policy HO11 of the Stockton on Tees Local Plan.

- 07. *Notwithstanding the details included on the approved plans, the precise design and materials of all external windows including any located within the fabric of the existing property shall be submitted to and approved in writing by the Local Planning Authority prior to being incorporated on site. These details shall remain as such in perpetuity unless otherwise agreed in writing by the Local Planning Authority.***

Reason: In order to ensure that these details are respective of the host property of the site and to the character of the area in general in accordance with the requirements of Policies GP1 and HO11 of the Stockton on Tees Local Plan.

- 08. *Prior to works commencing on site a scheme for a temporary car park to be provided on site shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented on site and brought into use prior to commencement of any development to provide in curtilage parking for persons working on the site.***

Reason: In the interests of highway safety and to comply with policy GP1 of the Stockton on Tees Local Plan.

- 09. *Notwithstanding details hereby approved, prior to the occupation of the development, a management plan shall be submitted to and approved in writing by the Local Planning Authority which addresses the future management of the communal areas within the scheme. The management plan shall identify the precise areas of maintenance and schedule works to be carried out. Works within the approved management plan shall be carried out in perpetuity within the site or until such time that the site is no longer in residential use.***

Reason: In order to ensure the long term management of the site is adequately controlled in the interests of visual amenity and the provision of amenity space.

10. ***Notwithstanding details hereby approved, windows within the southern elevation of the block forming units 1 to 8 which serve the stair well shall be obscurely glazed in accordance with a scheme of glazing to be submitted to and approved in writing by the Local Planning Authority. These windows shall be maintained in accordance with the details of the approved scheme in perpetuity unless agreed otherwise in writing by the Local Planning Authority.***

Reason: In order to achieve adequate privacy throughout the scheme and for adjoining property in accordance with Policy HO11 of the Stockton on Tees Local Plan.

11. ***Notwithstanding details hereby approved, the precise location, size and design of the bin and cycle stores shall be submitted to and approved in writing by the Local Planning Authority prior to development being commenced on site and the approved stores shall be implemented on site and brought into use prior to occupation of the site.***

Reason: In order to adequately provide for the future occupants of the site in accordance with Policies GP1 and HO11 of the Stockton on Tees Local Plan.

12. ***No development hereby approved shall commence until a protected right turn and other associated highway works have been carried out and brought into use in accordance with a scheme of works to be first submitted to and approved in writing by the Local Planning Authority.***

Reason: In order to ensure adequate provision is made for the safe ingress into the site in accordance with Policy GP1, H03 and H011 of the Stockton on Tees Local Plan.

Informatives

It is considered that the proposed development is of a design, layout and scale which respects the existing character of the site and its associated built and natural features whilst has been designed and laid out in a manner which prevents any significant undue impacts on the amenity and privacy of neighbouring properties. Furthermore, it is considered that the scheme adequately provides access, parking, cycle storage, bin storage and basic amenity space, being in accordance with Policies GP1, H03 and H011 of the Stockton on Tees Local Plan. Adequate account has been taken in respect to protected species thereby conforming with Policy EN6 of the Local Plan and it is considered that there are no matters which indicate that the application should be determined otherwise.

The management company associated with the adjoining site at Goosegarth have requested contact be made with them prior to any works being undertaken to trees which are located in this adjacent plot and which overhang the boundary.

HEADS OF TERMS

A commuted lump sum of £10,500 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.

BACKGROUND

1. Planning permission was sought for the redevelopment of the site in 2006 under application reference 06/1869/FUL. The scheme proposed to retain and convert the existing dwelling into 4no. units and erect a further 16 units within the grounds, therefore totalling 20 units of accommodation. This application was withdrawn following concerns relating to the ability to gain access into the site and other issues of layout and scale.
2. This revised application is effectively a repetition of the previous application with amendments to the access, proposed numbers and the scale and layout of the new build element.

PROPOSAL

3. Based on amendments made during the process of this application, planning permission is sought for the conversion of the existing dwelling into 4no. apartments and the erection of a further 10 apartments within the grounds of the property. Ancillary parking, access off Yarm Road and hard surfacing works form part of the scheme.
4. The new build development includes a two storey link to the northern side of the existing building and a free standing new build section to the south side of 690 Yarm Road which provides 8 apartments over three floors of development. A total of 24 car park spaces have been provided for the 14 apartments as well as bin store, cycle store and turning area for refuse vehicles.
5. The scheme proposes the removal of several trees within the site.

