

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

14 July 2010

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

10/0775/REV

1 Butts Lane, Eggescliffe, Stockton-on-Tees

**Revised application for erection of two storey detached dwelling and integral garage
(demolition of existing bungalow).**

Expiry Date: 21 June 2010

SUMMARY

This application seeks planning permission for the replacement of a bungalow with a house within the same site which is situated within the Limits to Development on the boundary of the settlements of Eggescliffe and Eaglescliffe.

The main planning considerations with regard to this application are the impacts on the street scene and setting of the Eggescliffe Conservation Area, the impacts on the adjoining residential properties including their trees protected by a Tree Preservation Order, the design, scale, size, form and materials of the proposed dwelling, the impact on the amenity and privacy of neighbouring properties and highway safety.

Objections have been received from 11 residents of neighbouring properties and in addition the Eggescliffe and Eaglescliffe Parish Council, but from no other consultees.

It is considered that the proposed scheme would be of an acceptable design and size and not have an adverse impact on the street scene and the setting of the Eggescliffe Conservation Area. Although the height of the house would be greater than the existing bungalow it would not have such an overshadowing, overbearing and overlooking impact upon the adjoining neighbouring properties or otherwise be detrimental to their privacy and amenity so as to warrant a refusal. It is therefore considered that the proposed house is not contrary to Stockton-on-Tees Borough Council Core Strategy Development Plan March 2010 policies CS1 and CS3 and Stockton on Tees Local Plan Saved Policy HO3 and Government guidance in PPS3 Housing June 2010 and PPS5 Planning for the Historic Environment and Supplementary Planning Guidance Note 2: Householder Extension Guide February 2004.

The application is recommended for conditional approval.

RECOMMENDATION

Planning application 10/0775/REV be Approved with Conditions 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.**

Plan Reference Number	Date on Plan
860-08-001	30 March 2010
860-08-002 REV C	30 March 2010
860-08-003 REV F	26 April 2010
860-08-004 REV E	26 April 2010
860-08-005 REV C	30 March 2010

Reason: To define the consent.

02. **Notwithstanding the proposals detailed in the application no development shall commence until a scheme for the protection of trees (Section 7, BS 5837:2005 and Volume 4: NJUG Guidelines For The Planning, Installation And Maintenance Of Utility Apparatus In Proximity To Trees (Issue 2) Operatives Handbook 19th November 2007) 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), which is available upon request. 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.**

The following works are not allowed under any circumstances:

No work shall commence until the approved Tree Protection Barriers are erected.

No equipment, signage, structures, barriers, materials, components, vehicles or machinery shall be attached to or supported by a retained tree.

No fires shall be lit or allowed to burn within 10 metres of the canopy spread of a tree of within the Root Protection Zone.

No materials shall be stored or machinery or vehicles parked within the Root Protection Zone.

No mixing of cement or use of other materials or substances shall take place within the Root Protection Zone or within such proximity where seepage or displacement of those materials or substances could cause them to enter the Root Protection Zone.

No unauthorised trenches shall be dug within the Root Protection Zone.

No alterations or variations to the approved works or tree protection schemes shall be carried out without the prior written approval of the Local Planning Authority.

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.

03. **Notwithstanding the proposals detailed in the application no development shall commence until full details of Soft Landscaping have 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.

- 04. Notwithstanding the proposals detailed in the application, prior to the commencement of development, details of the existing and proposed levels of the site including the finished floor levels of the buildings to be erected and any proposed mounding and or earth retention measures (including calculations where such features support the adopted highway) shall be submitted to and approved in writing by the LPA. Development shall be carried out in accordance with the approved details. Attention should be given to existing vegetation and surrounding landform.**

Reason: To ensure that earth-moving operations, retention features and the final landforms resulting are structurally sound, compliment and not detract from the visual amenity of the area, the living conditions of nearby residents or integrity of existing natural features and habitats.

- 05. Notwithstanding any description of the materials in the application no development shall be commenced until precise details of the external materials to be used in the construction of the external walls and roofs of the building have been submitted to and approved in writing by the local planning authority. The building shall be constructed with the materials as may be agreed.**

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

- 06. In the event that contamination is found at any time when carrying out the approved development that was not previously identified, 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 prior to resumption of the works**

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

- 07. 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: To avoid excessive noise and disturbance to the occupants of nearby premises.

