

**DELEGATED**

**AGENDA NO 5  
PLANNING COMMITTEE: 26<sup>th</sup> Nov. 2008**

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

**08/2969/VARY**

**69 - 71 Green's Lane, Stockton-on-Tees, TS18 5HR**

**Application to vary condition no. 2 (approved plans) of application 06/3612/FUL Revised application for residential development of 15 no. apartments in two blocks and 3 no. dormer bungalows, associated new access road and demolition of the two existing buildings.**

**Expiry Date 30 December 2008**

### **UPDATE REPORT**

With the resubmission, the applicant had intended erecting garden rooms to the rear of the three dormer bungalows, however, they have now decided not to go forward with this part of the proposal. No elevation details were submitted relating to the garden rooms although the garden rooms had inadvertently remained on the proposed site layout plans. An amended site layout plan has been submitted which removes the garden rooms (as discussed in paragraph 65 of the main report). As such, this plan will now replace the site layout plan as listed within the list of approved plans.

An additional plan has been submitted which details levels on the site as was required by the initial approval for the site. The levels submitted indicate the main block as being 0.7m above the level of Greens Lane at the site access, the bungalows being 0.4m above the level of Greens Lane at the site access and the smaller apartment block being 0.91m above the level of Greens Lane at the site access. Having considered these levels both on plan form and on site, it is considered that the levels are acceptable and appropriate for this location. No condition is therefore considered necessary in respect to levels, although Plan SBC002 indicating ground level is required to be an approved plan.

An additional plan has been submitted indicating internal areas to be provided for parking throughout the construction phase of the development, as required by the initial approval for the site. The proposed areas for temporary parking are considered to be acceptable, being on an area of future parking and at a position immediately adjacent to the future access. In order to ensure provision is provided throughout the construction phase of the development it is necessary to reword recommended condition no.6 as detailed within the main report.

Materials were partially agreed for the site in considering the previous approval and its associated conditions. A materials schedule has been submitted with this application which is considered to be acceptable in view of the character and appearance of the surrounding built form and the need to achieve visual break within the elevations of the proposed buildings. In order to ensure adequate control over the materials of the site it is considered necessary to reword condition no. 2 of the main report.

A proposed landscape plan has been submitted, although, is inadequate in detail and as such a condition relating to the provision of a landscape scheme remains to be required. Some of the previous landscaping conifer hedges on the boundary of the site have been removed. and as such these areas are will require new landscaping in order to achieve adequate site coverage for both visual and amenity purposes. It is considered that provision of adequate landscaping can be achieved by conditions as recommended within the main report. The proposed condition

no. 4 has been reworded in order to ensure adequate provision of boundary treatments is implemented on site.

An additional Email of comment has been received from Ian Jones indicating that several of the previous conditions have not been adhered to, that illegal parking is taking place, that trees have been removed which were supposed to be left and that they start works on site at 7.00a.m. and leave debris on the highway. The previous conditions have been commented on and addressed within the main report to this application and also in this update report. Whilst new conditions are recommended where considered appropriate. The loss of some internal boundary planting has taken place. The recommendation requires the provision of a landscape scheme which can address this and other landscaping issues as necessary. The councils parking team are aware of parking problems at the site and are monitoring the situation. The Councils Enforcement Team is aware of the other complaints in relation to debris on the highway and timing of deliveries, the latter of which is recommended as a condition within the main report.

