

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

DATE 3rd August 2008

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

08/0821/REM

**Goodrich Way, Ingleby Barwick, Stockton on Tees
Reserved Matters Application for 41no. Dwellings.**

Expiry Date: 23 September 2008

SUMMARY

The application site is within the centre of a new residential development located to the east of Myton Road and to the north of Ingleby Way. The application site is part of a development that was granted reserved matters approval for the erection of 418 dwellings in 2005. The applicant is seeking permission for the erection of 41 dwellings on a site previously approved for 36.

The proposed plots will consist of mostly 3 and 4-bedroom dwellings, with 3no. 5-bedroom properties, while the previous application consisted mostly of 4-bedroom properties.

The planning application has been publicised by means of individual letters and a site notice and 6 objection letters have been received from 4 properties. The main reasons for objection relate to a loss of privacy and amenity from 3no. 3-storey dwellings.

The main planning considerations relate to the impact upon the character of the area and any impacts upon the privacy and amenity of the occupants of neighbouring properties and highway safety.

It is considered that the design and layout of the proposed development is in keeping with the surrounding residential development and will not result in a significant impact upon the character of the area or the amenities of neighbouring residents.

Overall, it is considered that the proposed development is in accordance with policies GP1, HO3 and HO11 of the Stockton on Tees Local Plan. It is accordingly recommended for approval with conditions.

RECOMMENDATION

Planning application 08/0821/FUL 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.*

<i>Plan Reference Number</i>	<i>Date on Plan</i>
<i>D7-S-10</i>	<i>24 June 2008</i>
<i>D7-S-20</i>	<i>24 June 2008</i>
<i>D7-S-50</i>	<i>24 June 2008</i>
<i>D7-S-51</i>	<i>24 June 2008</i>
<i>D7-S-52</i>	<i>24 June 2008</i>
<i>D7-S-53</i>	<i>24 June 2008</i>
<i>D8-S-51</i>	<i>24 June 2008</i>
<i>D8-S-52</i>	<i>24 June 2008</i>
<i>D8-S-53</i>	<i>24 June 2008</i>
<i>SBC0001</i>	<i>4 April 2008</i>
<i>TG2(DET)-PL-0099</i>	<i>4 April 2008</i>
<i>TRG3(DET)-PL-0099</i>	<i>4 April 2008</i>
<i>SG2(DET)-PL-0099</i>	<i>4 April 2008</i>
<i>303-ED-01 REV A</i>	<i>4 April 2008</i>
<i>794/AS EXISTING</i>	<i>4 April 2008</i>
APPROVED	
<i>D8-S-50</i>	<i>24 June 2008</i>
<i>D8-S-20</i>	<i>24 June 2008</i>
<i>D8-S-10</i>	<i>24 June 2008</i>
<i>HY-S-10</i>	<i>24 June 2008</i>
<i>HY-S-20</i>	<i>24 June 2008</i>
<i>HY-S-50</i>	<i>24 June 2008</i>
<i>HY-S-51</i>	<i>24 June 2008</i>
<i>HY-S-52</i>	<i>24 June 2008</i>
<i>HY-S-53</i>	<i>24 June 2008</i>
<i>PG-S-10</i>	<i>24 June 2008</i>
<i>PG-S-20</i>	<i>24 June 2008</i>
<i>PG-S-25</i>	<i>24 June 2008</i>
<i>PG-S-50</i>	<i>24 June 2008</i>
<i>PG-S-51</i>	<i>24 June 2008</i>
<i>PG-S-52</i>	<i>24 June 2008</i>
<i>PG-S-53</i>	<i>24 June 2008</i>
<i>TD/0075/01</i>	<i>27 June 2008</i>
<i>TD/0075/05</i>	<i>27 June 2008</i>
<i>TD/0075/07</i>	<i>24 June 2008</i>
<i>01</i>	<i>24 June 2008</i>
<i>D8_DG-S-10</i>	<i>24 June 2008</i>
<i>D8_DG-S-20</i>	<i>24 June 2008</i>
<i>D8_DG-S-50</i>	<i>24 June 2008</i>
<i>D8_DG-S-52</i>	<i>24 June 2008</i>
<i>D8_DG-S-51</i>	<i>24 June 2008</i>
<i>D8_DG-S-53</i>	<i>24 June 2008</i>
<i>D9-S-10</i>	<i>24 June 2008</i>
<i>D9-S-51</i>	<i>24 June 2008</i>
<i>D9-S-50</i>	<i>24 June 2008</i>
<i>D9-S-52</i>	<i>24 June 2008</i>

D9-S-20	24 June 2008
D9-S-53	24 June 2008
D12-S-10	24 June 2008
D12-S-50	24 June 2008
D12-S-51	24 June 2008
D12-S-20	24 June 2008
D12-S-52	24 June 2008
D12-S-53	24 June 2008
D4-S-10	24 June 2008
D4-S-20	24 June 2008
D4-S-50	24 June 2008
D4-S-51	24 June 2008
D4-S-52	24 June 2008
D10-S-10	24 June 2008
D10-S-20	24 June 2008
D10-S-50	24 June 2008
D10-S-51	24 June 2008
D10-S-52	24 June 2008
D10-S-52	24 June 2008
D5-S-51	24 June 2008
D5-S-10	24 June 2008
D5-S-20	24 June 2008
D5-S-50	24 June 2008
D5-S-52	24 June 2008
D5-S-53	24 June 2008

Reason: To define the consent.

