

DELEGATED

AGENDA NO
PLANNING COMMITTEE

13 January 2010

REPORT OF CORPORATE DIRECTOR,
DEVELOPMENT AND NEIGHBOURHOOD
SERVICES

09/2758/FUL

Land to the Rear of Glenmarlen, Darlington Road, Long Newton
Revised Application for the erection of 1 no. dwellinghouse (demolition of existing stables
and storage buildings)

Expiry Date 12 January 2010

SUMMARY

Planning permission is sought for the erection of a detached dwelling on land to the rear of
Glenmarlen, Darlington Road Longnewton.

The planning application has been publicised by and 5 letters have been received in response, 2
objecting to the application and 3 suggesting conditions be imposed should the application be
approved.

Outline planning permission was granted on appeal (Application No 06/0798/OUT) for the erection
of 1 no. detached dwellinghouse with attached garage. A planning application for full planning
permission was subsequently submitted and refused as the details were not considered
acceptable. An appeal against the decision to refuse planning permission was dismissed.

It is considered that overall the revised proposed development now overcomes the concerns
identified by the Local Planning Authority and the Planning Inspector and is acceptable and is
therefore recommended for approval with conditions.

RECOMMENDATION

Planning application 08/2931/FUL be Approved with the following conditions;

Approved Plans

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>
0984/ESP	10 November 2009
0884/1	10 November 2009
0984/2/A	4 January 2010
0984/3/A	4 January 2010
0984/4	10 November 2009

Reason: To define the consent.

Materials

- 02 Construction of the external walls and roof shall be in accordance with the materials as detailed in Point 10 of the application form, unless otherwise agreed in writing by the local planning authority.**

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

Means of Enclosure

- 03. Prior to the commencement of development details of the means of enclosure shall be submitted to and approved by the Local Authority. Such means of enclosure and the retaining wall as agreed shall be erected before the development hereby approved is occupied and retained for the life of the development unless otherwise agreed in writing by the local planning authority.**

Reason: In the interests of a visual amenity

Landscaping

- 04. Notwithstanding the proposals detailed in the submitted plans, no development shall commence until full details of Soft Landscaping has been submitted to and approved in writing by the Local Planning Authority. This will be a detailed planting plan and specification of works indicating soil depths, plant species, numbers, densities, locations inter relationship of plants, stock size and type, grass, and planting methods including construction techniques for pits in hard surfacing and root barriers. All works shall be in accordance with the approved plans. All existing or proposed utility services that may influence proposed tree planting shall be indicated on the planting plan. The scheme shall be completed unless otherwise agreed with the Local Planning Authority in writing in the first planting season following:**

- a) commencement of the development**
- b) or agreed phases**
- c) or prior to the occupation of any part of the development**

and the development shall not be brought into use until the scheme has been completed to the satisfaction of the Local Planning Authority.

Reason: To ensure a high quality-planting scheme is provided in the interests of visual amenity which contributes positively to local character and enhances bio diversity.

Management Plan

- 05. Notwithstanding the proposals detailed in the submitted plans, a soft landscape management plan including long term design objectives, management responsibilities and maintenance schedules for all landscape areas/ retained vegetation, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development or approved phases. Maintenance shall be detailed for a minimum of 5 years from date of completion of the total scheme regardless of any phased development. Any vegetation within a period of 5 years from the date of from the date of completion of the total works that is dying, damaged, diseased or in the opinion of the Local Planning Authority is failing to thrive shall be replaced by the same species of a size at least equal to that**

of the adjacent successful planting 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.

Hard Landscaping

- 06. Notwithstanding the proposals detailed in the submitted plans the development shall not commence until full details of proposed hard landscaping has been submitted to and approved in writing by the Local Planning Authority. This will include all external finishing materials, finished levels, and all construction details confirming materials, colours, finishes and fixings. The scheme shall be completed to the satisfaction of the Local Planning Authority according to the approved details within a period of 12 months from the date on which the development commenced or prior to the occupation of any part of the development. Any defects in materials or workmanship appearing within a period of 12 months from completion of the total development shall be made-good by the owner as soon as practicably possible.**

Reason: To enable the Local Planning Authority to control details of the proposed development, to ensure a high quality hard landscaping scheme is provided in the interests of visual amenity which contributes positively to local character of the area.

