

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

DATE 11th JUNE 2008

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

08/0637/REV

62 - 64 High Street, Yarm, TS15 9AH

Revised application for conversion of ground floor to form two retail units with rear extension

Expiry Date 30 May 2008

SUMMARY

At the 12 December 2007 Planning Committee Members refused permission for a development of two shop units at the 62-64 High Street, Yarm, application reference no.07/2267/FUL for the following reason:

In the opinion of the Local Planning Authority the proposed development by virtue of its scale and massing would be detrimental to the amenities of the adjacent residential property and the character and appearance of the Yarm Conservation Area and is therefore contrary to the saved Policies GP1 I, ii, iii and viii and EN24 ii of the adopted Stockton on Tees Local Plan.

The development was allowed on appeal to the Secretary of State by decision dated 30 April 2008 with conditions. The current application was submitted before the decision on the appeal was known. The current application is for a scheme amended to overcome the objections to the length of the previously proposed two storey office projection at the rear of No.64 in relation to an adjoining dwelling.

The two storey extensions would be a minimum of 10.1m from the neighbouring dwelling No.2 Chapel Yard and not 7.6m as shown on the previous application no.07/2267/FUL approved on appeal. Otherwise the currently proposed drawings are very similar to the scheme approved on appeal. Differences include the number and position of internal W.C's, an addition of a roof light to an office, the omission of a timber decorative panel and omission of a temporary staircase in the front rooms of No.62.

The ground floor of the application premises has been operating as one combined unit as a café, bakery and retail shop (A1 and A3). On the two upper floors are separate offices (A2) and a second floor residential flat (C3). The units share a rear yard with separate pedestrian access through a side passage to the main and rear streets.

The proposals are to extend the premises and change the use to two independent retail units (A1) on the ground floor (see Appendices 2 and 3). One of the shop frontages to the High Street has been changed in the past and would be replaced to match the remaining original. The two storey rear extension would contain an additional office (A2) at first floor and a new rear staircase.

In principle the proposed uses and extension of commercial premises within the defined District Centre of Yarm is acceptable. The proposal has been publicised on site, in the press and by individual notification. No representations have been received.

It is considered that the proposals would maintain and enhance the character and appearance of the Conservation Area by improving the rear elevation. The proposed extension has taken into account the position of window openings in the residential property at the rear and addressed other issues so as to be acceptable in planning terms. The proposals conform to planning policies and there are no material considerations which require that the application be refused. Conditional approval is recommended in line with the appropriate conditions applied by the Secretary of State in allowing the appeal on application reference no.07/2267/FUL.

RECOMMENDATION

Planning application 08/0637/REV be Approved subject to the following conditions

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

Plan Reference Number	Date on Plan
0730/L100A	4 April 2008
0730/L101B	4 April 2008
0730/D100B	4 April 2008

Reason: To define the consent.

- 02. *No development shall take place until detailed drawings and samples (as appropriate) of the following elements of the extension hereby permitted have been submitted to, and approved in writing by, the Local Planning Authority:***

- (i) drawings at 1:5 of external doors;***
- (ii) samples and drawings at 1:5 of windows;***
- (iii) samples of materials of all external surfaces***

Development shall be in accordance with the approved samples and drawings.

Reason: In order to maintain and enhance the character and appearance of the Yarm Conservation Area.

- 03. *No development shall take place until details of the replacement shop front to unit 2 have been submitted to, and approved in writing by, the Local Planning Authority. The details shall be at a minimum scale of 1:20 and shall include cross sections of the cornices and shop window frames. The shop front shall be constructed in accordance with the approved details.***

Reason: In order to maintain and enhance the character and appearance of the Yarm Conservation Area.

- 04. *No development shall take place until details of provision for the secure parking of six cycles have been submitted to, and approved in writing by, the Local Planning Authority. The cycle parking provision shall be installed, in accordance with the approved details, before the extension hereby permitted is occupied and shall thereafter be retained for its designated purpose.***

Reason: To ensure the provision of cycle parking in the interests of providing for sustainable transport modes.

05. No development shall take place until full details of both hard and soft landscape works have been submitted to, and approved in writing by, the Local Planning Authority and these works shall be carried out as approved. These details shall include an implementation programme and a detailed landscape plan for hard construction indicating materials and construction methods and a detailed planting plan indicating soil depths, plant species, numbers, locations and sizes; planting methods; maintenance and management.

Reason: In the interests of visual amenity.

