

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

DATE 12TH March 2008

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

07/3496/FUL

Millfield House And 90-96 Dovecot Street, Stockton-on-Tees, TS18 1HA

Conversion of Millfield House into 4 no. residential apartments and demolition of two storey extension to side, demolition of no. 90-96 Dovecot Street and erection of 26 no. apartments over 2,3 and 4 storeys

Expiry Date 3 April 2008

SUMMARY

The building Millfield House is a grade II listed building. The building is a villa set back from the main street with parking to the front, has a modern ramped access to the front and unsympathetic modern extensions to either side.

Pre application discussions have taken place with the applicant's agents/architects prior to the application being submitted in order to achieve the current proposal.

The proposed new elements are of a modern and contemporary design in order to highlight the new build elements in comparison to the existing Victorian Villa and to avoid a pastiche approach. Amended drawings have been sought for create a more attractive frontage for the eastern block of the proposed development. The changes suggested are to include breaking up the frontage of the block, setting the third floor back and to try and reflect the front elevation of the western block. A Transport Statement has also been sought as part of the development

The proposed development, subject to the receipt of amended plans and a satisfactory Transport Statement is in accordance with policies GP1, HO3, HO11, EN36 and EN28 of the adopted Local Plan. The proposed development is therefore recommended to be delegated to the Head of Planning for approval, subject to these matters being resolved.

RECOMMENDATION

Planning application 07/3496/FUL be delegated to the Head of Planning for approval subject to the following conditions and satisfactory amended plans and transport statement. Should satisfactory information not be received prior to the 3rd April 2008, then the application shall be refused on highway safety grounds and any other matters arising.

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.*

To be confirmed

Reason: To define the consent.

- 02 Notwithstanding any description of the materials in the application, precise details of the materials to be used in the construction of the external walls and roofs of the building(s) shall be submitted to and approved in writing by the Local Planning Authority prior to the construction of the external walls and roofs of the building(s).**

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

- 03 Development shall not begin until drainage works have been carried out in accordance with details to be submitted to and approved in writing by the Local Planning Authority.**

Reason: To achieve a satisfactory form of development.

- 04. Before any building for which permission is hereby granted is occupied, the sewage disposal works required shall be completed in accordance with the plans submitted with the application for the planning permission, to the satisfaction of the Local Planning Authority.**

Reason: To ensure satisfactory means of sewage disposal.

- 05 Notwithstanding any description contained within this application, prior to the occupation of the hereby approved development full details of hard landscape works shall be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved details. These details shall include car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials and construction methods; minor artefacts and structures (eg. incidental buildings, public art and street furniture).**

Reason: In the interests of visual amenity.

- 06 Notwithstanding any description submitted as part of the application a detailed scheme for landscaping including tree and shrub planting shall be submitted to and approved in writing by the Local Planning Authority before the development authorised or required by this permission is occupied. Such a scheme shall specify types and species, layout contouring and surfacing of all open space areas. The works shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development whichever is the sooner. Any trees or plants which within a period of five years from the date of planting die, are removed, become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation.**

Reason: To ensure satisfactory landscaping to improve the appearance of the site in the interests of visual amenity.

- 07 Prior to occupation of the hereby approved development a schedule of landscape maintenance for a minimum period of 5 years shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the**

arrangements for its implementation and be carried out in accordance with the approved schedule.

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

- 08 All means of enclosure associated with the development hereby approved shall be in accordance with a scheme to be agreed with the Local Planning Authority before the development commences. Such means of enclosure as agreed shall be erected before the development hereby approved is occupied.**

Reason: In the interests of the visual amenities of the locality.

