

DELEGATED

AGENDA NO
PLANNING COMMITTEE

DATE 9 April 2008

REPORT OF CORPORATE DIRECTOR,
DEVELOPMENT AND NEIGHBOURHOOD
SERVICES

07/3447/OUT

11 The Avenue, Stockton

Outline application for 1 no. detached bungalow and garage

Expiry Date 7 February 2008

SUMMARY

Outline planning permission is sought for the erection of a detached bungalow and a detached garage to the rear of 11 The Avenue. An indicative drawing has been submitted but all matters are reserved for later consideration.

The planning application has been publicised by means of individual letters, and 7no letters of objection have been received relating to privacy and amenity, visual amenity, increased traffic and highway safety and impact on existing landscaping features. The Ward Councillor has also objected to the application.

The main planning considerations relate to the principle of development, impact of the development on the character of the area and street scene, impact on neighbours privacy and amenity, access and highway safety, and landscaping.

It is considered that overall the proposed development is acceptable and is recommended for approval with conditions.

RECOMMENDATION

It is recommended that planning application 07/3447/OUT be APPROVED subject to the conditions set out below:

- 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>
<i>SBC002</i>	<i>13 December 2007</i>
<i>SBC001A</i>	<i>07 February 2008</i>

Reason: To define the consent.

- 02.** ***Notwithstanding the submitted plans, approval of details of the layout, scale, external appearance, means of access and landscaping shall be in accordance with the details of a scheme to be submitted to and approved by the Local Planning Authority before development commences.***

Reason: To reserve the rights of the Local Planning Authority with regards to these matters.

- 03. Application for the approval of reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.**

Reason: By virtue of the provisions of Section 92 of the Town and Country Planning Act 1990.

- 04. The development hereby permitted shall be begun either before the expiration of two years from the date of approval of the last of the reserved matters to be approved.**

Reason: By virtue of the provisions of Section 92 of the Town and Country Planning Act 1990.

- 05. 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.

- 06. 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

- 07. Full details of the proposed means of disposal of surface water and foul drainage shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby permitted and shall be provided in accordance with the approved details before the development is brought into use.**

Reason: To achieve a satisfactory form of development.

- 08. Notwithstanding details shown on the plans hereby approved, prior to any works commencing on site, details of existing ground levels both on site and at adjacent properties which bound the site, finished ground, and finished floor levels for the proposed development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.**

Reason: In the interests of amenity of the occupants of neighbouring properties

- 09. Notwithstanding any description or plans submitted as part of this application, the dwelling and garage shall be restricted to single storey and the height of the dwelling shall not exceed 5.5 metres, when measured from original ground level approved in accordance with condition 08 above.**

Reason: In the interest of the visual amenities of the area and the amenity of the neighbouring properties.

10. ***Before development commences a method statement for working in close proximity to the trees on and around the site shall be submitted and agreed in writing by the local planning authority. The statement shall include the methods of working, use of materials and plant, access details and protection of the rooting zone of the trees on and around the site. This method statement should then be carried out in full unless with the prior written agreement to any variation by the Local Planning Authority.***

Reason: In the interest of the protection of the trees on and around the site.

11. ***All perimeter hedgerows, trees on the site and within 10m of the site boundary should be plotted on a drawing and existing trees/hedgerows should be protected during the site works in accordance with the provisions of B.S.5837:2005 Trees in relation to construction. A written undertaking to meet the requirements of tree protection should also be submitted, which should include the following:***
- ***Changes in levels near the branch spread of the trees will be avoided.***
 - ***Where tree roots are encountered, only hand digging will be allowed and the no dig construction methods shown in the tree report used where necessary.***
 - ***Compaction to the root spread of the tree will be avoided and a protective fence/barrier as approved erected around the branch spread of the trees as shown in. B.S.5837: 2005.***
 - ***That the approved fence/barrier will be maintained during the build period, and consideration of a formal permit to access system shall be proposed in writing to the Local Planning Authority, and thereafter implemented.***
 - ***No storage of materials will be permitted within the root protection zone (RPZ) of the trees or branch spread, whichever is determined as the critical area.***
 - ***No fires will be permitted near the trees.***
 - ***That service runs will avoid the RPZ of trees and hedging and reference should be made to the document NJUG 10 from the National Joint Utilities Group.***

12. ***A two metre clear zone from the outer limit of the hedge to the northern boundary of the rear garden shall be retained.***

Reason: In the interests of protecting the landscape features on and around the site.

