

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

DATE 12TH MARCH 2008

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

08/0103/REV

11 Hartburn Village, Stockton-on-Tees

Retrospective application for painting of exterior wall

Expiry Date 12 March 2008

SUMMARY

Planning permission is sought to repaint the gable rendered wall of this end-terraced cottage, which has been retrospectively been painted with a non-heritage British Standard colour blue. The applicant has submitted the following application to rectify this error with a British Standard Colour BS 20C33 Porcelain blue, which is identified to be appropriate for this period dwelling.

The application site lies within the defined Conservation Area of Hartburn and the proposal is to be considered with regard to preserving and enhancing the conservation area.

6 letters of objection concerned about the colour and 4 letters of support have been received from surrounding neighbours. Accordingly, the application is required to be determined by the Planning Committee.

It is considered that the proposed development is in accordance with the heritage colour for the period property. On this basis it is considered that the proposal would not have an adverse impact on the character of the Conservation Area of Hartburn village or the wider street scene and there are no sustainable grounds to justify a refusal of the application.

RECOMMENDATION

Planning application 08/0103/REV be Approved with Conditions subject to

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.*

<i>Plan Reference Number</i>	<i>Date on Plan</i>
SBC0001	16 Jan 2008

Reason: To define the consent.

02. ***Within three months from the date of this permission, the gable wall fronting onto the highway of Hartburn Village, shall be painted in BS 20C33 Porcelain blue.***

Reason-In the interests of the amenities of the conservation area

The proposals have been considered against the policies below and it is considered that the scheme accords with these policies and the proposals are in keeping with the property and the street scene in terms of style, proportion and materials and does not involve any significant loss of privacy and amenity for the residents of the neighbouring properties 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

EN24 Conservation Areas

Planning Policy Guidance 15 – Planning and the Historic Environment

BACKGROUND

1. This application is a revised submission to a previously withdrawn application reference 07/2780/FUL. The applicant withdrew this application due to concerns from the Historic building officer, that the colour used and for which retrospective approval was being sought was not a traditional paint colour comparable with the age of this property. This presented an incongruous feature in the street scene and wider conservation area.
2. The applicant was provided a list of BS Heritage paint colours suitable for use on period properties and was encouraged to repaint using an appropriate colour (and paint type). The applicant has chosen an appropriate colour and has submitted the following application to seek formal approval for the repainting.

PROPOSAL

3. This is a revised application to repaint the exterior gable wall of this end-terraced cottage at No.11 Hartburn Village, Stockton. The applicant has painted the wall in a non-heritage blue colour without formal consent and seeks to rectify the matter by repainting in a British Standard Colour BS20C33 Porcelain blue, which is identified to be appropriate for use on rendered wall surfaces of this period dwelling.

CONSULTATIONS

4. The following Consultees were notified and any comments received are set out below:-

Historic Buildings Officer

5. I have no objection in principle to the repair of the render and the painting of the gable of the property. The applicant has chosen to use porcelain blue BS 20C33.
6. The property is Victorian, a wide range of colour washes were available at this time, in the later part of the 19thC it was fashionable to paint stucco with oil based gloss paint particularly in towns and cities.

7. Although in a village setting the property is not an isolated farm building and has been subject to various modern changes and alterations.
8. I do not consider that the choice of paint colour would be incongruous for the property or the street scene or the wider conservation area and have no objection to the proposal.

PUBLICITY

Neighbours were notified and any comments received are below (if applicable):-

Joyce Scott Tethers End Hartburn (Summarised):

9. No objection to painting of wall, however, objects to the colour blue due to it distracting the lovely aspects of the village.

Mrs Barbara Green 103 Hartburn Village' Stockton-On-Tees

10. I do not object to the wall being painted but I DO object to the chosen colour blue! This is a rural village not a seaside village where blue walls are often seen. A colour which tones in and compliments the village should be used.

Mrs P M Simpson 93 Hartburn Village Stockton-on-Tees

11. I support the application for re-painting of the wall, providing it is carried out in a colour suggested by the Conservation Officer and is appropriate for a Village location in a Conservation Area

Alan Whelan 3 Hartburn Village Stockton-on-Tees

12. I would like to inform the authority that, as a close neighbour of the property, I support the application. The painting of the wall has a positive effect on the property and the surrounding area. it looks smart and attractive and I have no objection to it at all.