CONSULTATIONS

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

Natural England

6. Natural England advises that the above proposal is unlikely to have an adverse affect in respect of species especially protected by law, subject to the imposition of a condition.

Cleveland Archaeologist Section

7. We have no objection to the proposal as the Victorian house is to be retained within the development.

NEDL

8. General comments received, no objections raised.

Urban Design - Landscape

9. No objections. Most of trees can be retained within the design, parking can be softened by landscaping, amenity space is reasonably sized for the future residents. There appears to be adequate space to plant trees to help screen views of the development from houses to the east. Although request a plan showing all the root protection area for the existing protected mature trees and full hard and soft landscape details.

Urban Design – Engineers (Summarised)

10. The parking provided for the revised development is acceptable, however 10% should be allocated for disabled parking. Secured and covered cycle parking for 6no cycles is also required. I am satisfied with the turning arrangement for the refuse vehicle however the bin storage is not easily accessible. A ghost right turn facility is to be provided on Yarm Road into the development and it should be conditioned that the developer provides a drawing to scale for consideration of this proposal and also that the work be undertaken under a S106 agreement.

Environmental Health Unit

11. No objection in principle, however request conditions are placed on the development in relation to noise disturbance between living accommodation and the adjoining highway and in respect to possible land contamination and construction noise.

Environmental Development Officer

12. Advised that the commuted sum in lieu of adequate on site formal and informal amenity space could be used towards environmental and recreational improvements in the vicinity of St Margaret's Play Area.

Councillors

Cllr John Fletcher (summarised)

13. I am pleased that, unlike most developments of flats in Eaglescliffe, this proposal preserves an existing house of character. I think that the reference in the 1st Para. of the Design & Access Statement to "the neighbouring house to the east" should read "the neighbouring house to the north". If so, the comments about its replacement in the Statement reflect the views of a lot of local people about the replacement there.
No doubt SBC engineers will advise on the vehicular access & the effect on Yarm Road A135 of 15 additional dwellings at this point. Presumably, the developer will need to agree to pay for works on the highway, which will involve widening the carriageway to accommodate the protected right-turn lane (in addition to the 3 existing lanes) and the consequent diversion of the western footway.
It needs to be considered whether the SW wing of the new build will be close enough to the rears of dwellings on the NE side of Croft Road (& any extensions to them already authorised) to be overbearing.

Cllr Alan Lewis

14. No comments

Parish Council (summarised)

15. No objections to the conversion of the existing dwelling into 4 apartments but it is hoped that conditions can be included to retain traditional features such as staircases and fireplaces
16. This Council is fundamentally opposed to use of garden land for building and feel it should not be included in previously developed or brownfield sites.
Building on garden land and removal of mature trees leads to an adverse effect on wildlife
This development would create a mini estate with access onto the busy Yarm Road
The plan shows a dedicated right turn into the site, however it cannot be seen how this would fit in with the bus lane
This could lead to loss of privacy for nearby residents
The proposal to demolish the existing garage - this Council had been advised last year that this garage was formerly a coach house and could have historic interest.
This Council feels it would be an over development of this site.

No comments were received from the following consultees:-

Egglecliffe Residents Association
Stockton Police Station - Eddie Lincoln
Northumbrian Water Limited
Care For Your Area Waste Richard Bradley
Corporate Director Children, Education And Social Care
Northern Gas Networks

PUBLICITY

Neighbours were notified and a total of 30 letters of objection were received from the following Properties: -

40, 56b, 57 58, 59, 60,61, 62 Croft Road, South Lodge, The Avenue, Egglecliffe, 4 Ashville Avenue, Egglecliffe, 3 Poplar Road, Egglecliffe, 600, 609, 637, 648, 657, 691, 692, 694 Yarm Road, 20 Newlands Road, Owners of Goose Garth management, 5, 11 Goose Garth, Egglecliffe, 4 Bentley Wynd Yarm, 23 Albert Road.