06. Any tree or plant (including any replacement) which, within a period of 5 years from its planting, dies, is removed or becomes severely damaged or diseased shall be replaced in the next planting season with another of similar size and species unless the Local Planning Authority gives written consent for any variation.

Reason: In the interests of visual amenity.

07. Works on site for construction of the development hereby approved shall not take place outside the following hours: 08:00 - 18:00 (Monday - Friday) and 08:00 - 13:00 (Saturday).

Reason: In the interests of residential amenity.

08. The windows on the eastern gable ends of the extension hereby permitted shall be constructed with obscure glazing and shall thereafter be retained with such glazing.

Reason: In the interests of the amenity of adjoining residential property occupiers.

Informative

The proposal has been considered against the policies below and it is considered that the development accords with these policies as the principle of retail and office use within Yarm Town Centre is acceptable, the extensions and changes are in character with the building and would maintain and enhance the character and appearance of the Conservation Area. The proposed design and detailing of the extensions are appropriate, and its position in relation to neighbouring properties and any window openings avoid intrusion into amenity or privacy of the occupants. There is no adverse access and highway implications arising from the development and no other material considerations, which indicate a decision should be otherwise.

Adopted Stockton on Tees Local Plan (June 1997)

**Policy GP1 General Principles
EN24 New Development in Conservation Areas
EN28 Setting of Listed Buildings**

Stockton-on-Tees Local Plan Alteration Number 1 (March 2006)

**Policies S1 Town Centre Development
Policy S3 Town Centre Uses
Policy S8 Loss of Retail Uses Yarm - High Street**

BACKGROUND

The recent planning history of the two properties is as follows:

1. **No.s 62 and 64 High Street**

08/0009/CON

Conservation area consent for demolition of outbuildings to rear. Invalid application.

07/2267/FUL

Revised application for conversion of ground floor into 2 no. shop units and extension to rear. At the 12 December 2007 Planning Committee Members refused permission for the following reason:

In the opinion of the Local Planning Authority the proposed development by virtue of its scale and massing would be detrimental to the amenities of the adjacent residential property and the character and appearance of the Yarm Conservation Area and is therefore contrary to the saved Policies GP1 I, ii, iii and viii and EN24 ii of the adopted Stockton on Tees Local Plan.

Appeal Decision APP/H0738/A/08/2062761 Details of the previous scheme and the full decision letter are set at Appendix 1 to this report.

The development was allowed on appeal to the Secretary of State by decision letter dated 30 April 2008 with conditions. (See Appendix 1). The current application was submitted before the decision on the appeal was known. The current application is for a scheme amended to overcome the objections to the length of the previously proposed two storey office projection at the rear of No.64 in relation to an adjoining dwelling. The two storey extensions would be a minimum of 10.1m from the neighbouring dwelling No.2 Chapel Yard and not 7.6m as previously. Otherwise the drawings are very similar but differences include the number and position of internal Wc's, an addition of a roof light to an office, the omission of a timber decorative panel and omission of a temporary staircase in the front rooms of No.62.

07/2268/LBC

Revised application for Listed Building Consent for alterations to provide 2 no. shop units with extension to rear. Invalid application.

07/0642/FUL

Conversion of ground floor into 2 no. shop units and extension to rear. Application withdrawn without a decision being made.

07/0686/LBC

Listed Building Consent for alterations to provide 2 no. shop units with extension to rear application withdrawn without a decision being made.

S127/89

Redecoration of front and fascia sign, approved conditionally.

S75/89

Internal alterations and refurbishment

S2321/76

For opening in ground floor wall, approved.

3/3/2975A

Alterations and additions to existing shop premises to form a self-service cafeteria.
Approved.

2. **No. 62 High Street**

2975

Alterations and new front to shop. Approved.