Fiona Johnstone 7 Hartburn Village' Stockton-on-Tees

13. No objection whatsoever to retrospective planning application.

Mrs F E Hitchcock 6 Hartburn Village Stockton-on-Tees (Summarised)

14. Does not mind the wall being painted, but find the blue very unsuitable in this rural conservation area. Suggests a pale cream or white colour as it was originally, as this is a rather dangerous corner and traffic does seem to go very fast thro village.

Mrs N B Turner 27 Hartburn Village Stockton-on-Tees (Summarised)

15. It spoils the village and prefers to the old effect.

Mr K Reeks The Manor House 14 Hartburn Village (Summarised:)

16. The wall is in a prominent position in the village and there are many colours which are appropriate in this situation. I hope the applicant is requested to paint the wall a colour which is in keeping with all other properties in the area.

Mrs Patricia Simpson 93 Hartburn Village Stockton On Tees

17. Further to my earlier comments, I now understand that this revised Application is to maintain the blue colour of the wall. The many objections to the original application 07/2780 (subsequently withdrawn), including my letter dated 15th October 2007, all related to the visual impact of a blue wall in a rural area dominated by trees. I cannot support this application unless a more appropriate colour is chosen for the wall, which is a dominant feature in the Hartburn Village Conservation Area

Mr Paul Green 103 Hartburn Village Stockton on Tees

18. I have no objection to the wall colour proposed for 11 Hartburn Village, nor have I objection to its present colour.

PLANNING POLICY

19. The relevant development plan in this case is the adopted Stockton on Tees Local Plan.
20. 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)*.
21. 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 EN24

New development within conservation areas will be permitted where:

- (i) The siting and design of the proposal does not harm the character or appearance of the conservation area; and
- (ii) The scale, mass, detailing and materials are appropriate to the character and appearance of the area

SITE AND SURROUNDINGS

22. This application site is an end terraced cottage located on the bend of the highway of Hartburn Village. The gable wall of the property faces onto this highway and has a prominent view from the remainder of the village to the west. The surrounding residential properties comprise of period cottages and large Victorian dwellings, with an avenue of large trees and shrubs running along the main highway of Hartburn Village.
23. These properties within the vicinity of the site, mainly comprise of brick finish, however, further into the village to the west, there are several rendered properties with coloured walls ranging from lime green, pale yellow and light pink.

MATERIAL PLANNING CONSIDERATIONS

24. The main considerations of the application are the affects of the proposal on the character and appearance of the dwelling, the street scene and potential impact on the aesthetics of the conservation area.
25. Prior to this wall being painted a blue colour, the previous colour was a dull grey colour. The applicant chose the colour blue than white or cream, for the main reason that the gable wall being adjacent to the highway, would attract more dirt and the chosen colour would brighten this elevation, within the street scene.
26. The render wall itself is considered acceptable, as there are numerous examples of rendered properties with a range of various colours within the conservation area. On the basis that the chosen paint colour is an accredited British standard for use on rendered walls for this period property and that the Historic Building officer has no objection to the development, it is not considered to introduce an incongruous feature within the street scene or the wider conservation area.
27. The neighbours objections and concerns with respects to proposed colour being obtrusive and not suitable for the conservation area are noted. However, given the response from the Historic Building Officer and the use of an appropriate heritage colour, there concerns are insufficient reason to justify a refusal of the application.

CONCLUSION

28. The proposal is considered acceptable and will not be detrimental to the character of the street scene or surrounding conservation area. The application is considered to be in accordance with the guidance in PPG15 and policies GP1 and EN24 of the Stockton on Tees Local Plan, and consequently the application is recommended for approval with conditions for the reasons outlined above.

Corporate Director of Development and Neighbourhood Services

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Financial Implications – As report

Environmental Implications – As report

Legal Implications – As report

Community Safety Implications – As report

Background Papers –

Stockton on Tees Local Plan (June 1997)

Planning Policy Guidance Note 15: Planning and Historic Environment

Planning Application Reference No.s 07/0103 and 07/ 2780/FUL

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

WARD AND WARD COUNCILLORS

Ward	Hartburn
Ward Councillor	Councillor Laing

Ward	Hartburn
Ward Councillor	Councillor K.A. Lupton MCIEH