

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

DATE 2 SEPTEMBER 2009

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

09/1696/FUL

**25 Portchester Close, Ingleby Barwick, Stockton-on-Tees
Erection of detached dwellinghouse with attached double garage**

Expiry Date 2 September 2009

SUMMARY

The application site is 25 Portchester Close, Riverside View. This is a building plot located within a self-build development in Ingleby Barwick. The applicants are seeking permission for the erection of a 1no. detached dwelling with an attached double garage.

The site is located within a development area, where the plots are under various stages of construction, with some dwellings under construction and others completed.

The planning application has been publicised by means of individual letters and no objections have been received from the owners of neighbouring plots or properties. The application is to be determined at planning committee as the agent is a relative of an employee of the Council. The main planning considerations relate to the visual impact upon the street scene and any impacts upon the privacy and amenity of the occupants of neighbouring properties and highway safety.

It is considered that overall the proposed development will not have a significant detrimental impact on the amenities of the area and is in accordance with policies GP1, HO1(f), HO3, HO11 and TR15 of the Stockton on Tees Local Plan. It is accordingly recommended for approval with conditions.

RECOMMENDATION

Planning application 09/1696/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>1504/1 REV A</i>	<i>8 July 2009</i>
<i>022/09/01REV A</i>	<i>24 August 2009</i>
<i>022/09/10</i>	<i>24 August 2009</i>

Reason: To define the consent.

- 02. Construction of the external walls and roof shall not commence until details of the materials to be used in the construction of the external surfaces of the structures hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.**

Reason: To enable the Local Planning Authority to control details of the proposed development.

- 03. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, a detailed scheme showing existing ground levels, finished ground levels and finished floor levels. Thereafter the development shall be completed in accordance with the approved details.**

Reason: In order that the Local Planning Authority may exercise further control in the interests of the visual amenity of the area and amenity of adjoining and future residents.

- 04. No development shall commence on site until full details of hard surfacing materials have been submitted to and approved in writing by the Local Planning Authority. Such materials shall either be permeable or provision shall be made to direct run off to a permeable or porous area or surface within the curtilage of the dwelling and these works shall be carried out as approved.**

Reason: To ensure a satisfactory form of development for surface water disposal.

- 05. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, a scheme for landscaping, tree and/or shrub planting. Such a scheme shall specify types and species, layout contouring and surfacing of all open space areas. The work 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.**

Reason: To ensure satisfactory landscaping to improve the appearance of the site in the interests of visual amenity.

- 06. Notwithstanding the submitted details, all means of boundary enclosure shall be submitted to and approved in writing by the Local Planning. The approved boundary treatments shall be erected prior to the development, hereby approved, being occupied and shall be retained for the life of the development, unless otherwise agreed in writing by the Local Planning Authority.**

Reason: To ensure a satisfactory form of development

- 07. The garage to which the permission relates shall be used for the parking of private motor vehicles, incidental to the enjoyment of the occupants of the dwellinghouse, and no other purpose.**

Reason: To ensure that the adjoining residential properties are not adversely affected by the development.

The proposal has been considered against the policies below and it is considered that the scheme accords with these policies as the development is acceptable in principle, in keeping with the surrounding area, does not involve any significant loss of privacy and amenity for the residents of the neighbouring properties and there are no other material considerations which indicate a decision should be otherwise.

Stockton on Tees Local Plan

GP1 General Principles, HO1(f) residential Development Commitments, HO3 Residential Development Limit, HO11 Residential Development and TR15 Highway Design and Parking.

BACKGROUND

1. The application site is a building plot located within a self-build housing development. The siting of the houses and the access roads to the plots was originally approved as part of the Reserved Matters application 04/2404/REM following Outline consent by application S812/74. The applicant has previously been granted full detailed approval for a detached dwelling on this site by application 08/0012/FUL.

SITE AND SURROUNDINGS

2. The application site is a building plot located within a self-build development. The houses on the development plots on either side are well advanced in construction to roof levels. The houses facing in Portchester Close are substantially completed. The plot stands on the edge of the housing development and to the northwest are open fields above the river Tees. A bridleway runs between the plot and these fields. A linking bridleway to Portchester Close along the northern boundary of the plot has not yet been formed.

PROPOSAL

3. The applicant is seeking permission for the erection of a detached dwelling with attached garaging on the undeveloped Plot 37 which is to be known as 25 Portchester Close, Ingleby Barwick.
4. The undeveloped plot has been stripped of any original features and has a gradual fall in level towards the bridleway and fields at the rear. The main elevations would face Portchester Close on one side and the bridleway running between the houses and the fields on the other. A linking bridleway is also shown on the estate layout masterplan to be formed along the northern boundary between this plot and the adjoining house 27 Portchester Close.
5. The three storey house would be towards the centre of the plot with an attached double garage across the site in line with the adjoining houses. A double width driveway access is shown being formed from the garage to the access onto Portchester Close which is capable of taking 4 cars.
6. The main section of the proposed dwelling would measure 12.1m x 8.8m and would be 11.4m high to the ridge line of the hipped roof. A two storey 1.5m x 7.1m projection would have a second floor balcony above facing northwest across the garden, bridleway and open fields above the river Tees. A 1.1m x 6.6m ground floor projection to a drawing room with decorative railings would face southeast across the front garden to Portchester Close.