13. ***No trees or landscaping on the site shall be lopped, topped, pruned or felled until a scheme of landscaping has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall indicate those areas of landscaping to be retained and a scheme for their protection in accordance with BS5837.***

Reason: In the interests of visual amenity.

14. ***No construction activity shall take place on the site outside the hours of 8.00am - 6.00pm Monday to Friday, 8.00am - 1pm Saturday and nor at any time on Sundays or Bank Holidays.***

Reason: To avoid excessive noise and disturbance to the occupants of nearby premises.

15. ***Notwithstanding the provisions of classes A, B, C, D & E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order), the buildings hereby approved shall not be extended or altered in any way, nor any ancillary buildings or means of enclosure***

erected within the curtilage without the written approval of the Local Planning Authority.

Reason: To adequately control the level of development on the site to a degree by which the principle of the permission is based.

- 16. Prior to commencement of development details of bin storage shall be submitted to for consideration and approval by the Local Planning Authority. The approved scheme shall thereafter be implemented in full, available concurrent with the first occupation of the dwelling hereby approved and retained for the life of the development.***

Reason: To enable the Local Planning Authority to retain control over the development

The proposed development has been considered against policies GP1, HO3 and HO11 of the Stockton on Tees Local Plan and existing approved development on the site. It is considered that the principle of development is acceptable whilst the impact of the proposed development is not considered to unduly compromise the privacy or amenity of surrounding properties or uses or compromise highway safety. Adequate account has been made of the protected tree and other vegetation on the site and as such it is considered there are no matters outstanding, which would suggest a decision should be made otherwise.

***Adopted Stockton on Tees Local Plan (June 1997)
GP 1 General Principles
HO3 Development on Unallocated Sites
HO11 Design and Layout***

***Supplementary Planning Guidance 2: Householder Extension Design Guide
Supplementary Planning Document 3: Parking in New Development***

Planning Policy Guidance Note 3: Housing

BACKGROUND

1. A previous outline application was submitted for the erection of a detached dormer bungalow (04/0101/OUT). This application was withdrawn to allow a fresh submission take account of a newly protected tree, which affected the positioning of the bungalow.

PROPOSAL

2. Outline planning permission is sought for the erection of a detached bungalow and detached garage with all matters reserved.
3. An indicative drawing has been submitted showing the possible position of the bungalow, which is shown to have a footprint of 8 metres x 9 metres and have an overall height of 5.5 metres. Access is shown via a new drive and a detached garage provides parking. Sufficient space is available for a turning area.

4. The current site plan addresses the concerns of the Head of Technical Services in landscape terms and now shows the proposed bungalow away from boundary hedges, and a protected pear tree.

CONSULTATIONS

5. The following consultees were notified and any comments received are set out below: -

Tees Archaeology

6. There are no known archaeological site in the area and therefore have no comments to make.

Northern Gas Networks

7. Standard Response – No objections

Environmental Health Unit

8. No comments

NEDL

9. Standard Response – No objections

Northumbrian Water Limited

10. No comments to make

Councillors – Councillor Cockerill

11. I am concerned that in parts the development is less than two metres from neighbouring boundaries, thus encroaching on privacy. The height of the building is inconsistent with surrounding properties. In some cases buildings can enhance an area but this appears to dominate.

Comments on amended plans

- 11.1 In respect to the amended plans I am still concerned about the close proximity to neighbouring houses and the fact that the roof still seems out of proportion.

Urban Design - Highways Comments

12. The applicants have stated that they only want the principle of the development considered, however the applicant should be made aware that the Council's Design Guide and Specification states that a private drive should be no more than 25 metres.

Comments on amended plans

- 12.1 Comments remain as previous

Urban Design – Landscape Architects

13. Not enough information – I would request that all trees are protected during site works and I would request a detailed survey of trees, positions, canopies, height and tree girth. I have concerns about the trees close to the access, which require a minimum of two metres clear zone for hedges and trees require more. An arboricultural report would be required to support the application

Comments on amended plans

- 13.1 I do not feel that supplied in the recent correspondence answers these concerns sufficiently. Previous comments therefore are still requiring consideration. The recommendation to maintain a 2m clear zone from hedges is from the outer limit not centre of hedge. There would not seem to be sufficient space for the access road therefore, and the proposed building is also too close to hedges that are to be retained.