08. The fenestration of the dwellinghouse hereby approved shall be formed as shown on drawing No.860-08-004 Revision E and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order), no additional windows, rooflights or dormer windows shall thereafter be formed or constructed 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 residential amenity and privacy of the area.

09. The existing hedge on the boundaries with Yarm Road and Butts Lane shall be retained and maintained at a minimum height of 1.8m and shall not be cut lower or removed without the prior written permission of the local planning authority.

Reason: To protect the existing hedging 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.

INFORMATIVES

The Proposal has been considered against the policies below and it is considered that the scheme accords with these policies and there are no other material considerations which indicate a decision should be otherwise.

Stockton on Tees Local Plan (as amended) Saved policy HO3.

Stockton-on-Tees Borough Council Core Strategy Development Plan March 2010 policies CS1 and CS3.

Regional Spatial Strategy (RSS) for the North East of England July 2008 policies Nos 8, 10, 24 and 29.

Planning Policy Statements 1, 3 and 5. Guidance Notes No 13 and 17.

Supplementary Planning Documents Notes 2 and 3.

Supplementary Planning Guidance Note 2.

Informative

Northern Gas Networks

The developer is advised to contact United Utilities as there may be apparatus in the area that may be at risk during construction works. Please contact Sandra Collett, Network Records Assistant 0845 6340508 (Option 6) to discuss United Utilities requirements in detail. Should diversionary works be required these will be fully chargeable. An extract from United Utilities mains record of the area covered by your proposals is enclosed together with a comprehensive list of precautions for your guidance.

BACKGROUND

1. A previous application 09/0548/FUL for the demolition and erection of a new two storey dwelling with integral double garage, associated parking and landscaping was withdrawn following discussions with the case officer to allow a reconsideration of that scheme by the applicant.
2. There had been a previous application 97/0949/P for a single storey extension to the front and side of the building which was approved with conditions relating to its build. The side extension has been added to the building but there is no forward extension as had been approved.

3. An application 04/0944/SEC was made to remove one Cypress and one Cedar tree located in the neighbouring garden to No.3 Butts lane. These trees overhang the property of No.1 and it was claimed that they were causing damage to the extension to the bungalow erected under reference No. 97/0949/P. The case was not proven by the applicant and as they stand on neighbouring land their removal was outside the control of the applicant. The adjoining owner had opposed their removal and the file was closed without a decision being made.
4. A Section 211 Notice SEC211/002/95 SEC to remove Trees in Conservation Area being the felling of 1 no. conifer to the front and removal of 1 no. beech boundary hedge was also made. It was concluded that no Tree Preservation Order was required to protect these trees and therefore that they could be removed.

PROPOSAL

5. The proposal is to demolish the existing bungalow and replace it with a two storey house. The proposed house would be located within the same garden and be positioned further south away from the northern boundary compared with the footprint of the existing bungalow.
6. The proposed house would be externally finished in textured render in a white colour with a grey concrete interlocking tile roof. The windows would be white UPVC. The house would contain a lounge, family room/kitchen, hall, utility, lobby, store, w/c, guest bedroom with en suite and a garage on the ground floor. At first floor there would be a gallery landing, study, four bedrooms each with an en suite. The stairs would also give access to the attic in the roof with a landing and undefined rooms without any windows.
7. The highway access and the driveway would remain in its current position next to the entrance to No.3 Butts Lane. The driveway parking and turning areas would be finished in brindle block paving.

CONSULTATIONS

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

8. Acting Head Of Technical Services

General Summary

Urban Design has no objections.

Highways Comments

The development should be designed and constructed in accordance with the Councils Design Guide and Specification (Residential and Industrial Estates Development) current edition and Supplementary Planning Document 3: Parking Provision for New Developments, November 2006.

The revised plans indicate that the property provides the maximum 4 incurtilage parking required in accordance with Supplementary Planning Document 3: Parking Provision for New Developments, November 2006

Therefore, no objections are raised to this application subject to the access remaining unchanged.