7. The 9m x 6.7m single storey double garage and study/library would have a separate hipped ridged roof and be linked to the main house by an extension of the main entrance hall.
8. The materials would be facing brickwork, clay roof tiles and Upvc windows and composite/hardwood doors. Details of the means of enclosure and landscaping have not been provided but the application states they will be in accordance with the original estate owners (Persimmon Homes Ltd) design strategy approved as part of application ref: 04/2404/REM and appropriate conditions would be imposed.
9. For comparison the dimensions of the 3 storey house approved on this site under delegated powers by application ref: 08/0012/FUL are:
Main 3 storey house - 12m x 10m and 11m to gabled ridge with three storey gabled rear projection of 4.8m x 2m x 10.8m.
Attached 2 storey garage, study, games room/bedroom 5 and balcony wing – 8.5m x 5.7m and 7.8m to gable end ridged roof with full height 2 storey link to main house containing hall, wc, en-suite and dressing room of 8m x 2m (average width).

CONSULTATIONS

10. Councillors
No comments received.
11. Parish Council
No Comments
12. Head of Technical Services

Highways Comments

In accordance with 'Supplementary Planning Document 3: Parking Provision for New Developments, November 2006', a 5-bedroom property in this location must provide 4 incurtilage parking spaces. A double garage and driveway have been assigned to the property, meeting the parking requirements of this property, and we therefore have no objection to the development.

Landscape & Visual Comments

Our comments for this application will be the same as that for 7 Portchester Close -

Some form of landscape boundary treatment - likely to be a native hedge with tree planting (Tree Positions as indicated on Popplewells drawing for Persimmon Homes plan no. 1504/1) will have to be planted where the dwelling abuts the bridleway without the shrub planting behind the hedge.

As we discussed the hedge species on the garden boundaries adjacent to the bridleway (permitted route) has yet to be decided a good choice would be beech or hawthorn although the latter may having a problem with thorn on the bridleway.

13. Environmental Health Unit
I have no objection in principle to the development, however, I do 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.

14. Northumbrian Water Limited
No comments received.
15. Northern Gas Networks
(Summarised)
United Utilities acknowledges receipt of your notice of your intention to carry out work at the above location. According to our records NGN has no mains in the area of the enquiry. However our records indicate that gas pipes owned by other Gas Transporters may be present in this area. A plan is attached for your information and further enquiries with regard to pipes should be obtained from the owners.
16. CE Electric UK
(Summarised)
The enclosed Mains Records only give the approximate location of known Northern Electric apparatus in the area. Great care is therefore needed and all cables and overhead lines must be assumed to be live.

PUBLICITY

17. Neighbours of the application site were notified of the application by letter. The consultation period expired on 4th August 2009. No objections have been received and any comments that are received after the publishing of this report will be detailed in an update report at committee.

PLANNING POLICY

18. 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), the Regional Spatial Strategy (RRS) and Supplementary Planning Document 3: Parking Provision for New Developments adopted November 2006.
19. 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 HO1

The following existing commitments to residential development are reaffirmed:*

Billingham

- (a) bullgarth
- (b) High grange
- (c) High grange extension
- (d) The green.

Ingleby Barwick

- (e) Village 3
- (f) Villages 4-6

Norton

- (g) Marshalls mono
- (h) South road
- (j) Station road

Redmarshall

- (k) High farm

Stockton

- (i) Green lane
- (m) Oxbridge lane
- (n) Queen's park
- (p) Sheraton school

Thornaby

- (q) Westbury street

Wynyard

- (r) Wynyard park

Yarm

- (s) Atlas skinnery
- (t) Cattle market

Footnotes:

* The expression 're-affirmed' means that planning permissions will be renewed in the absence of changed planning circumstances.

* All figures in policy HO1 are rounded to the nearest 5.

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 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

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.

Policy TR15

The design of highways required in connection with new development and changes of use will provide for all the traffic generated by the development, while the provision of off-street parking will normally be required to accord with the standards set out in the Stockton on Tees Borough Council Design Guide and Specification, Edition No 1.

Stockton-on-Tees Design Guides

- 20. Supplementary Planning Document 3: Parking Provision for New Developments adopted November 2006.

National policies

- 21. PPS1: Delivering sustainable development - February 2005
PPS3: Housing - November 2006

MATERIAL PLANNING CONSIDERATIONS

- 22. The main considerations in respect of the proposed development relate to the principle of the development; impacts on the appearance and character of the area and street scene; the impacts upon the privacy and amenity of neighbouring residents and; highway safety.