Tree Retention

- 06. Notwithstanding the proposals detailed in the submitted plans no tree, shrub or hedge shall be cut down, uprooted or destroyed, topped or lopped other than in accordance with the approved plans, without the written authorisation of the Local Planning Authority. Any tree, shrub or hedge or any tree/shrub or hedge planted as a replacement that dies or is removed, uprooted or destroyed or becomes seriously damaged or defective must be replaced by another of the same size and species unless directed in writing by the Local Planning Authority.**

Reason: To protect the existing trees/shrubs and hedges on site that the Local Planning Authority consider to be an important visual amenity in the locality and should be appropriately maintained.

Tree Protection

- 07. Notwithstanding the proposals detailed in the submitted plans no development shall commence until a scheme for the protection of trees (Section 7, BS 5837:2005) has been submitted to and approved in writing by the Local Planning Authority. The requirements of Stockton-on-Tees Borough Council in relation to the British Standard are summarised in the technical note ref INFLS 1 (Tree Protection). Any such scheme agreed in writing by the Local Planning Authority shall be implemented prior to any equipment, machinery or materials being brought to site for use in the development and be maintained until all the equipment, machinery or surplus materials connected with the development have been removed from the site.**

Reason: To protect the existing trees on site that the Local Planning Authority consider to be an important visual amenity in the locality which should be appropriately maintained and protected.

Method Statement - Tree

08. ***Before development commences a method statement for working in close proximity to the trees (including no-dig construction for the parking areas) on and around the site shall be submitted and agreed in writing by the local planning authority. The statement shall include the methods of working, use of materials and plant, access details and protection of the rooting zone of the trees on and around the site. This method statement should then be carried out in full unless with the prior written agreement to any variation by the Local Planning Authority.***

Reason: In the interest of the protection of the trees on and around the site.

Levels

09. ***Notwithstanding details shown on the plans hereby approved, prior to any works commencing on site, details of existing ground levels both on site and at adjacent properties which bound the site, finished ground, and finished floor levels for the proposed development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.***

Reason: In the interests of amenity of the occupants of neighbouring properties

Contaminated Land

10. ***In the event that contamination is found at any time when carrying out the approved development, works must be halted on that part of the site affected by the unexpected contamination and it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken to the extent specified by the Local Planning Authority and works shall not be resumed until a remediation scheme to deal with contamination of the site has been submitted to and approved in writing by the Local Planning Authority. This scheme shall identify and evaluate options for remedial treatment based on risk management objectives. Works shall not resume until the measures approved in the remediation scheme have been implemented on site, following which, a validation report shall be submitted to and approved in writing by the Local Planning Authority. The validation report shall include programmes of monitoring and maintenance, which will be carried out in accordance with the requirements of the report.***

Reason: To ensure the proper restoration of the site.

Drainage

11. ***Full details of the proposed means of disposal of surface water and foul drainage shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby permitted and shall be provided in accordance with the approved details before the development is brought into use.***

Reason: To achieve a satisfactory form of development

Construction Hours

12. ***Working hours on the site shall be restricted to between the hours of 08:00-18:00 on Mondays-Fridays, 08:00-13:00 on Saturdays and not at any time on Sundays or Bank Holidays.***

Reason: In the interests of the amenity of the occupiers of the adjacent properties

Removal of PD rights

Notwithstanding the provisions of classes A, B, C, D E & F of Part 1 of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 (or any order revoking and re-enacting that Order), the buildings hereby approved shall not be extended or altered in any way, nor any ancillary buildings or means of enclosure erected within the curtilage without the written approval of the Local Planning Authority

Reason: In order that the local planning authority may exercise further control in order to protect the amenity of adjoining residents.

The proposed development has been considered against policies GP1, HO3 and HO11 of the Stockton on Tees Local Plan and 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 conservation area or highway safety as such it is considered there are no matters outstanding, which would suggest a decision should be made otherwise.