PROPOSAL

3. Planning permission is sought for change of use and an extension to commercial units, which have a frontage onto the High Street in Yarm within the Conservation Area. The ground floor has been operating as one combined unit as a café, bakery and retail shop. On the two upper floors are individual office suites and a second floor residential flat. The units share a rear yard with separate pedestrian access through a side passage to the main and rear streets.
4. The proposals are to reinstate the internal dividing wall at ground level to form two separate retail (A1) units. This is a change in the use of the ground floor from a mixed retail, café and bakery (A1 and A3) to retail (A1) units.
5. The proposed two storey rear extension would replace previous flat roofed extensions and small sheds. The rear extension would be in the form of two conjoined two storey projections of different lengths each under a separate pitched roof. The materials are proposed to match the existing on the building which are a variety of bricks types, rendering, tiles and slates reflecting the eras when the building has been extended in the past. All three windows facing onto the rear yard and No.2 Chapel Yard are proposed to be obscure glazed.
6. The part of the extension at the rear of No.62 would add 4m in length to the existing three storey projection beside Chapel Yard passage. This would leave a distance of some 8.5m within the site to the boundary of the walled access enclosure to No.2 Chapel Yard and 10.9m to that dwelling house itself. This extension would principally contain a staircase to serve the whole building as a replacement for the existing, linking the ground and first floors. A rear access door would provide a ground floor link from the yard to the shop unit and access to the all the upper floors in both No.s 62 and 64 including a new office on the first floor of the extension to No.64.
7. The rear extension to No.64 would extend 0.3m past that proposed for No.62 and consist of three elements. The element closest to the existing building is a single storey replacement of the existing ground floor 5.2m long flat roofed projection. The middle section is a 5.2m long two storey section providing additional retail (A1) space at ground floor level and A2 office space above. The last element is a 2.5m long single storey continuation of the retail (A1) unit. The nearest part of the single storey extension would be 8m to No.2 Chapel Yard and 5.6m from the boundary of the walled access enclosure to that house. The two storey element would be 10.5m from No.2 Chapel Yard. The new single storey flat roof would maintain light and ventilation to the rear of the flat occupying the first and second floors of No.s 62 and 64 and allow the residents access onto that roof as a private and enclosed external amenity area.
8. The shop front of No.62 has been changed in the past and this would be replaced and restored to match the more traditional frontage at No.64.

CONSULTATIONS

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

Councillors

9. No comments received.

Yarm Town Council

10. No comments received.

Urban Design Manager

General Summary

11. Urban Design has no objections subject to the comments below.

Highways Comments

12. I have considered the information submitted by the applicant. The revised application reduces the size of the first floor extension to leave a greater gap between the extension and the neighbouring property. These revisions do not alter the highway impact of the development and therefore previous comments still apply:
13. The proposed development is located centrally on Yarm High Street. Access to the commercial units is to the front of the property and there is rear access for all units via the alleyway running from the high street to the road running parallel with the river.
14. The development will increase the number of trips to site however the site has no incurtilage parking. Whilst the lack of parking is a concern, it is acknowledged that the town centre location limits the possibility for incurtilage parking. The lack of parking is therefore considered acceptable in this location, as there is public parking available and public transport links nearby. However, in accordance with the Councils parking standards, secure cycle parking should be provided for 6 bicycles. This could be accommodated at the rear of the property and accessed via the alleyway.
15. If the applicant takes into account the above comments I have no objections to this application.

Landscape & Visual Comments

16. Landscape comments remain as previous - 07/2267/FUL

The previous comments were as follows:

We have no objections to the development details of the proposed hard and soft landscaping and boundary treatments are required. Full details should be provided to the following minimum standard:

A detailed landscape plan for hard construction indicating materials and construction methods.

A detailed planting plan indicating soil depths, plant species, numbers, densities, locations, and sizes, planting methods, maintenance and management.

Built Environment Comments

17. No comments.

Historic Buildings Officer

18. No comments received.

Environmental Health Unit

19. Environmental Health Unit has no comments in regards to this planning application

PUBLICITY

20. The planning application has been publicised on site, in the local press and by individual letters to neighbours. No representations have been received.

PLANNING POLICY

21. 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) the Stockton on Tees Local Plan (STLP) and Stockton-on-Tees Local Plan Alteration Number 1 (March 2006).

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.

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

Policy EN28

Development likely to detract from the setting of a Listed Building will not be permitted.

Policy S1

As defined on the Proposals Map, the Council will seek to direct new retail development and other town centre uses within the centres in the following local retail hierarchy of the Stockton-on-Tees Borough Council area in order to protect and enhance their vitality and viability:-

- A) Stockton-on-Tees Town Centre
- B) The District Centres
- C) The Local Centres

All proposals for development should be appropriate in terms of the scale, nature and character to the centre's existing role and the catchment area which it serves.