Objections are summarised as follows: -

Impact on Area/Street Scene

Does not conform to PPG3; density beyond upper limit of PPG3; will result in detrimental Impact to character and amenity of area

No consideration to range of dwelling types

Not sympathetic to locality.

Impact of highway adjustments destroy local street pattern; destroy the local character if proposal to redirect Yarm Road, would permanently erode established design of area.

Out of character in area, removal of existing trees, which provide a mature amenity, screen between adjoining neighbours and the site.

Out of character, incongruous feature on the street scene

Impact on amenity of neighbouring residents

Insufficient Separation and amenity for habitable rooms

Overshadowing impact; extensive shadows during middle of the day

Compromises amenity of existing environment and residents due to overlooking aspects.

Insufficient separation distances <14m less than recommended 21m

Distinct lack of amenity space

Loss of light due to obtrusive height of buildings

Impact on amenity of potential residents of development

Amenity spaces of the application are insufficient,

Potential for anti social behaviour

could harbour anti social behaviour

no special features have been introduced to prevent crime

Potential for vandalism and crime

Impact on privacy of neighbouring residents

Overlooking aspects, detrimental impact on privacy

Loss of trees will increase loss of privacy

Highways Issues

Increased traffic congestion; altering highway in terms of reduced safety

Detrimental to emergency access; lack of appropriate access for existing residents
Insufficient Parking Provision
Potential increase in vehicular and pedestrian traffic; significant risks to community safety;
Four lanes reduces safety of crossing pedestrians
No off street parking

Impact on Trees/Ecology of area

Tree removal impact on character and landscape; local character reduced not enhanced;
Impact on local ecology; disturbance from tree removal.
Loss of TPO'd trees

Impact on existing building

Proposed design not sympathetic to existing building
Detrimental impact on existing building and architecture

Potential for localized flooding

Due to trees loss, situation could be worsened
Area already susceptible to flooding, situation could be worsened.

Other Issues

Application should be considered Invalid
Need for flattened development

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 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.

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.

EN 6

Development proposals likely to result in harm to a protected plant or animal species or its habitat will not be permitted unless satisfactory provisions for these species have been made.

SITE AND SURROUNDINGS

- 17. The application site is located on the western side of Yarm Road. The character of properties on the Eastern side of Yarm Road is generally of detached and semi detached two storey dwellings with average sized garden areas whereas development on the western side is generally characterised by larger residential properties with more extensive garden areas and more mature landscaping within.
- 18. There have been a number of recent developments to the western side of Yarm Road which has resulted in some of the older properties being lost to new residential development as well as back land development taking place.
- 19. The immediate surroundings include a three storey flatted development immediately to the north at Goose Garth, a large detached and relatively modern two storey house to the south and two storey semi detached dwellings to the west.
- 20. The application site is defined by the existing property known as 690 Yarm Road which has a prominence within the street scene as a result of its age, design and setting within a large garden area. The house is two storeys in height, having historical detailing and a detached garage to the northern elevation. Tree cover within the site includes a number of conifer trees to the southern and eastern garden boundaries which have a significant height as well as a particularly large pine and other more native species in an around the access onto Yarm Road.

MATERIAL PLANNING CONSIDERATIONS

21. The site is located within the defined limits of development and on a brownfield site as defined by the definitions of Planning Policy Statement 3. As such, the proposed development needs to be considered against policies GP1, HO3, HO11, and EN6 of the Local Plan. The proposed scheme incorporates flatted development and as such Supplementary Planning Guidance Note 4 relating to flatted development is also a material planning consideration.

Principle of residential development

22. The site falls within the limits of development as defined within the Borough Local Plan whilst the site is not allocated for another use, used for recreational purposes or located under electricity lines. The proposed development would retain the existing dwelling on site which is considered to be a positive attribute to the character and appearance of the immediately surrounding area, as is the extended garden areas of the site and in part the associated landscaping. As such, the proposed development is considered to generally accord with Policy H03 and the general principles of Policy GP1 of the Borough Local Plan in respect to taking into account the natural and built features within the site.
23. Supplementary Planning Guidance Note no. 4 relates to the locating of flatted developments, and is aimed at ensuring flatted development is located within close proximity to the relevant services and provisions, which would be required by the occupants of such a development. The site is within the limits of development, is brownfield, is located within 500m of a regularly serviced bus stop and within 500m of the shopping parade at Sunningdale Drive to the north east of the site which itself offers a variety of provision (appendix ref. 2). Although SPG 4 requires flatted development to be within 250m of a neighbourhood centre the overall affect of the additional distance is not considered to be significant in view of other locational factors.
24. The application site measures approximately 0.29ha, therefore achieving a density of 48 dwellings per hectare, which is in accordance with the guidance of Planning Policy Statement no. 3.