Adopted Stockton on Tees Local Plan (June 1997)

GP 1 General Principles

HO3 Development on Unallocated Sites

HO11 Design and Layout

Supplementary Planning Document 3: Parking in New Development

Planning Policy Guidance Note 3: Housing

PPS 1 - Delivering sustainable development,

PPS 3 - Housing

PPS 7 - Sustainable Development in Rural Areas.

BACKGROUND

1. Outline planning permission was granted on appeal (Application No 06/0798/OUT) for the erection of 1 no. detached dwellinghouse with attached garage. A copy of the inspector's decision letter and the approved plan are attached at Appendix E and F.
2. Full planning permission was subsequently sought for the erection of a dwellinghouse (08/2931/FUL), however, the details were not considered acceptable and the application was refused at the Planning Committee on 11th November 2008. A copy of the refusal notice and refused plan is attached at Appendix G and H.
3. An appeal was submitted against this refusal and this was subsequently dismissed. A copy of the inspectors' decision letter is attached at Appendix I.

SITE AND SURROUNDINGS

4. The application site is an area of land, which housed a stable, a garage and a shed (now demolished) and adjoins the gardens of three existing houses. The site overlooks an area of green space to the west.
5. The land is accessed from Darlington Road and the access also serves Glenmarlen and Aingarth, which are semi-detached properties to the south of the application site.

6. To the rear (north) of the site is a two storey dwelling known as Greenside and to the east, another two storey dwelling known as 1 Rectory Lane.
7. There are a number of trees around the site in adjacent gardens and on the open space. There is an existing apple tree in the south east corner of the application site which is covered by a tree preservation order.

PROPOSAL

8. The applicant seeks planning permission for the erection of a single dwelling house. The proposed dwelling house would be an 'L-shaped' dwelling and will be largely sited on the footprint of the existing stables/garage.
9. The proposed dwelling is contemporary in design and single storey. The dwelling would have 3 bedrooms and car parking for 2 no cars is indicated on the proposed plans.

CONSULTATIONS

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

Urban Design

10. Urban Design has no objections subject to details below.

Highways Comments

In accordance with SPD3: Parking Provision for New Developments, a 3-bedroom property in this location must provide 2 curtilage parking spaces. The submitted plan shows 2 car parking spaces measuring approximately 4.77m in length. A car parking space should measure 5m in length however the required 5m can be achieved. A 6m turning area can be achieved within the curtilage of the property thus allowing vehicles to exit the property in a forward gear. The applicant needs to clarify how refuse will be collected from the dwelling. Subject to the above there are no objections to this application on Highway grounds.

Landscape & Visual Comments

We welcome the reduction of the building footprint to accommodate the TPO'd apple tree and therefore have no objections to this application.

Councillors

11. No comments made

Environmental Health Unit

12. I have no objection in principle to the development; however would recommend conditions with regards to the following
 - Construction Noise

Northumbrian Water Limited

13. The application has been examined and Northumbrian Water has no objections to the proposed development.

Northern Gas Networks

14. No objection

NEDL

15. Standard Response showing Apparatus

Parish Council

16. No comments made

PUBLICITY

Neighbours were notified and comments received are summarised below:-

J D Rosser Aingarth Darlington Road

17. Comments to be considered

Location Plan: The boundary includes land not owned by the applicant

Application form: The form states will be connected to main sewer but details of how are not included. The existing use has been indicated as stables this is incorrect. All buildings have been demolished without protecting the TPO'd tree and a fence has been erected without consent. The applicant states that the site cannot be seen from a public road but this is incorrect.

Design and access statement: Title says 4-bed dwelling, not 3. States use of ground source heating but no details of how this will be achieved. Concerns over the access for construction vehicles and the effect on our right of way. Request that no trees are cut back, felled uprooted or damaged. Request that all PD rights are removed.

A E House 7 The Green' Long Newton

18. I do not object in principle to the plans as submitted but would wish to see conditions attached to any grant of planning permission relating to timescale, materials, levels and tree retention and protection.