## **RECOMMENDATION**

That the application be determined in accordance with the recommendation within the main report subject to the changes to conditions as listed below; and

***In the event of the legal agreement not being signed, by the 22<sup>nd</sup> December 2008, that the application be refused for the following reasons;***

*In the opinion of the Local Planning Authority, the proposed development provides limited usable formal and informal amenity space and with there being no legal agreement in position to make provision in lieu of this, the application is considered to be contrary to Policy HO11 and Supplementary Planning Document No. 6: 'Planning Obligations', of the Stockton on Tees Local Plan which requires new development to incorporate open space for both formal and informal use.*

Reworded 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.***

<b><i>Plan Reference Number</i></b>	<b><i>Date on Plan</i></b>
<b><i>SBC 001</i></b>	<b><i>30 September 2008</i></b>
<b><i>SBC 002</i></b>	<b><i>18 November 2008</i></b>
<b><i>SBC 003</i></b>	<b><i>18<sup>th</sup> November 2008</i></b>

<b><i>01 rev A</i></b>	<b><i>17 November 2008</i></b>
<b><i>02</i></b>	<b><i>30 September 2008</i></b>
<b><i>03</i></b>	<b><i>30 September 2008</i></b>
<b><i>106</i></b>	<b><i>30 September 2008</i></b>
<b><i>107</i></b>	<b><i>30 September 2008</i></b>
<b><i>200</i></b>	<b><i>30 September 2008</i></b>
<b><i>201</i></b>	<b><i>30 September 2008</i></b>
<b><i>202</i></b>	<b><i>30 September 2008</i></b>
<b><i>203</i></b>	<b><i>30 September 2008</i></b>
<b><i>204</i></b>	<b><i>30 September 2008</i></b>

***Reason: To define the consent.***

02. The development shall incorporate the following materials and be implemented on site in accordance with these details read in conjunction with attached Plan MS1.

**Block A (4no. Apartments)**

**Facing Brickwork – Ibstock Cottage Blend**

**Head / Cill brickwork – Ibstock Ivanhoe Cream Facing Bricks**

**Block B (11no. Apartments)**

**Facing Brickwork of main section Ibstock Burnt Red**

**Facing Brickwork of lower height sections, Ibstock Ivanhoe Cream**

**Heads and Cills, Natural Stone**

**Roof tile of main section, Russell Grampian Tile slate Grey**

**Roof Tile of lower height sections, Russell Double Roman Tile Rustic Red**

**Block C (Dormer Bungalows)**

**Facing Brickwork Ibstock Cottage blend**

**Heads and cills, Ibstock Ivanhoe Cream**

**Roof Tile of Redland Regent Tile Rustic Red.**

**No other materials shall be used within the external surfaces of the buildings unless first agreed in writing with the Local Planning Authority.**

**Reason: In order to allow the Local Planning Authority adequate control over the appearance of the development.**

04. Prior to occupation of any part of the development, a landscaping scheme shall have been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall detail the following: -

a) Hard and soft landscaping including all boundary treatments,

b) Soil depths, plant and tree species, numbers, densities, locations, and sizes, planting methods, maintenance and management.

The development shall be carried out in accordance with the approved details.

Planting works shall be carried out during the first planting and seeding season following the substantial completion of the development, and any trees or plants which within a period of five years from the date of planting, die are removed or become seriously damaged, shall be replaced with others of a similar size and species in the next planting season unless the Local Planning Authority gives written consent to any variation.

Boundary treatments shall be erected on site in accordance with the approved scheme prior to any occupation of any part of the site and shall be retained in perpetuity unless agreed otherwise in writing with the Local Planning Authority.

**Reason: In the interests of visual amenity and privacy and in order to adequately protect the landscape features of the site.**

06. A temporary car park shall be provided on site in accordance with Plan SBC003 and shall be operable throughout the construction phase of the development and made available for the operatives on the site.