The existing trees at the proposed entrance should be protected as previously stated, and the road proposed should be relocated to permit the corresponding BS protection zone distance. Refer to B.S.5837: 2005 Trees in relation to construction and recommendations there in and as previously stated I would suggest a detailed site survey is provided. A written undertaking to meet the requirements re tree protection should also be submitted.

Updated Comments

- 13.2 The existing trees at the proposed entrance should be protected as recommended within BS 5837:2005. However it is accepted that the access will encroach within the crown overhang (RPA root protection area) subject to this office approving recommendations of a qualified arboricultural specialist. Any works so undertaken within this zone shall comply with the BS and relevant technical notes. The new access road should not be constructed closer than 3m to the trunks of retained trees on/adjacent the front boundary on The Avenue.
Conditions required relating to tree protection and retention of hedge within rear garden as per submitted latest layout proposal recommendation that a 2m clear zone is maintained from the outer limit not centre of hedge.

PUBLICITY

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

Mr Donald A and Mrs K Younger, 3 The Avenue' Stockton-on-Tees

15. I object, as the proposed dwelling will be less than 1.5 m from our boundary and those of nos. 5 & 11, 18.5 m from our kitchen & lounge windows, 12.5 m from our conservatory. The proposed bungalow & garage each 5.5 m from tree with TPO and the proposed bungalow will be nearer to the existing surrounding bungalows than it will be to the house at 11 The Avenue

The boundary hedge close to No 3 The Avenue is an old deciduous hedge which provides little screening in the winter & could sustain damage when the site is being prepared for building and if this happened it would be the second victim as a tree has very recently been removed from the front of No. 11, presumably to make way for the proposed entrance. The hedge also provides a habitat for wildlife including at least 12 species of birds. This could be lost if the development goes ahead

The bottom of our garden next to the boundary is very wet and it is possible that the development of the site could cause flooding in the future

The proposal would be an over development as currently nos. 3 & 5 The Avenue, 8A & 10 Victoria Road & 7 Aldbrough Close all enjoy open aspects across the proposed site, largely due to these properties being built centrally on their plots.

The proximity would be an intrusion of privacy with the distance being halved by this development. (In our case 43m being reduced to 18.5m) and the proposed building will dominate our garden and obscure the winter sunlight

The roof pitch & height of the proposed building would be greater than that of any of the surrounding bungalows which have a roof pitch of 30 - 35° & are less than 5.5m in height and a calculation of the height, from the other dimensions given in the application, produces a height in excess of 6.5 m. This more closely resembles the earlier rejected submission for development to the rear of No. 11 than it does the surrounding bungalow.

Noise and lights on the access road would be disturbing to the tranquil rear gardens around the development. No demand for this type of development.

Traffic emerging from the drive would be emerging blind and this is a popular route, including schoolchildren.

Comments on amended plans

- 15.1 We note the repositioning of the proposed dwelling & garage on the site and wish to comment as follows:

The proposed dwelling is still only 13.5 metres from our conservatory, which is much used and it is only 19.5 metres from the rear of our building which houses our kitchen & lounge/diner. It will still dominate our view from the house & more so from the garden, privacy being greatly reduced

Previous infill building has been sympathetically carried out leaving comfortable distances between neighbours, maintaining an open environment and the proposed dwelling is still less than 20metres from 3 properties leading to overcrowding. The lack of space is also evident as the access drive will be less than 2metres from the host dwelling. Despite moving the building back from the boundary hedge by 0.5metre, the root system could still be damaged, as the building would fall within the canopy of the hedge, which belongs to No. 3 The Avenue.

Our earlier comments still apply

Mr and Mrs Turner, 7 Aldbrough Close' Stockton-on-Tees

16. We object, as the bungalow will be too high and not fit in with the bungalows in the surrounding area. We have no information over the size/height of the garage, which is close to our boundary, and we do not agree with residents building additional properties in their boundary, which then have a detrimental impact on surrounding properties.

Mr A Carass, 18 The Avenue' Stockton-on-Tees

17. I object in principal, as I believe this development will affect the character of the area. This will be a modern property, not suiting the style of the other residencies around it. The Avenue is a spacious premium property area, not a cramped new build housing estate. I believe that there is simply no demand for this type of property in the area. Increased traffic would be a problem, not only works traffic but also extra traffic of another occupant. This road is used everyday as a through road for pedestrians, particularly school children, and we feel that the traffic generated by such a development will be a safety hazard. I believe that the construction of another property will cause access issues and parking problems, with visitors to the properties parking in the street opposite our own property.