Design, scale and appearance of development

25. The proposed development is formed in three distinct areas, the existing dwelling, the linked extension to the north and the new build apartments to the south and west of the existing dwelling (appendix ref. 3)
26. The existing dwelling retains its character and appearance through minimal change and retention of its main features such as windows, brickwork detailing and overall scale and proportions and as such, the conversion works are considered to be acceptable (appendix ref. 4)
27. The proposed new build sections of the proposal have roof pitches, fascia details and window proportions which are generally consistent with the existing property, achieving a grain of consistency throughout the development whilst other details such as feature windows introduce a new design concept to the site (appendix ref. 5). It is considered that these elevation details are reflective and in keeping with the host property whilst also provide sufficient contrast to prevent the entirety of the development on the site appearing excessive.
28. The proposed new sections of development are set several metres behind the existing frontage of 690 Yarm Road whilst achieve spacing between the main blocks of development and views through to the rear of the site. It is considered that the layout therefore allows the existing building to be the dominant form of development on the site

with the proposed new build being subservient to that, particularly in view of the proposed eaves and ridge heights being lower than that of the host property.

Impact on surrounding properties

29. The impact of the development on the surrounding properties relates mainly to the two new areas of development in view of the conversion of the existing dwelling having negligible affects in addition to those created by the existing house and its usage. The impacts of the proposed new blocks of development are considered as follows: -
30. The proposed link extension to the northern end of the site provides only two units of accommodation over two floors. This building lies within approximately 2m from the boundary with the adjoining property. The building associated with the adjoining site is the apartment block known as Goose Garth. This building is set approximately 17m away from the proposed link building. The elevation of the proposed new building, which faces this boundary, has a narrow secondary living room window and bathroom window within it, each measuring approximately 0.8m in width (appendix ref. 6). This element of the development has an eaves level of approximately 5.5m which is relatively standard for a two storey house and which is lower than both the existing building on site and the adjoining property on Goose Garth. It is considered that as a result of the scale of the development, the location of windows and the proximity of the adjoining building to the north, that this section of the proposed development would not unduly compromise either privacy or amenity associated with the adjoining site.
31. The northern section of development lies 50m from the nearest property to the west and 41m from the dwellings to the opposing side of Yarm Road whilst is entirely screened from the existing dwelling to the south of the site at 691 Yarm Road (appendix ref. 7). These distances are considered to be sufficient to prevent any undue privacy and amenity impacts as a result of the development.
32. The southern section of new development provides a total of four apartments at ground floor, three at first floor and one at second floor level. This apartment block has a footprint which is larger than both the existing property and the new block of development to the northern boundary whilst also borders a greater number of residential gardens. The block of development is located approximately 50m from properties on the opposing side of Yarm Road and 37m from the Goose Garth development to the north, both of which are considered to be adequate to prevent any undue impacts with respect to privacy or amenity (appendix ref. 7).
33. The southern boundary of the application site is formed with one other dwelling, 691 Yarm Road. This is a detached two storey dwelling set approximately 3m away from the boundary. The proposed building has been reduced in height along this boundary having an eaves height of approximately 2.5m adjacent to the boundary, albeit set 3m in. Windows within the elevation, which face the southern boundary, include a ground floor kitchen window and bathroom window. The bathroom window would be obscurely glazed whilst the kitchen window is only 0.8m wide located within the corner of the room (appendix ref 8). In view of these windows being at ground floor level it is considered that the impact on privacy and amenity would be minimal, particularly in view of their being a proposed 1.8m high wall detail at this location. Further along the southern elevation there is a window arrangement, which serves a stairwell, which is approximately 5m from the boundary and 19m from the rear elevation of 691 Yarm Road. In order to maintain existing levels of privacy a condition has been included requiring these windows to be obscurely glazed. The section of the proposed development, which adjoins the southern boundary, has been reduced from two storeys to only single storey and its revised height is considered to have a limited impact on the adjoining property. There are currently a row of

particularly high conifers along this boundary, which tower above the existing property of 691 Yarm Road. It is considered that the removal of these particularly large non-native trees would improve daylight for the adjoining property at 691 Yarm Road. Their removal would allow a new landscape detail, which should significantly reduce overshadowing created by the features of the existing site, even were the proposed building in place (appendix ref. 9).

