

DELEGATED

AGENDA NO
PLANNING COMMITTEE

DATE 8 APRIL 2009

REPORT OF CORPORATE DIRECTOR,
DEVELOPMENT AND NEIGHBOURHOOD
SERVICES

09/0443/CON
79A High Street, Yarm,
Application for Conservation Area Consent for demolition of garage.

Expiry Date 22 April 2009

SUMMARY

1. The application seeks conservation area consent for demolition of a detached garage within the curtilage of 79a High Street Yarm.
2. The main consideration is the loss of the building and the impact on the character of the Yarm conservation area.
3. The building is considered to be only of minor architectural and historical merit therefore the loss of the garage is considered acceptable subject to the imposition of conditions. The application Site notice required for wider publicity in a conservation area does not expire until the 16th of April. It is therefore recommended that the application be delegated to the Head of Planning for approval subject to no new material planning considerations after this date

RECOMMENDATION

Planning application 09/0443/CON be delegated to the Head of Planning for Approval subject to:

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>138F.SITE</i>	<i>25 February 2009</i>
<i>138F.0807.003</i>	<i>25 February 2009</i>

02. ***All demolition operations on site shall be restricted to 8.00 a.m. - 6.00 p.m. on weekdays, 9.00 a.m. - 1.00 p.m. on a Saturday and no Sunday or Bank Holiday working.***

Reason-In the interests of the amenities of the neighbouring residential properties

- 03. No works shall take place until the applicant has secured the implementation of a programme of recording and historic analysis of the garage building to be demolished. Such recording shall consider the building structure, architectural detail and archaeological evidence. This programme shall be in accordance with a written scheme of investigation, which has been submitted by the applicant and approved in writing by the Local Planning Authority***

Reason-The planning authority wishes to secure the provision of historic building recording prior to development, in accordance with the guidance and model condition set out in PPG15

- 04. No demolition should take place within the bat hibernation period (November to end of March) to avoid potential disturbance to hibernating bats***

Reason- to conserve protected species and their habit

The application has been considered in line with the saved policies GP1, EN24 and EN27 of the Stockton-on-Tees Local Plan it is considered that the scheme accords with these policies and there are no other material planning considerations, which indicate that a decision should be otherwise.

BACKGROUND

4. Conservation area consent is required for the demolition of a number of buildings within conservation areas. Due to the size of the detached garage consent for demolition is required for its removal.
5. The garage is an outbuilding to 79a High Street, which is a two-storey house. It is a one and half storeys in height, detached, with vehicle access for one car from Manor House Mews. The building is brick and pantile of traditional construction in poor condition and is likely to have been built originally as a stable.

PROPOSAL

6. The application seeks conservation area consent for demolition of the detached garage. The resulting cleared footprint will then allow for the construction of a two-storey extension to the property 79a High Street.

CONSULTATIONS

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

Council for British Archaeology

Recommend a condition for recording of the building

Environmental health

No objection in principle to the development, however have some concerns and would recommend the conditions as detailed be imposed on the development should it be approved.

Construction Noise

All construction operations including delivery of materials on site shall be restricted to 8.00 a.m. - 6.00 p.m. on weekdays, 9.00 a.m. - 1.00 p.m. on a Saturday and no Sunday or Bank Holiday working.

Natural England

Based on the information provided the proposal is unlikely to have an adverse impact on protected species subject to the following condition:

No demolition should take place within the bat hibernation period (November to end of March) to avoid potential disturbance to hibernating bats

Reason- to conserve protected species and their habit

PUBLICITY

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

A Darnell

3 Manor House Mews' Yarm

I have already commented on two previous applications.

My comments remain the same.

While I have no objection in principle to the proposed new structure, I have real concerns about access to my car-parking area next to my house at 3 Manor House Mews. I need access to this space continually and continuously. I would therefore ask that the demolition and building work, including any scaffolding, be such as to afford me access at all times to the drive between my house and my shed. The builder's vehicles and equipment should not obstruct my access. Of course, the work should not at any time create any risk to the integrity of my house.

I would also ask that the work be conducted at civilised hours, that is between 8.00 am and 5 pm on weekdays, and that the area is at all times clean and safe.