Principle of the development

- 23. The principle of the proposed development has been established by allocation of the site for housing development by planning policy HO1(f) and the previous Outline S812/74, Reserved Matter 04/2404/REM and Full 08/0012/FUL planning applications. The proposal in principle is in accordance with Stockton-on-Tees Local Plan Policies GP1, HO1(f), HO3, HO11 and TR15.

Impacts on the appearance and character of the area and street scene

- 24. The application site is within a development scheme of self-build houses. The dwellings on the surrounding sites are all individually designed and are characterised by large detached properties within individual plots.
- 25. The proposals differ in design and form of the dwelling to that approved by Full application 08/0012/FUL but the proposed position of the house and garaging would occupy a similar position. The house would have full 3 storey height walling instead of dormer and gable end windowed rooms in the roof space but the height of the main part of the house would only be 0.4m higher at the ridge.
- 26. The garage wing has been reduced to single storey and the overall width of house and garage footprint has been reduced by some 2m which means that it does not extend so

close to the side boundaries of the plot. It would be 0.5m closer to the rear bridleway boundary at 4.7m. The nearest part of the dwelling to Portchester Close has been increased from 4m to 5.5m but this would now include a first floor balcony and the main elevation will be at 6.5m wide instead of 7.4m.

27. The position of the means of enclosure is indicated but not the full details. A condition requiring details is therefore recommended to ensure that it is appropriate and conforms with the types approved under the Reserved Matters application 04/2404/REM.
28. A landscaping scheme for the whole development was also approved within the Reserved Matters application 04/2404/REM. The master landscaping scheme indicates a hedge be planted along the bridleway frontage with several specimen trees and shrubs between the Portchester Close boundary wall and the highway. The proposed plan indicates but does not specify the planting to be undertaken. A condition is recommended to ensure that the landscaping be provided on the application site.
29. The proposals are considered to be largely in line with the previous approvals for the siting and access and are in keeping with the character of the surrounding development. Given the varying styles and scale of the other approved properties within the development it is not considered that the proposals would have a significant or adverse impact upon the character of the area or the street scene.

Impact on Privacy and Amenity of Neighbouring Residents

30. The centre of the proposed dwelling is to be sited in approximately the same position as the previous approval for the site. However, the design and orientation of the proposed house would bring it closer to Portchester Close. This is the rear side of the houses which have their fronts facing onto the bridleway and the fields. The estate master plan shows that 2m high walls and fences are to form the means of enclosure as this is effectively the private rear gardens. A 2m high boundary would screen the ground floor projection which is shown with decorative railings on top. A 21m separation distance would be maintained for the main upper floor elevation seen by the dwellings across Portchester Close.
31. The only side facing windows would serve non-habitable rooms and the gable ends of the houses on either side are blank above ground floor level. The proposed second floor balcony on the rear of the dwelling would overlook the bridleway and fields and such balconies are a feature of the houses on this edge of the housing development. A balcony at first and second floor levels was a feature of the previously approved house design.
32. The Environmental Health Unit has requested a condition relating to construction hours. This condition has not been placed on other applications within the development and it is therefore considered unreasonable to do so in this case.
33. It is not considered that the application will result in a significant loss of privacy and amenity for neighbouring residents.

Highway Safety Issues

34. The access and car parking arrangements for the proposal are in line with the previous approvals under 04/2404/REM and 08/0012/FUL.
35. There is a double garage and a double width drive of 13m in length proposed for the dwelling. The car parking provision on this site will be 6 no. spaces, which is above the 4 spaces required by the Head of Technical Services for dwellings within this development. It

is therefore not considered that the proposal will have any significant impact upon highway safety.

CONCLUSION

36. The proposed development is considered acceptable in principle and would not have an adverse impact on the appearance and character of the area and street scene or significantly impact upon the privacy and amenity of neighbouring residents or be detrimental to highway safety.
37. For the reasons stated above, it is considered that the application accords with the Council's adopted standards and saved policies GP1, HO1(f), HO3, HO11 and TR15 of the Stockton-on-Tees Local Plan and is recommended for approval.

**Corporate Director of Development and Neighbourhood Services
Contact Officer Mr Andrew Bishop Telephone No 01642 527310**

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 (STLP)

Tees Valley Structure Plan (TVSP)

Regional Spatial Strategy (RRS)

Stockton-on-Tees Supplementary Planning Document 3: Parking Provision for New Developments adopted November 2006.

**Corporate Director of Development and Neighbourhood Services
Contact Officer Mr Andrew Bishop Telephone No 01642 527310**

WARD AND WARD COUNCILLORS

Ward Ingleby Barwick West
Ward Councillor Councillor K Dixon

Ward Ingleby Barwick West
Ward Councillor Councillor R Patterson