- 02. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small privately owned domestic gardens, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development, or any phase of the development, for its permitted use. The landscape management plan shall be carried out as approved.**

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

- 03. No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water drainage and regulation system has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall be implemented prior to the construction of any impermeable surfaces draining into the system unless otherwise agreed in writing by the Local Planning Authority.**

Reason: To prevent the increased risk of flooding.

- 04. Prior to being discharged into any watercourse, surface water sewer or soak away system, all surface water drainage from parking areas and hard standings shall be passed through an oil interceptor installed in accordance with a scheme previously submitted to and approved in writing by the Local Planning Authority. Roof water shall not pass through the interceptor.**

Reason: To prevent pollution of the water environment.

05. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order), no garden fences, walls or other means of enclosure shall be erected between the highway and any wall of the dwelling(s) which fronts onto the highway, without the prior written approval of the Local Planning Authority.

Reason: In order that the Local Planning Authority may exercise further control in this locality in the interests of the visual amenity of the area.

06. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order), no integral garages shall be converted into part of the house without the prior written consent of the Local Planning Authority.

Reason: To ensure adequate garaging and parking spaces are made available.

07. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order), no vehicle access shall be created other than those hereby approved, without the prior written consent of the Local Planning Authority.

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

08. No construction/building works or deliveries shall be carried out except between the hours of 8.00am and 6.00pm on Mondays to Fridays and between 9.00am and 1.00pm on Saturdays. There shall be no construction activity including demolition on Sundays or on Bank Holidays.

Reason: In the interests of the amenity of neighbouring residents.

09. Notwithstanding the submitted plans before development commences details of the provision of parking for each residential unit shall be submitted to and approved in writing by the local planning authority. Such details shall be in accordance with the Council's Design Guide and Specification and shall provide 3no. spaces for 4 and 5-bedroom properties and 2no. spaces for a 3-bedroom properties. The development shall be implemented in accordance with this plan unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure each residential unit has sufficient in-curtilage parking appropriate to its number of bedrooms.

The proposal has been considered against the policies below and against 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, the street scene and visual amenity, highway safety or landscaping and there are no other material considerations which would suggest a decision should be made otherwise.

**Stockton on Tees Local Plan
GP1 General Principles, HO3 and HO11 Residential Development**

**SPD3: Parking Provision for New Developments
PPG3: Housing**

BACKGROUND

1. In 2005, Reserved Matters was approved for the erection of 418 dwellings at Broomwood Village 5. A later application in 2006 (06/1076/FUL) amended the layout. Since then there have been several minor amendments/ substitutions of house types but the housing mix remains largely as originally approved.

SITE AND SURROUNDINGS

2. The application site is located in Ingleby Barwick to the east of Myton Road and to the north of Ingleby Way.
3. The application site is located within the centre of the larger Broomwood development that was approved in 2005. The dwellings to the north, east and west of the site have recently been constructed.

PROPOSAL

4. The application is for the substitution of house types and the erection of 41no. dwellings on a site with previous approval for 36 dwellings. The proposed 41 plots will consist of mostly 3 and 4-bedroom properties with 3no. 5-bedroom properties. The previous scheme of 36 plots consisted mostly of 4-bedroom properties.
5. It is proposed that there will be 26no. two-storey detached dwellings, 3no. three-storey detached dwellings, 10no. two-storey terraced dwellings and 1 pair of two-storey semi-detached dwellings.

CONSULTATIONS

6. The Environment Agency
We have no objections to the development; subject to the inclusion of the following conditions should permission be granted.
(2 conditions were suggested relating to surface water drainage)
7. Northern Gas Networks
Standard response
8. Northumbrian Water
No objections
9. Ingleby Barwick Parish Council
The reduction in the number of 4 bedroom dwellings from 29 to 19 is welcomed as we already have a considerable amount of larger properties within the estate. However, it is noted that Ingleby Barwick requires smaller affordable housing such as 2 and 3 bedroom

semi-detached properties. Concerns are raised again with regard to the continuing lack of provision of bungalows.

10. NEDL
Standard response

11. Urban Design Highways

The application is for the substitution of house types on 41 plots previously approved in 2005 for 36 dwellings.

The proposed plots will consist of 3, 4 and 5-bedroom properties whilst the previously approved scheme of 36 plots consisted mostly of 4 bedroom properties.

Stockton Council's parking standards (SPD3: Parking Provision for New Developments, November 2006) requires both 3 and 4-bedroom properties to have 3 in curtilage parking spaces and a provision of 4 spaces for 5-bedroom properties in this location.

It is however acceptable that 3 spaces be provided for 4 and 5-bedroom properties and 2 spaces for 3-bedroom properties, however, it is not clear from the plans submitted how the parking provision will be split and it must be ensured that all 3-bed properties have a minimum of 2 parking spaces and all 4/5-bedroom properties have a minimum of 3 parking spaces.