Ian Hoyle, 13 The Avenue' Stockton-on-Tees

18. I object as this is a suburban area and this type of development is turning it into an urban area. The Avenue is a narrow road and more development on it is becoming dangerous. The flats at the end of the road are not wanted and it seems silly to build more. The privacy of our rear garden will be changed by having a dwelling built. It would necessitate the removal of trees in an area where there are too few already. Converting a mature sanctuary into a desert is not a way to avoid climate change or allow excess water to soakaway or simply encourage wildlife.

Comments on amended plans

- 18.1 Looking at the latest drawing I am further concerned at the extra noise we will be subjected to having traffic driving close to our fence. This will be a considerable increase to the on The Avenue, which is already congested and noisy. This will spoil the residential nature of the area.

B Mannion, 5 The Avenue' Stockton-on-Tees

19. I object to the application on the grounds of overcrowding of the land

Mr P and Mrs J Roberts, 8A Victoria Road' Stockton-on-Tees

20. The proposed bungalow is 1 metre from 3 & 5 The Avenue and will result in an intrusion of privacy. The bungalow may affect the trees/hedges, which would then destroy the habitat of the wildlife, and we are concerned about the pear tree as any foundation work could ruin this tree. If approved this would set a precedent for others. The height of the bungalow will be approx 6.6 m not 5.5 metres as stated – a possible dormer which would impinge on our privacy in our bedrooms. The proposed drive could be dangerous, as it will have restricted visibility. Noise and lights from the access road would be very disturbing

Comments on amended plans

- 20.1 The new positioning of the house would still overlook 3 & 5 The Avenue affecting the privacy of the residents. The proposed access road would damage the root system of the yew tree of No 13 and the boundary hedge. This proposal will have a detrimental effect on so many properties and set a precedent for similar developments.

Mr K Little, 10 Victoria Road' Stockton-on-Tees

21. The proposal would have a detrimental effect on the quality of life of the surrounding residents. The height of the building makes it large than those around them. If this were allowed then it would set a precedent of similar developments. Wildlife would vanish and this would be detrimental to the area.

Comments on amended plans

- 21.1 The repositioning will still have an adverse effect on the privacy/light of 3, 5, 9 The Avenue and 10 Victoria Road. The distance to the conservatory of No 3 The Avenue seems short and how will the root system of the boundary hedge be affected. Backland development always causes a detrimental effect on an area and those concerned.

Mr S Horner, 8 Victoria Road' Stockton-on-Tees

22. I believe the proposal would have a negligible effect on my property, this does not however trivialise other valid objections made by others. Ensuring the building is a bungalow to the centre of the plot may alleviate some issues.

PLANNING POLICY

23. 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)*.

24. The relevant development plan in this case is the adopted Stockton on Tees Local Plan. The following planning policies are considered to be relevant to the consideration of this application:-

Policy GP1

25. 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

26. 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

27. 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.

Supplementary Planning Guidance 2: Householder Extension Design Guide
 Supplementary Planning Document 3: Parking in New Development

Planning Policy Guidance Note 3: Housing

SITE AND SURROUNDINGS

28. The application site forms part of the rear garden area of 11 The Avenue, Stockton. The host property is a detached 2.5 storey dwelling, which has a large expanse of garden area to the rear.
29. There are several semi mature trees and established hedgerows within the rear garden area. The Pear tree in the centre of the rear garden is covered by a tree preservation order, as are several mature trees in the northeast corner of the rear garden.
30. To the north of the site are two bungalows, 3 and 5 The Avenue and to the south are the residential properties 13 The Avenue and 7 Aldborough Close. To the east are 8, 8a and 10 Victoria Avenue and to the west is the host property.
31. Access is to be taken from The Avenue and run along the south side of the host property and to the north of 13 The Avenue.

MATERIAL PLANNING CONSIDERATIONS

32. The main considerations in determining this application are the principle of developing the site, the impact on both neighbouring properties and the character of the area in general, provision of adequate access and parking, drainage and impact of landscaping features.