The existing buildings have already been demolished and some topsoil removed by mechanical digger without any apparent protection given to the trees mentioned above. I feel that if planning permission is granted the LPA should closely monitor the Development

Gerald Ford, 6 The Green, Long Newton

19. Planning consent should be given subject to the following conditions
1. Addition to construction requirements - No access to the site from the Green and no vehicle parking at or near the entrance to the site at Darlington Road.
 2. The documents should be updated prior to planning consent to reflect the state of the site and the current proposal.
 3. The location of waste storage should be shown i.e. wheelie bin, waste paper, plastic, glass, and cardboard. Also a butt for roof water recovery. The area adjacent to the Green fencing should be prohibited for this purpose

Mr and Mrs Drafton, 1 Rectory Lane' Long Newton

20. I would refer to my previous objections made to the two previous applications made by this applicant, which were refused by Stockton Council and the Appeals Inspector respectively.

Those objections are still valid. Before proceeding I wish to complain about the actual application, which is somewhat ambiguous, and to be blunt, gives inaccurate and false information, i.e.

Q3. Answer states no building work started - work has started! A brick wall some 2.4metres high has been erected and runs the entire length of the plot. Both the stable and garage have been demolished and removed from the site. Presently work is being done to remove concrete foundations, soil and hardcore. No protection zone has been made around the tree subject of the preservation order.

Q5. Answer states siting and design is acceptable - how can it be when the siting and design has already been refused by Council planners and Appeal Inspector.

Q10. The materials detailed to be used are exactly the same as those previously refused!

Q15. States site is not currently vacant and is in use as stables - it is vacant. Has not been used as stables for at least ten years and the site has now been cleared of any buildings by this applicant.

The plans submitted are not clear and show what is assumed to be the outlines of the previous application - what exactly is being applied for?

Design and access section refers to stairs yet we are told this is to be a bungalow with ground floor only. The application further refers to four bedrooms and access to upper floors yet only three are shown on plans and no upper floor is shown.

My objections are that the applicant has not addressed the reasons stated for refusal by the Council or the Inspector in relation to the close proximity of the building and highway safety. It is clear that this plot is too small to accommodate this proposal. As a result it remains clear that the close proximity of the proposed dwelling would result in harm to the living conditions of the occupiers of adjacent dwellings and would not comply with LP Policies GP 1, HO 3 and HO 11 in respect of their aim to protect the amenity of adjacent land users. Also the highway safety has not been dealt with and again this is because the site is too small. In paragraph 11 of the Inspectors Appeal Decision it is stated that there has not been shown to be satisfactory access and parking arrangements.

This situation remains and is contrary to LP Policies GP 1, HO3 HO11.

I would ask that the application be refused as per the previous application.

Mr and Mrs Craig Rose Greenside Rectory Lane

21 We continue to object to this development due to the close proximity of the proposed dwelling to our house Greenside on Rectory Lane, Long Newton. We wish to re-affirm our comments made to the planning inspectorate at 11.31 on 16th June 2009 and our previous letter to SBC on 22nd August 2005. In terms of amendment to the already refused application, the only difference to the previous application in relation to facing our property is a potential reduction in roof height by a pitch change, of a mere 450mm.

The local Council and the National Planning inspectorate have already made previous decisions to refuse the applications.

The last Appeal decision of 17th September 2009 clearly stated that our property, "Greenside, is sited approximately 4 metres" (actually 3 metres from the proposal) "from the proposed dwelling and has a small garden and patio to the side and rear, along the shared boundary. I consider that the new dwelling would appear visually dominant and overbearing when seen from the rear windows and rear garden areas of this dwelling" Nothing has changed in the siting and outlook.

We object to the application

PLANNING POLICY

22. 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).

23. The following saved 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 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.

Supplementary Planning Document 3: Parking in New Development
Planning Policy Guidance Note 3: Housing
PPS 1 - Delivering sustainable development,
PPS 3 - Housing
PPS 7 - Sustainable Development in Rural Areas.

MATERIAL PLANNING CONSIDERATIONS

24. The main planning considerations of this application are the principle of development, impact of the development on the character of the area and street scene, impact on neighbours privacy and amenity, access and highway safety, landscaping and drainage.

Principle of development.