- 09 Before the permitted dwellings are occupied, any living rooms or bedrooms with windows affected by traffic noise levels of 68db(A)L10 (18 hours) or more (or predicted to be affected by such levels in the next 15 years) shall be insulated in accordance with a scheme to be submitted to and approved by the Local Planning Authority for the protection of this proposed accommodation from traffic noise. Such a scheme shall be implemented in accordance with these agreed details.**

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

- 10 No construction activity shall take place on the premises before 8.00 a.m. on weekdays and 8.30am on Saturdays nor after 6.00pm on weekdays and 1.00pm on Saturdays (nor at any time on Sundays or Bank Holidays).**

Reason; To avoid excessive noise and disturbance to the occupiers of nearby premises.

- 11 Details of all external lighting of the buildings and car-parking areas shall be submitted to and agreed in writing with the Local Planning Authority before such lighting is erected. Before the use commences, such lighting shall be shielded and aligned to avoid the spread of light in accordance with a scheme to be submitted to and agreed in writing with the Local Planning Authority and thereafter such lighting shall be maintained to the same specification and adjusted, when necessary, to the satisfaction of the Local Planning Authority.**

Reason: To avoid light pollution in the interests of the visual amenities of the area.

- 12 Notwithstanding any information contained within this application full details of the covered cycle storage facilities shall be submitted to and agreed in writing with the Local Planning Authority before the hereby approved development is occupied.**

Reason: To ensure a satisfactory form of development.

- 13 Notwithstanding any information contained within this application full details of the Bin storage facilities shall be submitted to and agreed in writing with the Local Planning Authority before the hereby approved development is occupied.**

Reason: To ensure a satisfactory form of development.

- 14** *Notwithstanding the submitted information provided in this application details of the proposed site levels and finished floor levels shall be submitted to and approved by the Local Planning Authority*

Reason: To define the consent

- 15** *Notwithstanding the submitted information provided the external render shall be finished and painted in accordance with a colour scheme to be agreed in writing with the Local Planning Authority. Such an agreed colour scheme shall be retained for the life of the development unless otherwise agreed in writing with the Local Planning Authority.*

Reason: To define the consent

INFORMATIVE

The proposal is considered to be a sustainable location, is visually acceptable, does not harm the setting of a listed build or harm existing levels of residential amenity. The development is not considered to pose any significant threat to highway safety and is judged against the policies below, it is considered that the scheme accords with these policies and that there are no other material considerations which indicate a decision should be otherwise.

GP1 – General Principles, HO3 – Development on Unallocated sites and HO11 – Design and Layout, EN26 and EN28 – Listed Buildings

BACKGROUND

1. Various applications have been received in relation to the application site for changes of use, external alterations and alterations to the access. More recently in 1995 planning permission and listed building consent were granted for the provision of disabled ramp to the main entrance (95/0101/P & 95/0491/P).
2. In 2004 planning consent was sought for an outline application for residential development (including the demolition of existing buildings) (04/2466/OUT) and was later withdrawn in January 2006.
3. Pre application discussions have taken place with the applicant's agents/architects prior to the application being submitted in order to achieve the current proposal. A listed building application (07/3495/LBC) was also recently submitted but was withdrawn due to insufficient information being provided.

PROPOSAL

4. Planning consent is sought for the provision of a total of 30no. apartments. The proposal is to include a two-storey extension to side, the demolition of no. 90-96 Dovecot Street and erection of 26 no. apartments over 2, 3 and 4 storeys with the remaining 4 apartments provided within the retained listed building. The site lies approximately 200 metres from the defined Stockton Town Centre.
5. The proposed new elements are of a modern and contemporary design in order to highlight the new build elements in comparison to the existing Victorian Villa and to avoid a pastiche

approach. The eastern block will measure 5.5m (w) x 35m (l) and reach a height of approximately 8.5 metres, the western block will measure 11.5m (w) x m (l) and reach a maximum of approximately 11m

6. Amended drawings have been sought for create a more attractive frontage for the eastern block of the proposed development. The changes suggested are to include breaking up the frontage of the block, setting the third floor back and to try and reflect the front elevation of the western block. A Transport Statement has also been sought as part of the development