34. The western boundary to the site adjoins properties within Croft Road and in particular numbers 56b and 57 to 62. Extensions were approved last year to the rear of no's 57, 58, 61 and 62 Croft Road, being two storey in height and measuring 3m in depth (appendix ref. 10). These extensions have not yet being built on site however, are a material consideration in determining this application. The built form of the proposed scheme is not considered to have any significant impact on the approved extensions to no's 57 and 58 Croft Road as a result of the precise positioning of units. With regard to no's 61 and 62 Croft Road, the development would at its closest point be within 12m of the existing property and 18m at its furthest point, therefore were the approved extensions built, they would be within 9m and 15m respectively (appendix ref. 7). The building has been designed so that there are no windows within the elevations facing the rear elevation of no's 61 and 62 Croft Road whilst is staggered which prevents a single monolithic block of development being created. Furthermore, the closest part of the development is located behind the garages associated with properties in Croft Road and this is a blank two storey gable wall measuring 5m in width and less than 5.5m to eaves level. It is considered that as a result of the precise layout of the scheme, the location of windows and there being staggered elevations along the southwestern boundary that the distances achieved between existing, approved and proposed developments retain adequate levels of privacy and amenity. Furthermore, there is currently a large conifer hedge forming this boundary, which has a greater height than the proposed building whilst is located in closer proximity to the boundary than the proposed building. As such, should the hedge be removed then increased light should be achieved to these properties in Croft Road. A revised plan has been submitted by the applicant which indicates the relationship of windows within the proposed development and those of the adjoining properties and their approved but not yet built extensions (appendices ref. 11). In view of the location of elevations and the orientation of windows it is considered that the proposed development accords with the principles of Supplementary Planning Guidance 2 in respect to distances between opposing elevations, and although this documents relates to household extensions, its principles are generally transferable to residential developments.
35. There is a car park to the northwestern boundary of the site, which in part is spaced from the boundary with adjoining properties. The use of the car park will undoubtedly have an impact on the adjoining properties in Croft Road as a result of the movement of vehicles. It is considered that subject to provision of an adequate boundary treatment in this location, which may include both acoustic fencing and landscaping and a suitable form of car park surface that the impacts of the car park could be mitigated against.

Highway safety issues

36. Based on the revised scheme for 14 no. units the Head of Technical services has advised that adequate parking is provided subject to 10% of it being dedicated as disabled parking and to their being secured and covered cycle parking for 6no cycles. It is advised that there is adequate turning for refuse vehicles although the bin storage area is not easily accessible. In order to address these relatively minor issues a condition has been recommended to achieve adequate provision.
37. The Head of Technical Services has advised that a ghost right turn facility is to be provided on Yarm Road into the development and that this should be conditioned that the developer

provides a detailed drawing in respect to the protected right turn and that these works are undertaken under taken under a S106 agreement. It is considered that these can be effectively conditioned, although the applicant and the Head of Technical Services are considering more detailed plans and an update will be provided in this respect.

Play space

38. The proposals provide two main areas of amenity space within the site, which is considered to be sufficient to achieve adequate on site basic amenity. However, the scheme fails to provide any meaningful formal or informal play space as required by criteria ii of Local Plan Policy HO11. It is considered that a site of this scale would be unable to provide any meaningful play space without either significantly reducing the scale of the scheme or without detrimentally affecting the levels of privacy and amenity, which the occupiers of the dwellings could reasonably expect to have. In view of this and the requirement under Policy HO11 to adequately provide such space, the applicant has agreed to enter into a S106 agreement to pay a commuted sum of £10,500 to the Local Authority in lieu of such space, which will be used in connection with off site recreation within the locality.