25. Since the last application, The Spatial Planning Team have prepared a Village Study as part of the evidence base for the Local Development Framework (LDF). In order to establish the levels of facilities available within the Borough's rural villages, an audit was carried out. The study assessed the level of services and facilities in rural villages, including public transport links to other centres. The Council has used the study to develop its housing policy, which does not propose to allocate sites for housing in rural areas before 2024, however Longnewton was considered to be a tier 2 Village where infill development will be appropriate.
26. In January 2007, outline planning permission was granted for the erection of a dwelling house on this site and it is considered that in light of this appeal decision the principle of residential development on this site has been established.

Impact of the development on the character of the area and street scene.

27. The proposed dwelling will be erected on the site of the original stables and garage. The proposed dwelling will be limited to a single storey height of four metres. The proposed development will be partially screened by existing landscaping to the edge of the site close to the open space area and it is considered that its impact on the open aspect to the Green and the overall street scene will be minimal.
28. The proposed design is contemporary and whilst it is acknowledged that the design and style of the house is unique to this area, there is no uniform house type in the immediate locality or in the wider village. The Planning Inspectorate agreed with this view on the second planning appeal and stated 'The proposed dwelling, with cedar wood cladding and a part single and part two storey design, would differ from other, more traditional dwellings in the area. I accept that the style of the house would be unique to the area, but there is no uniform building style in Long Newton. Although the building would appear modern in design, it would not have an adverse impact on the character and appearance of the area and would be in keeping with the mix of single storey and two storey dwellings of various ages in the locality'. It is therefore considered that the proposed dwelling will not have an adverse impact on the character of the area.
29. The plot coverage is approximately 28%, which is considered to be an acceptable and adequate amenity space will remain for the occupants of the dwelling, it is therefore considered that the proposal will not be an over development of the site.

Impact on neighbours privacy and amenity

30. The outline permission granted on appeal has all matters reserved, however the Planning Inspectorate stated that "a layout could be achieved that would avoid any direct overlooking of the adjacent properties and which would appear a natural continuation of the existing closely spaced development pattern adjacent to it, around the village green" and "the form and design of the proposed house would be subject to a future detailed submission and it would be open to the Local Planning Authority at that stage to ensure that the proposed dwelling would not be visually dominant or overbearing in respect of any of the adjacent houses."

31. The most recent application that was refused included a two storey element and the inspector dismissed the appeal due to the impact on neighbouring properties. Consideration of this appeal and the inspector's comments are set out below

Impact on Greenside

33. Greenside is a two storey detached property. The occupier of this dwelling has objected, as the only change is the reduction in roof height of 450mm
34. The main habitable room windows of Greenside are located in the rear elevation facing at an oblique angle towards the village green. There are no habitable room windows in the southeast elevation.
35. The proposed dwelling is sited approximately four metres from this property and is single storey along this boundary. The proposed height of the dwelling will be 2.5 metres to the eaves and 4 metres to the top of the pitch. There are no habitable room windows on the north elevation, which will prevent any potential overlooking.
37. The inspector stated in the recent appeal decision, that "The two storey element of the proposed dwelling would be adjacent to the boundaries with 'Greenside' and 1 Rectory Lane. 'Greenside' is sited approximately 4 metres from the proposed dwelling and has a small rear garden and patio to the side and rear, along the shared boundary. I consider that the new dwelling would appear visually dominant and overbearing when seen from the rear windows and rear and side garden areas of this dwelling".
38. It is considered that by removing the two storey element from the proposed scheme and reducing the roof height by 450mm, the proposed dwelling will not have an adverse impact or be visually dominant and overbearing on this property. In addition, the roof is hipped and is 2.6 metres high adjacent to the boundary, which further reduces the impact.

Impact on 1 Rectory Lane

38. 1 Rectory Lane is set higher than the application site, and is a two-storey dwelling house with a conservatory to the north elevation. There are 2no windows at ground floor in the southwest elevation, serving a utility room and cloakroom (the window of which is obscurely glazed). The occupier of this dwelling has objected.
39. The proposed dwelling will run along western boundary with this neighbour and have a maximum height of 4 metres (the height will be 2.6 metres adjacent to the boundary as the roof is hipped). This will however be lower when viewed from 1 Rectory Lane as the neighbouring property is higher than the application site.
41. The proposed dwelling will have windows at ground floor. However as this site is lower it is considered that the means of enclose and the retaining wall has been designed so that there will be no potential overlooking.
42. The inspector previously commented that "The two storey element of the proposed dwelling would be adjacent to the boundaries with 'Greenside' and 1 Rectory Lane...the new dwelling would have an unacceptable visual impact when seen from the conservatory and side patio/driveway area of 1 Rectory Lane.