Policy S3

Where proposals for either new or extensions to existing retail or Town Centres uses are considered acceptable in principle, under the relevant policies of the Local Plan, the Council will need to be satisfied that : -

- i) The development can be adequately and safely serviced, with adequate provision for car and cycle parking to serve customers and employees;
 - ii) The scale and character of the proposed development is in keeping with the size and role of the location and enhances local character;
 - i) A safe and secure pedestrian environment is created, protected from the elements where possible, designed to ensure ease of use throughout by everyone;
 - ii) The proposal makes adequate provision for the storage and disposal of litter;
 - iii) The proposal would not have a detrimental impact on residential or local amenity.
- In addition and where appropriate, major development should provide: -
- iv) Public waste and recycling facilities;
 - v) Public seating
 - vi) Public conveniences, including baby changing/feeding facilities and facilities for people with disabilities

Policy S8

Proposals for new development and change of use, at ground floor level, from retail (Use Class A1) within the defined boundary of Yarm District Centre will be permitted provided that: -

- i) the additional use results in no more than four non-retail uses adjacent to each other or a total of 15 metres continuous non-retail frontage (which ever is the greater); and
- ii) no more than 60% of the High Street's overall length of frontage will be given over to non-retail uses following implementation of the proposal; and
- iii) the proposed use does not lead to an unacceptable loss of residential accommodation (see Policies S10 and S11); and
- iv) the proposal would not prejudice use of the upper floors; and
- v) The proposal would not have a detrimental impact on the character or appearance of the Conservation Area or its Listed Buildings in accordance with Policies EN24 to EN28 of the adopted Local Plan.
- v) The proposals accords with other relevant Policies of the Local Plan.

SITE AND SURROUNDINGS

22. The application site is centrally located in the historic core of Yarm town centre and within the designated Conservation Area. The three storey terraced buildings making up No.s 62

and 64 High Street front onto the main commercial High Street with its mixture of town centre uses in a fairly central position along its length. A pedestrian passage, Chapel Yard, runs under the building from the main street linking with the riverside areas on the eastern side of the town. This passage provides pedestrian access to Yarm Methodist Church and the Scout Hut, which are both Listed Buildings and some residential dwellings, a number of which are conversions from other uses.

23. No.s 62 and 64 High Street currently contain a mixture of commercial (A1, A2 and A3) and residential uses (C3). Both building frontages have a glazed shop window with a door for public access to the High Street. The ground floor area of both units is currently vacant and was last used as a bakery, café and retail outlet. No.62 was principally the shop with bakery to the rear and No.64 the café. The two front rooms containing the shop and café have been internally linked in the past with openings through the dividing wall to allow access between the shop counter areas and the café seating. At the rear of the ground floor are rooms used for the servicing including storage, offices, W.C's and a staircase to upper floors. Those ground floor rooms at the rear of No.64 are contained within a flat roofed extension. On the first floor of No.62 are offices, which extend to the rear in a three storey projection beside the passage to Chapel Yard. There is a residential flat on the first floor of No.64 that also occupies the second floor accommodation above. Outside to the rear is a walled service yard with a pedestrian gate to Chapel Yard which is shared by all the users of the building and contains small mono pitched storage sheds at the rear of three storey projection to No.62.
24. A three storey dwelling, 2 Chapel Yard, forms the rear boundary to the external yard serving No.62 and 64. No.2 Chapel Yard has a small walled area at the end of the house facing the rear of No.62 which gives private access from the door on that side to Chapel Yard. The house has obscure glazed windows in the section of wall facing the rear of No.62 and clear roof lights spaced along the length of the whole roof. This dwelling is faced by the existing clear glazed windows on the rear of the three storey application buildings No.s62 and 64. No.2 Chapel Yard has a main entrance, windows and garden frontage on its far eastern side away from the application site.
25. To the north of the yard is the blank three storey brick wall of an extension at the rear of No.66 High Street a commercial premise that is a Listed Building. A lower 4.8m high brick wall completes the means of enclosure on the northern side. The yard is separated from Chapel Yard to the south by the brick rear of the single storey mono pitch storage sheds and a 1.8m high timber fence and gate. To the south and across the passage known As Chapel Yard, is the rear of a commercial bank which has rear extensions dropping down in height from two to one storey. The first floor office windows face onto the three storey rear projection at the rear of No.62 at a short distance across the width of the passage.

MATERIAL PLANNING CONSIDERATIONS

26. The main planning considerations are the recent appeal decision, local and national policy and guidance, the principle of the development; the impact on the character and appearance of the building and its setting within the Yarm Conservation Area; the impact on residential amenity and privacy; and access and highway safety considerations.