**Reason: In the interests of highway safety**

**Corporate Director of Development and Neighbourhood Services**

**Contact Officer Mr Andrew Glossop**

**Telephone No 01642 527796**

**Email address development.control@stockton.gov.uk**

**Financial Implications**

As report

**Environmental Implications**

As report

**Legal Implications**

As report

**Community Safety Implications**

As report

**Human Rights Implications**

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

*Article 1 (protection of property)*

*Article 6 (fair trial)*

*Article 8 (respect for private and family life)*

*Article 9 (freedom of thought, conscience and religion)*

*Article 10 (freedom of expression)*

*Article 14 (non-discrimination: but only subsidiary)*

**WARD AND WARD COUNCILLORS**

**Ward**

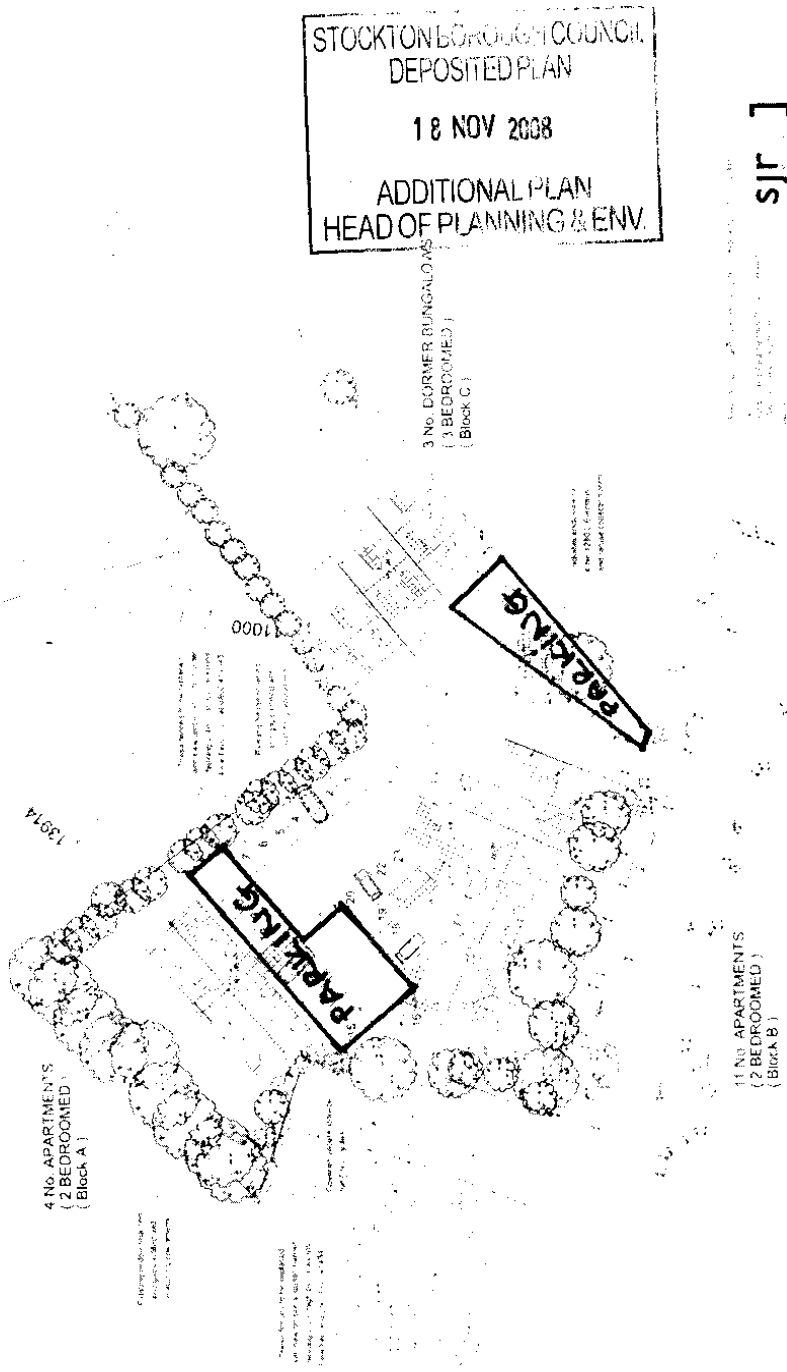