Principle of development

33. Planning Policy Statement No. 3 (Housing) promotes a more efficient use of land and the re-use of brown field, previously developed land, which is indicated within annex B as including that "which is or was occupied by a permanent structure" and goes on to state that, the definition covers the curtilage of the developed land. The curtilage of a private dwelling house including its private garden area is considered to fall within this definition.
34. The site falls within the 'Limits to Development' as defined within the Borough Local Plan, within which, there is a presumption in favour of residential development. Policy HO3 of the Borough Local Plan suggests that development of such land may be permitted subject to several criteria. These criteria require development not to result in the loss of sites which are allocated for another use or are used for recreational purposes and which are sympathetic to the surrounding area, take into account important features within the site, make adequate access and parking provision whilst not result in an unacceptable loss of amenity to adjacent land users.
35. In view of the above, the principle of the proposed development is considered to comply with PPS3 however the more detailed matters outlined in Policy HO3 of the Borough Local Plan, are considered below.

Impact on the character of the surrounding area and street scene

36. The host property is a large detached dwelling, which is set back from the highway, having a generous spacing from properties either side and a rear garden of a considerable size, within which a variety of trees and other landscaping is present.
37. The Avenue has differing property types and layouts along its length. The proposed development would involve the provision of a new access off The Avenue; however the majority of the development is within the rear garden area. It is therefore considered the street scene of The Avenue will not be significantly affected by the proposed scheme.
38. Views of the proposed dwelling would not be achievable from the highway, and the inclusion of a bungalow in this location is considered to be suitable, being subservient and suitably distanced from the frontage properties.
39. As this is an outline planning consent and the applicants wish for all matters to be reserved, the external appearance of the proposed dwelling will be assessed at a later date. However it is considered that given the surrounding dwellings vary in design from a two-storey nature to bungalows, and that in principle, a bungalow of this size and with the use of appropriate materials would be acceptable in this location and would not be detrimental to the character of the area.

Impact on neighbouring properties from the siting of the bungalow

40. Indicative drawings have been submitted showing the proposed dwelling of 9 metres x 8 metres and also a cross section showing that a single storey dwelling can be built to this size with an overall height of 5.5 metres. Neighbours were concerned that the dwelling

could not be built to this size with a roof pitch of 42 degrees. This was an error and the roof pitch is to be 34 degrees and will result in a dwelling of 5.5 metres.

41. The indicative plans show a bungalow located approximately 19.5m from 3 and 5 The Avenue. No. 3 The Avenue has a conservatory, which will be approximately 13.5 metres from the proposed dwelling, although the plans show a bungalow positioned close to the western boundary of the plot away from the conservatory. These neighbours have objected to the proposed dwelling stating that it will have an adverse impact on their privacy and amenity.
42. There is a boundary hedge between the application site and these neighbours, which will provide some screening. However this is not an evergreen hedge and will afford the neighbour's views in the autumn/winter months.
43. The dwelling is indicated to have an eaves height at its closest point to the neighbour's boundary, of 2.5 metres rising to a maximum height of 5.5 metres. It is considered that the proposed bungalow will not be overbearing due to the indicative low roof height and orientation of the dwelling.
43. It considered reasonable to restrict the height of the proposed bungalow to a maximum height of 5.5 metres in order to ensure that the dwelling would be of a similar character and style to others in the locality and not having an overbearing impact on adjoining neighbouring properties.
44. Although the Council offers no specific minimum distance on new housing development, it suggests in SPG2: Household Design Guide that 21 metres back to back distance is acceptable for extensions and 11 metres back to side extensions. It is considered that with the sensible positioning of windows that the proposed bungalow will not have an adverse affect on privacy through any potential overlooking.
45. The concerns of objectors in relation to a potential loss of privacy are noted, but do not justify refusal of the application.
46. The proposed dwelling will be located approximately 20 metres from the host property and in view of the spacing between the proposed and existing dwelling. Taking account of this and the provision of appropriate boundary treatment, it is considered that the proposed bungalow would not unduly compromise privacy or amenity associated with either property.
47. In light of the close proximity of the dwelling to the boundaries with neighbours and the host property, and the relatively small plot size, it is considered appropriate to remove the Permitted Development rights, which would normally apply to residential properties. This is to control the future impact on the neighbouring properties from any potential extensions/dormer extensions.
48. Some neighbours have commented that the proposed scheme would result in an over-development of the site. However, it is considered that the proposed development could be adequately accommodated within the site and provides sufficient informal and formal amenity space for both the host property and the proposed dwellings, while still providing sufficient amenity and privacy for the neighbouring properties. It is not considered therefore the proposed scheme constitutes over-development of the site.

Access & parking

49. Concerns are raised by local residents in relation to the visibility at the access into the site and for pedestrians using the pavement adjacent to The Avenue.