CONSULTATIONS

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

Environmental Health Unit

7. I have no objection in principle to the development, however, I do have concerns regarding the following environmental issues and would recommend the conditions as detailed be imposed on the development should it be approved.
 - Noise disturbance between living accommodation
 - Construction Noise

Urban Design Manager

Highways Comments

8. I have considered the information that has been provided by the applicant. The proposal is for 30no. dwellings; therefore a Transport Statement is required in line with the Council's guidance. The minimum acceptable car parking provision for apartments within this area is 1 car parking space per unit. This takes into consideration the proximity to the town centre, the availability of public transport and the nature of the proposal. The applicant is proposing 10 car parking spaces for this development, this equates to a third of the required car parking provision. This will lead to greater demand for on street parking on Dovecot Street and therefore I object to the application on the grounds that it will be detrimental to the free flow of traffic and highway safety.

Landscape and Visual Comments

9. I have no objection to the development in principle and I note the proposals for tree planting, soft landscaping and boundary treatment along the frontage of the development.
 - A. A detailed landscape plan for hard construction indicating materials and construction methods.
 - B. A detailed planting plan indicating soil depths, plant species, numbers, densities locations and sizes, planting methods, maintenance and management.
10. I would also recommend that due to the lack of amenity space in relation to the number of proposed apartments that a section 106 contribution to off-site public open space is sought, detail of which can be gained from Sarah Edwards

Built Environment Comments

11. I welcome the proposed development as it contributes positively to an important streetscape linkage to the town centre from Parkfield and Mill Lane area. It is important also that the boundary treatment reflects the quality outlined in the buildings materials to integrate the building façade and the pedestrian scale and street level. I'm also encouraged to see that although the orientation of the apartments face the listed building, that the applicant has retained some forms of active frontages on Dovecot Street via balconies and windows.
12. One concern I do have is the final treatment of the access balconies on the western elevation in that historically this type of treatment has been associated with unsuccessful 1960-70's high rise flats. Although they do provide forms of social interaction and community engagement it is key that the quality of materials again are continued though similar to the examples of this type of treatment provided with the applicant's design and access statement.

Northumbrian Water Limited

13. No objections

Northern Gas Networks

14. No objections

CE Electric

15. Refer the developer to the Health and Safety Executives publications on working with and in and around electricity.

Historic Buildings Officer

16. Millfield House is a two-storey Victorian Villa with associated warehouse buildings situated on Dovecot Street and is Grade II listed. The Grade II listed former Stockton Alms House lies to the west of the site and the current proposals should be determined in line with the guidance set out in PPG 15 and relevant Local plan policies.
17. The setting and character of the building has been compromised by neighbouring industrial buildings and inappropriate extensions, most notably the two-storey flat roof extension.
18. Removal of these inappropriate extensions including the obtrusive front ramp would help to restore the original building form. The dwelling has been extensively remodelled interior, which is of no specific merit. Few internal changes are proposed and it is not considered that these will adversely affect the buildings character. The creation of a simple contemporary glazed link to join with the new build is also appropriate, subject to detailing.
19. I consider that the main impact will be the affect of the proposals on the setting of the Listed Buildings, Millfield House and the Stockton Alms Houses.
20. Dovecot Street is a mix of building types, forms and heights. The site is a sensitive development site due to its prominent position adjacent to important listed buildings. Pre-application discussions have taken place with the applicants prior to the submission of this application, the result is a contemporary design, which is intended to contrast and not to compete with the more decorative style of the neighbouring listed properties.
21. There are examples of other modern architecture in the street scene notably the Arc building and the adjacent 1960's building which has recently been converted to Student

accommodation on the corner of Skinner Street. Approval for a contemporary design was also given for a student accommodation development at the former Dovecot Sales rooms site.