The Principle of the Development

27. The building has an existing mixed use being a combination of retail (A1), office (A2), café (A3) and residential uses (C3) and is situated within the commercial core of the town centre of Yarm. Yarm is defined in the Stockton-on-Tees Alteration No.1 as a town centre appropriate for commercial activities and development such as retail and commercial

offices for financial and professional services. The policies also allow for extensions to existing businesses where the proposals meet other criteria. The proposed retail and office uses are appropriate to the town centre and are encouraged by planning policies and Government advice in PPS 6 'Planning for Town Centres' in the interests of sustainable and accessible development.

28. Policy S8 of the Stockton-on-Tees Local Plan Alteration No1 gives extra protection to Yarm to ensure that a strong and accessible shopping core is retained at ground floor level. The application building already has a mixed shop and café use at ground floor. No.62 was principally the shop with bakery to the rear and this would remain as a retail unit in the proposals. No.64 the current café is not in retail use at ground floor unless in combination with no.62. The Town and Country Planning (General Permitted Development) Order 1995 permits use changes from A3 cafes and restaurants to A1 retail without the need for a planning application. The application to form two separate shop units would not therefore dilute the retail frontage of the town or conflict with this policy.

Impact on the Character and Appearance of the Building and its Setting within the Yarm Conservation Area

29. The change to the main frontage involves a new shop front to No.62. The intention is to copy the shop front of No.64 and return it to a more historically appropriate design, form and detailing. This will improve the street scene.
30. Policy EN24 of the adopted Stockton-on-Tees Local Plan allows for new development within conservation areas where "the siting and design of the proposal does not harm the character or appearance of the conservation area" and "the scale, mass, detailing and materials are appropriate to the character and appearance of the area."
31. The layout of Yarm follows a historically characteristic form with the main formal frontages facing onto the High Street and narrow linear plots, known as burgage plots, extending backwards into the hinterland on either side. Historically the narrow plots mean that rearward extensions to these buildings have a ridge running into the rear of the main building and occupy all or part of the width of the burgage plot.
32. No.s 62 and 64 have previously been extended in this manner in the past with three storey rearward projections. The ridge roof height of these existing three storey projections at some 9.5m is lower than that of the main frontage building at some 11m. The proposed extensions would follow the historical pattern of development with two separate ridged roofs extending down the plot. This allows each part of the extension to be significantly lower to ridge height at 6.3m and 6.1m. The width of the proposed extension is also broken up so that each element reflects the roof spans of older buildings seen throughout Yarm. When seen from the rear the building would appear like many others in the area as a series of decreasing elements, in this case culminating in the smaller scale extensions currently proposed. The scale, size and form of the proposals are therefore appropriate to the building.
33. The proposals would extend the part of the building nearest to the Chapel Yard passage 11.5m from the rear of the main part of the building of No.62. This would leave a gap of 10.8m from the end of the extension to the next building at the end of the yard which is No.2 Chapel Yard. The element of the extension furthest from Chapel Yard at the rear of No.64 would reduce this gap to the neighbouring house by 3m at ground floor level and 10.5m for the two storey element. Taking the height of the extensions into account and the remaining undeveloped gap the proposals do not represent a visual overdevelopment of the site.

34. It is considered that this is a reasonable form of extension and that it would complement the Conservation Area (CA) and not detract from the setting of any nearby Listed Building. It is important that all new development compliments and contributes to preserving the overall character and appearance of the historical town centre of Yarm. On this issue the Planning Inspector concluded that the previous similar proposals “would enhance the character and appearance of the CA and that it thus complies with policies EN24 and EN28”. The proposals are therefore considered to be in accordance with Local Plan polices GP1, EN24, EN28, S3 and Government advice in PPG15.