Landscape & Visual Comments

The reduction in the height of the build in the area above the existing bungalow garage is preferred and should be acceptable to prevent pruning of the adjacent tree remaining previous comments apply as detailed below in italics

As the majority of the new development appears to cover the existing floor plan of the bungalow there is likely to be minimal root damage. However, we would require full protection of the root protection area during any construction works as detailed in the conditions in the informative section at the end of this memo.

The existing boundary planting should be sufficient to screen any views of the development from the surrounding dwellings. However, new tree planting on the boundary with Yarm Road would help screen views of the development from the road. Conditions covering tree protection and retained trees prohibited works should be attached.

9. Councillors

Councillor J Fletcher

Thank you for your letter of 29-4-10. On the information available to me, I have no comments.

10. Environmental Health Unit

I have no objection in principle to the development, however, I do have some concerns and would recommend that conditions (construction noise and unexpected land contamination) be imposed on the development should it be approved.

11. Waste Management

Waste management has no comments as waste will be stored and placed for collection as is currently happening

12. Northumbrian Water Limited

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

13. CE Electric UK

No representations received.

14. Northern Gas Networks

(Summarised)

United Utilities has no objections to these proposals, however there may be apparatus in the area that may be at risk during construction works and should the planning application be approved, then we require the promoter of these works to contact us directly to discuss our requirements in detail. Should diversionary works be required these will be fully chargeable. We enclose an extract from our mains record of the area covered by your proposals together with a comprehensive list of precautions for your guidance.

15. Tees Archaeology

No comments received.

16. Building Control Manager

No comments received.

17. Parish Council

The above application at 1 Butts Lane, Egglecliffe was discussed at a meeting of Egglecliffe & Egglecliffe Council on 6th May 2010. I reiterate the Council's comments of 6th April 2009 on application no. 09/0548/FUL at the same address and am instructed to inform you again of their concerns that the replacement of a bungalow with a two storey building at this location will be visually intrusive and have a negative impact on the street scene.

Further to my email sent earlier, the Council also commented that the new two storey dwelling appears to be double the footprint of the bungalow to be demolished and as such is regarded as overdevelopment of the site.

18. PUBLICITY

Neighbours have been notified of the application and a total of 11 objections have been received besides that of the Parish Council above.

Objections

- Not enough information on plans
- The Design and Access Statement is totally incorrect throughout.
- Pulling down a good bungalow is sacrilege
- Not two storey as has attic storey as well
- Precedent for other bungalows, should stay bungalows
- Site elevated above Yarm Road
- Shoehorned in, overdevelopment
- Alter the character and townscape in a negative way
- Completely dominate the corner of Yarm Road and Butts Lane and would look completely out of place
- Not in keeping with other older properties on edge of historic village and Conservation Area
- Far worse than the withdrawn
- Size, scale, design, visual appearance and materials
- The materials should be of brick not rendered white.
- Lack of sympathy for existing buildings and Butts Lane at entrance to historic village
- Question roof height, unless there is a plan to turn the property into apartments or private nursing home
- Impact would be overpowering and out of character
- Lessen impact by moving garages to west end and reducing height to that of existing bungalow
- Building of little architectural merit
- Moving south no benefit and moving to west to detriment
- Loss of daylight and sunlight
- Cut down light and overshadow the adjoining houses as higher than previously proposed
- Overlooking/ loss of privacy
- Loss of outlook
- Trees with Tree Preservation Order in 3 Butt Lane will still be too near the proposed building, have impact on roots and canopies
- Applicant previously applied to remove trees but was refused
- Trees in the garden have been removed without permission and new plants would be damaged
- Access to the road onto busy village road and dangerous traffic junction
- Lack of car parking
- Biodiversity and Geological Conservation
- A site visit must be made

19. List of Contributors

- Mrs C J Lawrence, 657 Yarm Road Eaglescliffe
- Mr J Basford, Sunnymount South View
- June and Ian Laurie, 7 Langdale Close Egglecliffe
- J Warwick, 5 Langdale Close Egglecliffe
- Mrs Audrey Allison, 4 Langdale Close Egglecliffe
- M McArthur, 2 Langdale Close Egglecliffe
- Mr and Mrs R W Sunley, 17 West Street Yarm
- Gillian and Tim Place, 18 Swinburne Road Eaglescliffe
- Mrs C Basford, 19 South View Eaglescliffe

PLANNING POLICY

20. 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 Core Strategy Development Plan Document, Stockton on Tees Local Plan (STLP) and the Regional Spatial Strategy (RRS).