43. It is considered that with the two storey element removed and the roof height lowered and the difference in levels, the revised scheme will not have an overbearing or unacceptable visual impact.
44. A retaining wall has been erected along the party boundary. This wall is approximately 2.4 metres in height, however is a lot lower when viewed from 1 Rectory Lane. The proposed wall is considered acceptable and does not have an adverse impact on this neighbour.

Impact on Aingarth

45. Aingarth is a two-storey dwelling house with a conservatory to the rear. There is a first floor window in the rear elevation that would look onto the application site. The occupier of this dwelling has not objected, but has commented on the application, details of which are addressed later in the report.
46. The proposed dwelling will have a single window, which will face towards the garden area of Aingarth. The proposed window is set at an oblique angle and it is considered that with the retention of the existing fence and the landscaping in the rear garden of Aingarth (including a cherry tree) that no loss of privacy or amenity should occur.

Landscaping

47. There is an apple tree in the southeast corner of the site, which is covered by a tree preservation order. This tree was previously to be removed, however the tree is to be retained and conditions have been recommended to ensure its protection during construction.
48. Structures on the site have been removed and neighbours have commented that the tree was not protected during this time. Planning Permission is not required for these demolition works, however should the tree have been intentionally damaged then the person responsible is guilty of an offence and could be liable to a fine. A request has been made to the Council's Arboricultural Officer to inspect the tree.
49. Further details are required regarding the soft and hard landscape scheme. This can be conditioned accordingly.

Access and highway safety.

50. The access to the property will be via an existing access that also serves Aingarth and Glenmarlen.
51. The plans show a 3-bedroom property, which in this location must provide 2 incurtilage parking spaces. The 2 spaces can be provided to Design Guide Standard; therefore this does meet the parking requirements. Sufficient manoeuvrability and a turning area for vehicles to be able to exit the property in a forward gear has also been provided and accordingly the Acting Head of Technical Services has raised no objections to the proposed scheme.
52. One objector has requested that we prevent the parking of cars on Darlington Road and no access be taken from the Green. Whilst we cannot control the parking of cars on the public highway, should vehicles attempt to cross the Green then the local authority would seek to prevent this and taken action if necessary.

Drainage

53. Comments have been made regarding the drainage of the site. The dwellings will connect to the main system and Northumbrian Water has raised no objections to the proposal. It is therefore considered that the proposed drainage will be acceptable

Future Development

54. The application site is a site with many constraints and it is considered that in view of the confined site and its proximity to surrounding dwellings, any future extensions/alterations should be subject to a further application and permitted development rights should be removed. This has been conditioned accordingly.

Other Matters

55. The Acting Head of Technical Services requested details of bin collection and the applicant has confirmed that wheelie bin storage will be within the curtilage of the proposed dwelling which will be pulled down to the highway on the day of collection and returned soon after collection. It is not possible to provide a collection point adjacent to the highway, as the applicant does not own the access track.
56. Comments have been made regarding the application forms and the design and access statement. The applicant has amended these documents. Clarification has been provided to the neighbours on specific points they raised.

CONCLUSION

57. Overall it is considered that the revised proposed development has overcome the concerns of the Local Planning Authority and Planning Inspector and will not have an adverse effect on the area or surrounding neighbouring properties, pedestrian and highway safety or landscaping and is therefore in accordance with saved policies of the Adopted Stockton on Tees Local Plan GP1, HO3 and HO11. It is recommended that the application be approved with conditions for the reasons specified above.

**Corporate Director of Development and Neighbourhood Services
Contact Officer Mrs Elaine Atkinson Telephone No 01642 526062**

Financial Implications:

Environmental Implications:

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: 09/2758/FUL, Stockton on Tees Local Plan

WARD AND WARD COUNCILLORS

**Ward
Ward Councillor**

**Western Parishes
Councillor F. G. Salt**