Impact on Residential Amenity and Privacy

35. The residential properties most affected by the proposed development are No.2 Chapel Yard and the flat on the first and second floors of the application building. Other properties are served by the Chapel Yard passage but are further away and do not directly overlook the site.
36. The main rooms of the flat on the upper floors of No.s 62 and 64 are to the front of the building where the larger windows overlook the High Street. On the rear at first floor level is a landing window and those for two small rooms, which have security bars due to potential accessibility from the ground floor flat roof projection. One of these windows would be made into French doors to provide access to the flat roof which would become over 25sqm of private amenity space surrounded by the taller elements of the existing and proposed building. This amenity space would be a benefit to the occupant/s although they would also retain a shared use of the rear yard.
37. The gable end of the proposed extension would not be exactly parallel with the wall of the neighbouring house No.2 Chapel Yard which forms the boundary to the eastern end of the rear yard. At it's nearest the ground floor element of the proposed extensions would be 7.6m from the neighbour's house and the two storey 10.5m. The nearest part of the proposed extension would face the blank wall section of the neighbour's house although there is one roof light window at this end of the house on the elevation. The nearest part of the extension would be to the west and north-west of the three other roof lights, two obscure glazed windows at first floor and single window and door at ground floor level at the southern end of this elevation. The Planning Inspector considered that “the proposal would be unlikely to significantly reduce the amount of reflected light in the rooms served by this dwelling's side windows.”
38. The part of the extension that would most directly face the windows of the neighbour's house is proposed to be at a distance of 10.9m. The distance of 10.9m closely follows the advice in Supplementary Planning Guidance Note 2 Householder Extension Guide that a gap of 11m is normally required between the rear of one building and the side elevation of another. The windows in the wall of the neighbour's house facing the rear of the application building are obscure glazed, as are those in the proposed extension. The Planning Inspector was “satisfied that the proposal would not have an unacceptable effect on the occupants of No. 2.” The extensions would not therefore dominate the view or reduce privacy in those rooms or have an overbearing impact on residential amenity
39. The proposed extension would reduce the area of the rear yard which services the shop, café, bakery, existing offices and flat. This area is therefore already used as a rear access for staff and deliveries, the storage of waste and external smoking area. The proposed extension to the retail floor space and an office above is likely to represent a reduction in the number of part time and full time staff which would be employed when it was an operating shop, café and bakery. A café and bakery in particular are labour intensive uses.

40. In addition with the existing uses for the building there would be trade and food waste and the need for mechanical air extraction from the bakery. Even with the extensions the rear yard would still be 85sqm in area and capable of providing access and other servicing functions for the retail, office and residential uses. There is room for the cycle parking and landscaping would improve the appearance of this yard. The Planning Inspector concluded that “activity resulting from the proposal is unlikely to cause any significant additional disturbance over and above that arising from neighbouring commercial premises and people traversing Chapel Yard immediately to the front of no. 2.” Therefore the proposal is acceptable and in accordance with Local Plan policies GP1, EN24, EN28, S3 and Government advice in PPG15 and conditions are proposed so that a reasonable landscaping of surface materials and softening plants can be achieved.

Highway Issues

41. The revised application does not alter the highway impact of the development and therefore as before the Head of Technical Services has not raised any highway objections. It is noted that the proposed development is located centrally on Yarm High Street and access to the commercial units is to the front of the property and there is rear access for all units via the alleyway running from the high street to the road running parallel with the river. The lack of incurtilage parking this was not considered a reason for refusal of the previous application.
42. In accordance with the Councils parking standards, secure cycle parking is required to be provided for 6 bicycles. This could be accommodated at the rear of the property and accessed via the alleyway and is required by condition. The proposals are therefore acceptable under Local Plan policies GP1, EN24, EN28, and S3.

CONCLUSION

Taking account of the recent appeal decision, it is considered that the proposals would maintain and enhance the character and appearance of the Conservation Area, would not have an adverse impact on the setting of adjacent Listed Buildings and that the proposed uses meet the planning policies for a commercial town centre location. The proposed design and detailing of the extensions has taken into account its position in relation to neighbouring properties and any window openings so as to avoid intrusion into amenity or privacy of the occupants. The proposals accord with planning policies in the Tees Valley Structure Plan (TVSP), the Stockton on Tees Local Plan (STLP) Stockton-on-Tees Local Plan Alteration Number 1 (March 2006) guidance given in PPS6 and PPG15 and there are no other material considerations which indicate a decision should be otherwise. Conditional approval is recommended.

Financial Implications:

As report.

Environmental 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.

Community Safety Implications:

The provisions of Section 17 of the Crime and Disorder Act 1998 have been taken into account in the preparation of this report.

Background Papers:

Planning application Reference Numbers 07/2267/FUL and 08/0637/FUL
Appeal Decision Reference APP/H0738/A/08/2062761 dated 30th April 2008
Stockton-on-Tees Local Plan (June 1997)
Stockton-on-Tees Local Plan Alteration Number 1 (March 2006)
Planning Policy Statement 6: Planning for Town Centres
Planning Policy Guidance 15 Planning and the Historic Environment

Corporate Director of Development and Neighbourhood Services

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WARD AND WARD COUNCILLORS

Ward	Yarm
Ward Councillor	Councillor J Earl
Ward	Yarm
Ward Councillor	Councillor Mrs J. Beaumont,
Ward	Yarm
Ward Councillor	Councillor A B L Sherris