PLANNING POLICY

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

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 is the Stockton on Tees Local Plan (STLP), Tees Valley Structure Plan (TVSP) and the Regional Spatial Strategy (RRS).

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 EN25

The demolition of buildings and other structures which require consent for demolition within conservation areas will not be permitted unless:

- (i) It can be shown that the loss is not detrimental to the character or appearance of the conservation area; or
- (ii) The structural condition renders it unsafe; or
- (iii) The structure is beyond reasonable economic repair.

Conditions will normally be imposed to secure the satisfactory redevelopment of the site.

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

PPG 15- Planning and the Historic Environment

PPG9- Nature Conservation

SITE AND SURROUNDINGS

9. The garage is detached and sits to the rear of 79a High Street Yarm, which is a dwelling situated within the Yarm conservation area.
10. The rear of the High Street is characterised by a tightly knitted grain of development consequently the site is relatively private and not visible to the wider conservation area.

11. 79a High Street is two storeys in height, built from local Georgian brick with deep eaves and a clay pantile roof. Its simple domestic scale and vernacular design is typical of the traditional Georgian character of Yarm with town houses facing the High Street with reduced scale properties to the rear; traditionally outbuildings or cottages. The property has Yorkshire sliding sashes and has low ceiling heights.
12. The property faces into a private Wynd and has outdoor garden space including a large double garage with storage and an additional garage proposed to be demolished.
13. The site is surrounded by residential properties including a 1950's dormer bungalow situated to the rear, Church Wynd House, which is also in the ownership of the applicant.
14. The rear of number 79a faces into Low Church Wynd and is overlooked by Manor House Mews which are only 9m from the existing dwelling with number 3 only 4.5m from the garden boundary of 79a.
15. Pedestrian access is available through a private High Street entrance with vehicle access from High Church Wynd; the site currently has parking provision for 6 cars.

MATERIAL PLANNING CONSIDERATIONS

16. The main consideration of the application is the loss of the building proposed for demolition and the affect on the character of the Yarm conservation area as a result of the loss of the building.
17. PPG 15 states that when considering the demolition of a property within a conservation area:

"Account should be taken of the part played in the architectural or historic interest of the area by the building for which demolition is proposed, and in particular of the wider effects of demolition on the building's surroundings and on the conservation area as a whole."
18. The general presumption should be in favour of retaining buildings, which make a positive contribution to the character or appearance of a conservation area. The Secretary of State expects that proposals to demolish such buildings should be assessed against the same broad criteria as proposals to demolish listed buildings. Consent for demolition should not be given unless there are acceptable and detailed plans for any redevelopment. It has been held that the decision-maker is entitled to consider the merits of any proposed development in determining whether consent should be given for the demolition of an unlisted building in a conservation area."
19. In this case the existing property is a domestic structure and although of some age is of no special historic value and is in poor condition. The demolition of the building is therefore in principle acceptable and is not considered to have an adverse impact on the character of the conservation area. A recording condition will be requested in order to create a historic record of the garage.
20. An accompanying application for a two-storey extension has been submitted (09/0388/REV) and the extension is recommended for approval therefore it is considered that there are suitable plans for redevelopment of the site following demolition.
21. If the building were to be demolished and the resulting site area not developed then this too in principle would be acceptable. The site is located within a garden area and could easily

be used for domestic purposes without having an adverse impact on the appearance of the conservation area as no obvious gap site would be created.

22. The issues raised by the neighbour including rights of access and building works are civil issues and not material planning considerations therefore cannot be considered as part of the application. Environmental Health has recommended an hours of operation condition and this has been included but reference is made to demolition and not construction to reflect the nature of the work for which consent is sought.

CONCLUSION

23. The application Site notice required for wider publicity in a conservation area does not expire until the 16th of April. It is therefore recommended that the application be delegated to the Head of Planning for approval subject to no new material planning considerations after this date but before the target date of the 22nd April 2009.
24. The application for conservation area consent is considered acceptable and recommended for Approval with condition for the reasons outlined above.

**Corporate Director of Development and Neighbourhood Services
Contact Officer Mrs Fiona Bage Telephone No 01642 526271**

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**