**Grangefield**

**Ward Councillor**

**Councillor P Broughton, Councillor A Cockrill**







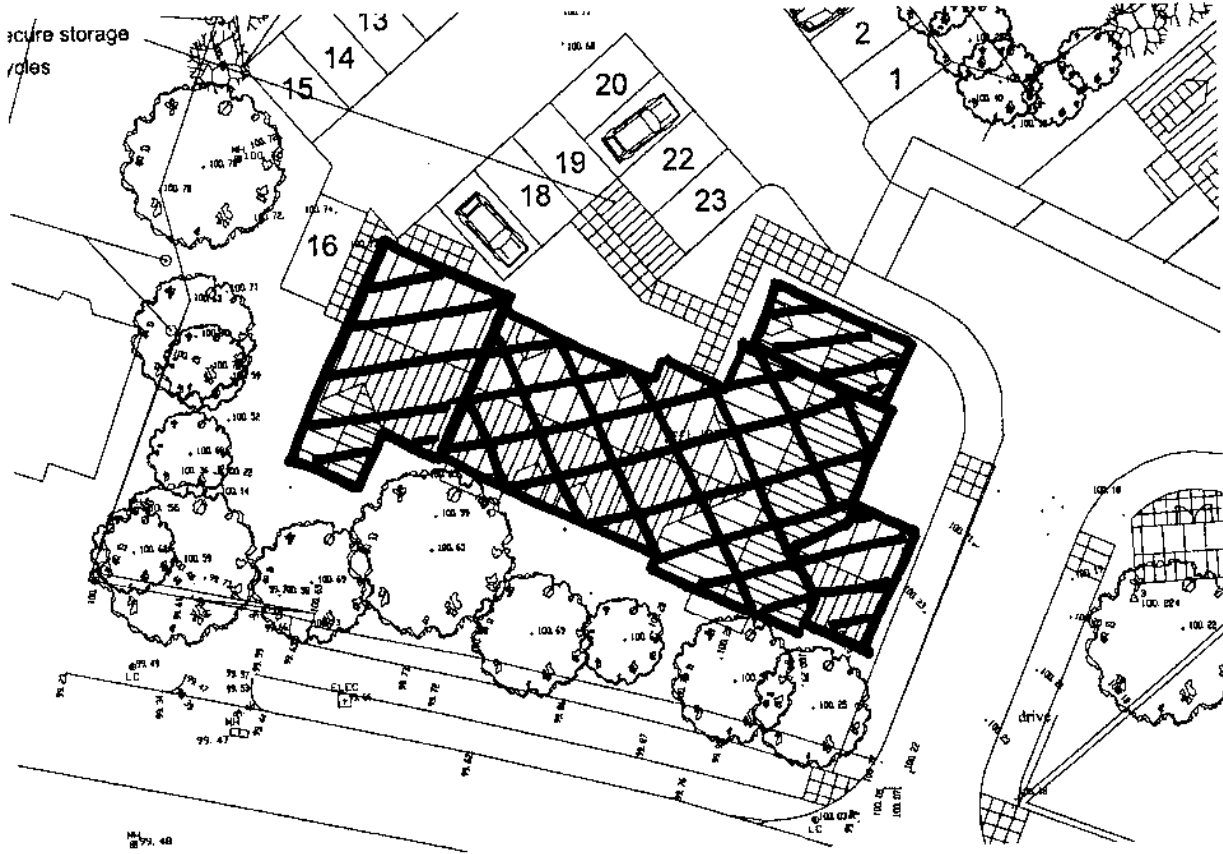
STOCKTON BOROUGH COUNCIL  
DEPOSITED PLAN  
18 NOV 2008  
ADDITIONAL PLAN  
HEAD OF PLANNING & ENV.

sjr ]

SBC0003


**PLAN MS1**

This plan forms part of the decision notice associated with approval reference 08/2969/VARY approved on the 26<sup>th</sup> November 2008 in respect to condition no. 3 of the approval certificate relating to materials.



Block B (11 apartments)

Condition no. 3 of the approval certificate refers to the Main Section and Lower Section of this building in order to differentiate between the materials being used on these sections. For reference purposes, the main section and lower sections as considered by the condition are indicated on the plan above as follows;

- Main section of the block 
- Lower height section of the block 