21. The following planning policies are considered to be relevant to the consideration of this application: -

Core Strategy Policy 1 (CS1) - The Spatial Strategy

1. The regeneration of Stockton will support the development of the Tees Valley City Region, as set out in Policies 6 and 10 of the Regional Spatial Strategy 4, acting as a focus for jobs, services and facilities to serve the wider area, and providing city-scale facilities consistent with its role as part of the Teesside conurbation. In general, new development will be located within the conurbation, to assist with reducing the need to travel.
2. Priority will be given to previously developed land in the Core Area to meet the Borough's housing requirement. Particular emphasis will be given to projects that will help to deliver the Stockton Middlesbrough Initiative and support Stockton Town Centre.
3. The remainder of housing development will be located elsewhere within the conurbation, with priority given to sites that support the regeneration of Stockton, Billingham and Thornaby. The role of Yarm as a historic town and a destination for more specialist shopping needs will be protected.
4. The completion of neighbourhood regeneration projects at Mandale, Hardwick and Parkfield will be supported, and work undertaken to identify further areas in need of housing market restructuring within and on the fringes of the Core Area.
5. In catering for rural housing needs, priority will be given to the provision of affordable housing in sustainable locations, to meet identified need. This will be provided through a rural exception site policy.
6. A range of employment sites will be provided throughout the Borough, both to support existing industries and to encourage new enterprises. Development will be concentrated in the conurbation, with emphasis on completing the development of existing industrial estates. The main exception to this will be safeguarding of land at Seal Sands and Billingham for expansion of chemical processing industries. Initiatives which support the rural economy and rural diversification will also be encouraged.

Core Strategy Policy 3 (CS3) - Sustainable Living and Climate Change

1. All new residential developments will achieve a minimum of Level 3 of the Code for Sustainable Homes up to 2013, and thereafter a minimum of Code Level 4.
2. All new non-residential developments will be completed to a Building Research Establishment Environmental Assessment Method (BREEAM) of 'very good' up to 2013 and thereafter a minimum rating of 'excellent'.

3. The minimum carbon reduction targets will remain in line with Part L of the Building Regulations, achieving carbon neutral domestic properties by 2016, and non domestic properties by 2019, although it is expected that developers will aspire to meet targets prior to these dates.

4. To meet carbon reduction targets, energy efficiency measures should be embedded in all new buildings. If this is not possible, or the targets are not met, then on-site district renewable and low carbon energy schemes will be used. Where it can be demonstrated that neither of these options is suitable, micro renewable, micro carbon energy technologies or a contribution towards an off-site renewable energy scheme will be considered.

5. For all major developments, including residential developments comprising 10 or more units, and non-residential developments exceeding 1000 square metres gross floor space, at least 10% of total predicted energy requirements will be provided, on site, from renewable energy sources.

6. All major development proposals will be encouraged to make use of renewable and low carbon decentralised energy systems to support the sustainable development of major growth locations within the Borough.

7. Where suitable proposals come forward for medium to small scale renewable energy generation, which meet the criteria set out in Policy 40 of the Regional Spatial Strategy, these will be supported. Broad locations for renewable energy generation may be identified in the Regeneration Development Plan Document.

8. Additionally, in designing new development, proposals will:

- _ Make a positive contribution to the local area, by protecting and enhancing important environmental assets, biodiversity and geodiversity, responding positively to existing features of natural, historic, archaeological or local character, including hedges and trees, and including the provision of high quality public open space;
- _ Be designed with safety in mind, incorporating Secure by Design and Park Mark standards, as appropriate;
- _ Incorporate 'long life and loose fit' buildings, allowing buildings to be adaptable to changing needs. By 2013, all new homes will be built to Lifetime Homes Standards;
- _ Seek to safeguard the diverse cultural heritage of the Borough, including buildings, features, sites and areas of national importance and local significance. Opportunities will be taken to constructively and imaginatively incorporate heritage assets in redevelopment schemes, employing where appropriate contemporary design solutions.