I have no objection to the application subject to the parking conditions being met.

12. Urban Design Landscape and Visual Comments

The hard landscaping and boundary treatment proposals are acceptable.

The planting proposals (drg no. 932/01) are acceptable, however, management and maintenance details have not been submitted and I suggest these are required as a condition.

PUBLICITY

13. Neighbours of the application site were notified of the application by letter and site notice and the consultation period expired on 15th August 2008.

14. 6 objection letters have been received from 4 properties in respect to the application. The addresses are as follows;

55, 57 and 63 Kenwood Crescent and 41 Hallgarth Close.

The resident from 41 Hallgarth Close states that he is in the process of buying 53 Kenwood Crescent.

15. All of the objections to the proposal relate solely to the 3no. plots with three-storey dwellings. The objectors were concerned that the proposed dwellings would be overbearing and impact upon the light and privacy of properties to the rear. Concerns were also expressed over the parking provision for these plots, the potential over development of these plots and the impact upon the value of properties to the rear and on other vacant units within the surrounding development.

16. 2no. objections referred to a balcony on the rear of the three-storey dwellings; however the proposed dwellings do not include rear balconies. The proposed house types for all dwellings within the development were changed during the course of this application and none of the revised house types includes a rear balcony.

PLANNING POLICY CONSIDERATIONS

17. 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)*.
18. 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 any 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 H011

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 site;
- (vi) Provide adequate access, parking and servicing;
- (vii) Subject to the above factors, to incorporate features to assist in crime prevention.

MATERIAL PLANNING CONSIDERATIONS

19. As the site has an existing planning permission for housing and there have been no material changes in the circumstances relating to the previous decision, it is considered that the principle of development has been established and is considered acceptable. The main planning considerations of this application are, therefore, the impacts of the character of the area, access and highway safety and the amenity of neighbouring properties.

Impact on the character of the surrounding area

20. The proposed amended house types are considered to be of a typical design and similar to that which is commonly found in modern residential developments and, as such, are in keeping with the character of Ingleby Barwick as a whole. It is not considered that the proposals will have a significant impact upon the character of the area and Ingleby Barwick Parish Council has welcomed the addition of smaller house types.
21. Concerns have been expressed that the size of the proposed 3-storey dwellings will result in an over development of these three plots. However, the level of development on the smallest of the 3 plots is approximately one third, with two thirds of the plots remaining undeveloped. This is in line with guidance given within SPG2: Householder Extension Guide and it is, therefore, not considered that the proposal will result in an over development of the site.

Impact on Privacy and Amenity of Neighbouring Residents

22. The majority of plots vary little from the previously approved layout and are considered to have sufficient amenity space and acceptable separation distances between one another, with each plot in excess of the typical requirement of 21m.
23. The objections received from neighbouring residents relate to the loss of privacy and light from the 3no. proposed three-storey dwellings at plots 13, 14 and 15.
24. The ridge heights of the proposed two-storey dwellings within the development range from 7.5m to 7.8m and the proposed dwellings for plots 13, 14 and 15 will measure 10.1m to the ridge, which is approximately 2.3m higher. However, the proposed house type is designed with the gable facing towards the dwellings to the rear, which reduces its bulk.
25. The proposed dwellings are located at least 23m from the rear of dwellings on Kenwood Crescent and this distance increases to a minimum of 24m at first floor level and above. This is greater than the minimum separation distance, as recommended within SPG2. It is not considered that the proposed dwellings will have a significant impact upon the privacy and amenity of neighbouring residents and there are other examples, in the wider area of, 2.5 and 3-storey dwellings which are part of the existing character of the area.
26. The house types were revised during the course of the application and none of the proposed dwellings have a rear balcony.

Highway Safety Issues

27. Objections were raised relating to the parking for the larger dwellings; however the Head of Technical Services has been consulted on the application and had no objections to the scheme. It was commented that it is not clear how the parking provision will be split and it must be ensured that all of the 3-bed properties have a minimum of 2 parking spaces and all 4/5-bed houses have a minimum of 3 parking spaces. A planning condition can be placed on the approval that will ensure the provision of the required number of spaces.
28. It is, therefore, considered that the proposed scheme is acceptable and will not have an adverse impact upon access and highway safety.

Landscaping

29. As part of the scheme the applicant has submitted a landscaping plan, which has been considered by the Head of Technical Services, who have raised no objections to the scheme subject to a condition relating to maintenance.

Other Matters

30. The comments raised relating to the vacancy of other units within the development and the loss of value of neighbouring properties are not material planning considerations and cannot be addressed within this application.

CONCLUSION

31. It is considered that the proposed development, accords with the Council's adopted standards and Adopted Stockton on Tees Local Plan Policies GP1, HO3 and HO11 and is therefore 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 - N/A

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 - Stockton-on-Tees Local Plan, SPG3: Parking Provision for New Developments, PPG3: Housing.

Ward

Ingleby Barwick East

Ward Councillor
Ward Councillor
Ward Councillor

Councillor K Faulks
Councillor D Harrington
Councillor A Larkin