PUBLICITY

Neighbours were notified and comments received are summarised below:-

Toni Geyer - 20 California Close' Stockton-on-Tees

22. I would like to make the following comments:
23. That the rear lane behind the properties in California Close is to become semi-pedestrianised by residents of the planned 30 apartments. I understand that the rear lane is a right of way and any repairs or upgrade required is not borne by the council but by residents of California Close. This rear lane is presently used by residents of California Close for pedestrian and vehicular access as well as for street sweeping and rubbish collecting vehicles. This raises a safety issue for a greater number of pedestrians and the issue of security for the present residents of California Close. California Close is regularly used as a pedestrian thoroughfare between Dixon and Palmerston Streets (via Bakery Street), especially during the school term.
24. There are 12 car spaces proposed for the residents and visitors of the 30 apartments. This will create an even greater demand for car parking in Dovecot Street and the possibility that residents and visitors of the proposed apartments will use the easily accessible rear lane in California Close (and/or Bakery Street) for parking.
25. The overall increased noise created by residents and visitors of the 30 apartments will impact on the residents of California Close.
26. The proposed wall at the rear of Millfield House (450 mm + 450 mm) is to replace the present brick wall (approximately 10 feet high). This raises a security issue for both California Close residents and residents of the proposed apartments.
27. The demolition and building work will take a lengthy period of time to complete. I work at home during the day and will be affected by the noise generated by such work. Other residents of California Close are also at home during daylight hours.

PLANNING POLICY

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

28. 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).
29. 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.

Policy EN 26

Alterations, extensions and changes of use to listed buildings will be permitted where the proposals are in keeping with the character and appearance of the original building, and its architectural or historic interest is not adversely affected.

Policy EN28

Development which is likely to detract from the setting of a listed building will not be permitted.

Planning Policy Statement 3 – Housing

Planning Policy Guidance 15: Planning and the Historic Environment

SITE AND SURROUNDINGS

30. The building Millfield House is a grade II listed building. The building is a villa set back from the main street with parking to the front, has a modern ramped access to the front and unsympathetic modern extensions to either side.
31. The grade II listed Stockton Alms House lies to the west of the site (No. 98 Dovecot Street) on the corner of Dovecot and Dixon Street. The application site and this listed building share this western boundary.
32. Residential properties lie to the north of the property, with more commercial uses to the east and west, although there is evidence of some residential usage above the commercial units.

MATERIAL PLANNING CONSIDERATIONS

33. The main planning considerations of this application are the sustainability of the site, the impact on the character of the area, the setting of the adjacent listed buildings, the amenity of the neighbouring properties and access and highway safety.

Principle of development

34. The application site lies within the defined limits to development and can be classed as previously developed land as defined in Planning Policy Statement (PPS 3). The application site includes changes to a listed building and also lies adjacent to another grade II listed building (No. 98 Dovecot Street).
35. Policies GP1, HO3, HO11, EN26 and EN28 of the Local Plan are therefore considered to be relevant to the determination for this application.

Site sustainability

36. The application site lies approximately 200 metres from the defined Stockton on Tees Town Centre, which has a range of services and facilities for future users of the development. The town centre also provides excellent access to public transport modes to the outlying areas and beyond.
37. Within Dovecot Street itself there are also a range of services and facilities to meet the everyday requirements of any future occupants of the proposal and it is considered that the proposed development is in a sustainable enough location to accommodate a development of this nature and will have the benefit of supporting existing facilities and infrastructure.

Character of the area

38. Within the immediate locality there are a range of building styles and sizes some of which are historic and have listed building status. The design follows the outcome of discussions with the Local Planning Authorities planning and historic buildings officers.
39. PPG15 sets out that replacement buildings should be imaginative, of a high quality design and is seen as an opportunity to enhance the area. It is also stated that new buildings should not directly imitate earlier styles, but that they should be designed with respect for their context. PPG15 also highlights that the objective of preservation can be achieved either by development which makes a positive contribution to an area's character or appearance, or by development which leaves character and appearance unharmed.