Landscape

39. The proposed scheme retains the majority of native trees, in particular, those to the front of the site, which offer greatest value to the character of the street scene. The scheme may result in the loss of several large conifer trees which, although greening the immediate area, are considered to have an overly dominant impact on the surrounding properties and their removal is therefore not considered to be a significant loss subject to an appropriate and adequate landscaping scheme being achieved throughout the site. The councils landscape officer considers that the proposed layout allows for the site to be easily softened with landscape planting whilst considers tree loss and retention on the site to be acceptable.

Ecology

40. Ecological surveys have been submitted in connection with the application. The surveys indicated no bats or signs of bats were found around the exterior of the house or roof space of the house or associated outbuildings although bats were recorded feeding over the garden area, which is considered to be good feeding habitat. The surveys indicated that the conifer trees offered good nesting for birds although no rot holes were noticed which may be used by bats. The survey results indicated only a low risk to bats and advised basic mitigation.
41. Following the submission of ecological surveys and in view of no objection being raised by Natural England in respect of the schemes impact on species especially protected by law, it is considered that the proposal would comply with the requirements of Local Plan Policy EN6.

Other matters

42. Objection is raised in respect to potential flooding of the site, particularly as there would be a loss of trees on the site. In view of the site retaining areas of green space around its perimeter and in view of the rain fall onto the buildings being taken to drain, it is considered that the site overall should not adversely contribute to the flooding of adjacent sites, whilst the removal of the trees is not specifically controlled by planning. In order to prevent any undue run off from the car park associated with the site it is considered necessary to ensure either an adequate surface or drainage scheme is provided for this.

43. Objection has been raised with regard to the range of dwelling types provided, this being 14no. 2 bedroom apartments. However, it is considered that the proposed scheme of apartments and the associated communal areas will allow the site to read as a single entity as against having individual divided dwellings and garden areas, thereby assisting in retaining the character of the existing site which is of particular importance.
44. Objection has been raised to the scheme in respect to anti social behaviour, no special features being introduced to prevent crime and the potential for vandalism. It is considered that the site is laid out in a manner which gives a relatively high level of surveillance, particularly to the front of the site and the area where the car park is located and additional security measures are not considered to be specifically required. With regards to anti social behaviour, this is not considered to be a particular issue and one, which cannot be controlled by the determination of this planning application.
45. Following concern being raised by objectors that the existing garage associated with the property is a historic Coach House, the Councils Historic Buildings Officer has advised that the existing garage is at its earliest a 1930's structure, built relatively simply and subject to alteration. Based on the existing garage having no significant architectural or historic merit it is considered that its demolition has no detrimental impact on the character of the area.
46. The Councils Urban Design Team have made further comment on the amended plans indicating that the precise design and layout of the access into the site would benefit from marginal amendment in order to subdue its impact. Furthermore it is considered that the replacement wall along the front of the site could impact protected trees as a result of its foundations. The access into the site is relatively wide and any scheme, which can reduce this whilst, retain adequate access provision for both vehicles and pedestrians would therefore be beneficial in minimising the impact on the character of the locality. The applicant has advised that they are flexible with regard to the boundary treatment to the front, either retaining existing or replacing, dependant on the requirements of the Local Authority. A condition has been recommended to gain agreement to this element prior to its commencement. In view of the protected trees to the front of the site it is considered necessary to control the precise type of boundary treatment in this location in order to prevent unnecessary damage to protected trees in accordance with the requirements of Policy GP1 of the Local Plan.
47. Following comments of the Environmental Health Officer conditions relating to contaminated land have been recommended, however, it is considered that a condition restricting construction hours and requiring sound insulation are matters which do not need specific control by this determination as there are other areas of legislation which deal with these matters.

CONCLUSION

48. It is considered that the proposed development is of a design, layout and scale, which respects the existing character of the site, and its associated built and natural features whilst has been designed and laid out in a manner, which prevents any significant undue impacts on the amenity and privacy of neighbouring properties. Furthermore, it is considered that the scheme adequately provides access, parking, cycle storage, bin storage and basic amenity space, being 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

As Report

WARD AND WARD COUNCILLORS

Ward	Eaglescliffe
Ward Councillor	Councillor A L Lewis
Ward Councillor	Councillor J. A. Fletcher
Ward Councillor	Councillor Mrs M. Rigg