50. These concerns have been duly noted, however, the Head of Engineering and Transportation have raised no objections to the proposed development and therefore these concerns are not considered significant enough to warrant a reason for refusal of the application.
51. The Head of Technical Services have however stated that the access road is longer than the 25 metres recommended in the Council's Design Guide and Specification, which states that a private drive should be no more than 25 metres. This is a recommended distance to allow the reasonable distance for a bin to be transported for collection.
52. This may be a significant distance for several dwellings. However, the proposal is for the provision of a single dwelling and it is considered that the provision of a bin store can overcome this problem.
53. Neighbours have raised objections to the application due to noise and lights on the access road. Whilst it is acknowledged that some noise and disturbance may occur, it is not considered that the impact would be of such magnitude to warrant refusal of planning permission on this basis.

Landscaping

53. The application site has numerous trees and hedges along the proposed drive and in the rear garden area. There are also a number of trees in neighbouring properties that need to be taken into consideration.
54. The Head of Technical Services viewed the proposal and stated that there was not enough information and requested that all trees be protected during site works and a detailed survey of trees, positions, canopies, height and tree girth be provided. Concerns were expressed about the hedges and trees close to the access. A minimum of two metres clear zone for hedges is required and trees may require more.
55. The applicant stated that it was unreasonable at this stage to request a full arboricultural survey and submitted revised plans to show that a dwelling could be accommodated in the site without affecting the trees and hedges.
56. The Head of Technical Services commented that the recommendation to maintain a two metre clear zone from hedges is from the outer limit not centre of hedge and that there would not seem to be sufficient space for the access road and the proposed building is also too close to hedges that are to be retained.
57. However as this proposal is for outline planning permission to consider whether the principle of a dwelling in this rear garden area would be acceptable it is considered that the siting could be slightly changed from the indicative drawing to adequately achieve scheme that would not affect any trees or hedges.
58. The Head of Technical Services agreed but did however recommend that conditions be placed on the application to protect the existing trees at the proposed entrance. The Head of Technical Services accepted that the access will encroach within the crown overhang (root protection zone) and recommended that any works undertaken within this zone shall comply with the British Standards and relevant technical notes and the new access road should not be constructed closer than three metre to the trunks of retained trees on/adjacent the front boundary on The Avenue which is the distance shown on the indicative plan.

59. He also suggested that conditions should be attached which related to tree protection and retention of hedge within rear garden and a condition stating that a two metre clear zone is maintained from the outer limit not centre of hedge.
60. Objections that have been raised in relation to the impact of the proposal on the potential wildlife through loss of landscaping on the site are fully appreciated. Whilst various forms of wildlife may be present in the area, due to the fairly open nature of the site and the retention of many of the mature trees it is considered that the proposed development would not have a detrimental impact on any potential habitats on the site.

Drainage

61. One objection has been received relating to the potential for the development to cause flooding in the area, however no objections have been received from Northumbrian Water in relation to the application and therefore it is considered that this would not be enough to warrant refusal of the application. However, a condition has been added requesting details of all means of surface water and foul drainage be submitted to ensure adequate drainage is provided.

Other matters

62. Some objectors have cited that the development may set a precedent and open the floodgates for further developments in the rear gardens of neighbouring properties, however each application is considered on its merits and should an application be submitted for a similar proposal this will be given consideration and a decision made in accordance with relevant policies and government guidance.
63. Concerns have been raised over demand for this type of development, as many apartments in the area and one bungalow remain unsold. Whilst this is acknowledged, it is not considered to be a reason to refuse planning permission.

CONCLUSION

62. In conclusion, as the site is within the limits to development and unallocated for any other use, the proposal is considered acceptable in principle, but subject to the consideration of details. The indicative layout shows that a bungalow can be accommodated on the site without any unacceptable impacts on the amenity of the occupants of surrounding properties or uses or compromise highway safety. Adequate account has been made of the protected tree and other vegetation on the site and as such it is considered that the proposal is acceptable.

Corporate Director of Development and Neighbourhood Services
Contact Officer Mrs Elaine Atkinson Telephone No 01642 526062

Financial Implications.

None

Environmental Implications.

As Report.

Community Safety Implications.

Not Applicable.

Human Rights Implications.

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

Background Papers.

Adopted Stockton on Tees Local Plan (June 1997)

WARD AND WARD COUNCILLORS

Ward	Grange field
Ward Councillor	Councillor P Broughton

Ward	Grange field
Ward Councillor	Councillor A Cockrill