40. Changes have been suggested are to include breaking up the frontage of the eastern block, setting the third floor back and to try and reflect the overall appearance front of the western block to bring the two elements together and improve the overall appearance of the site.
41. The scale and massing of the building is considered to be appropriate within the immediate locality and whilst the contemporary design will differ from the more traditional and historical buildings in the locality and given the contemporary design and the current derelict nature of the site, it is considered that the development would have a positive impact on the visual amenities of this area as a whole. The importance of high quality materials would however, be essential to achieving a successful design and could be controlled through a planning condition.
42. Given the above it is considered that the proposed development, subject to receiving satisfactory amended drawings would be visually acceptable, have a positive impact on the street scene and will have the benefit of opening up the site and providing a greater focus on the existing Grade II listed building. The proposal is therefore considered to be in accordance with policies GP1, HO3 and HO11 of the adopted Stockton on Tees Local Plan.

Setting of the listed building

43. The site incorporates a grade II listed building (Millfield House) and lies adjacent to the grade II listed building (No. 98 Dovecot Street).
44. Given the principles of the design, the scale and massing are considered to be appropriate, the proposed development is not considered to have a detrimental impact on the setting of these listed buildings and is in accordance with policy EN28 of the adopted local plan.

Amenity of the neighbouring occupiers

45. The proposed development will be situated in excess of the Council's minimum habitable room to habitable room standard. Given also the variety of uses along Dovecot Street includes a mix of commercial and residential it is considered that the proposed development will not result in a significant loss of privacy of amenity to the any existing residents of the area.
46. The proposed development would also not have any habitable room windows facing towards No.'s 14-26 California Close and will lie approximately 14 metres from the rear of these properties. It is therefore considered that the proposed development will not have a detrimental impact on the amenity of these residents so as to justify a refusal of the application.
47. The Environmental Health Unit is satisfied that the proposed use and the neighbouring uses are compatible with one another and have suggested that several conditions be imposed on the development. However, the request in relation to a condition for sound insulation is not considered to be necessary as this issue is covered under building regulations.
48. One objector raises comments in relation to additional noise and disturbance in relation to the construction of the proposed development. Whilst it is accepted that the proposed development will cause some additional disturbance during construction this will only be for the short/medium term until the development is complete. It is considered reasonable to impose a planning condition to restrict the hours of construction to limit any actively to sociable hours only.

Access and Highway Safety

49. The Urban Design Unit has made comments in relation to the number of parking spaces and also the requirement for a transport Statement.
50. Discussions have also taken place with reference the proposed development its usage and acceptable parking requirements. The Transport Statement therefore is to address the following issues; Current use of the site is and what level of trips to/from the site currently occur; level of trips likely if the development goes ahead; and overall sustainability justification i.e. public transport (bus and rail) as well as cyclists and pedestrians should be included.
51. From discussion it is anticipated that if the Transport Statement to be provided is acceptable then the proposed parking provision provided would be acceptable. On this basis it is therefore considered that the proposed development will not have a detrimental impact on highway safety.

CONCLUSION

52. In conclusion it is considered that the proposed development, subject to the receipt of amended plans and a satisfactory Transport Statement is in accordance with policies GP1, HO3, HO11, EN36 and EN28 of the adopted Local Plan. The proposed development is therefore recommended to be delegated to the Head of Planning for approval, subject to these matters being resolved.
53. Should the amended plans and transport statement not be satisfactory or be resolved prior to the 3rd April 2008 the application should be refused on highway safety grounds and any other matters arising.

Corporate Director of Development and Neighbourhood Services
Contact Officer Mr Simon Grundy
Telephone No 01642 528550
Email: simon.grundy@stockton.gov.uk

Financial Implications.

None

Environmental Implications.

As report.

Community Safety Implications.

As report

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.

Planning Policy Statement 1; Delivering Sustainable Development
Planning Policy Statement 3; Housing
Planning Policy Guidance 15; Planning and the Historic Environment
Planning Applications; 95/0101/P, 95/0491/P & 04/2466/OUT

WARD AND WARD COUNCILLORS

Ward Stockton Town Centre
Ward Councillor Councillor D. W. Coleman

Ward Stockton Town Centre
Ward Councillor Councillor P. Kirton