9. The reduction, reuse, sorting, recovery and recycling of waste will be encouraged, and details will be set out in the Joint Tees Valley Minerals and Waste Development Plan Documents.

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.

SITE AND SURROUNDINGS

22. The application site is located within the settlement boundaries at the border of Eaglescliffe and Eaglescliffe village and in a predominantly residential area. No.1 Butts Lane is located on the

corner of Butts Lane at its junction with Yarm Road. Yarm road has the classification of A135 and is a main distributor road through Eaglescliffe. The application site has an access onto Butts Lane which is the access road to Eggescliffe Village. The land levels generally decline towards Yarm Lane across the site.

23. The boundary of Eggescliffe Conservation Area follows Butts Lane with properties to the south being within it. The boundary turns north up Yarm Road and returns down South View to include a small triangle of open space at the junction of those roads. The site is clearly visible from the adjoining roads and triangular open space which are within the Conservation Area.
24. The site is currently occupied by a bungalow of rectangular proportions constructed of brick, concrete interlocking tiles and white UPVC windows. Around the bungalow are its gardens containing ornamental shrubs and small trees. To the front of the bungalow is a driveway and parking area. The gardens are enclosed by a hedge and 1m high timber palin fence to the roadside boundaries. The vehicular entrance has brick pillars and metal gates. The bungalow is not a Listed Building and the site is not within a conservation area.
25. The adjoining house No. 657 Yarm Lane is an older property of brick and has a lower ground level than the applicant's bungalow as it is closer to Yarm Lane. No. 3 Butts Lane is also an older properties on higher land further away from Yarm Lane. This is a 3 storey property finished in white render. There are two mature conifer trees within this property's garden standing close to the boundary between that house and the applicant's dwelling. To the rear north of the site is a dormer bungalow No 7 Langdale Close in an estate of similar properties.

MATERIAL PLANNING CONSIDERATIONS

26. The main planning considerations are the principle of the development, the impact on the character and appearance of the area, the impact on residential amenity and privacy, highway safety and other material considerations.
27. **The principle of the development**
28. The application site lies within the settlement boundary of Eaglescliffe and Eggescliffe as defined for the purposes of the Saved Local Plan policies. The land is occupied by a bungalow and its garden curtilage. Government advice in PPS 3: Housing, has been amended so that the site cannot be considered as previously developed land and is now categorised as Greenfield not Brownfield land. There is no presumption that the land is appropriate for infill housing development but Core Strategy policy CS8 allows for the possibility that housing stock will be demolished and redeveloped. In this instance it would be the replacement of one dwelling for another and there would be no increase in the number of housing units on the land.
29. An objector considers that it is sacrilege to pull down a good bungalow but that is not a reason for a refusal of planning permission. Objectors are also concerned that it would set a precedent for other bungalows. The application site bungalow has a frontage and access onto Butts Lane between two houses and is not visually seen as part of the cul-de-sac of bungalows in Langdale Close. Any applications for replacement of those bungalows with houses would have to be determined on their own merits.
30. Objectors are also concerned that there is not enough information on the submitted plans and they disagree with the contents of the Design and Access Statement which is said to be totally incorrect throughout. The information submitted with the application is considered to be adequate to understand the proposal and its potential impacts and it is a valid application that has to be determined. Objectors disagree with the applicant's assessment of the site and the design principles in bringing forward the proposed house and these matters are discussed below.

31. Saved Local Plan Policy HO3 permits within the limits of development residential development subject to a number of criteria. The land is not specifically allocated for another use or underneath electricity lines and it does not result in the loss of a site which is used for recreational purposes. The redevelopment is acceptable in principle subject to the issues considered below relating to whether or not it is sympathetic to the character of the locality and takes account of and accommodates important features within the site, the impact on amenity of adjacent land users and whether satisfactory arrangements can be made for access and parking.
- 32. Impact on the character and appearance of the area**
33. Publicly the existing bungalow is generally screened from wider distance views by the surrounding houses and mature trees within the grounds of surrounding properties. The bungalow is noticeable from Yarm Road, South View and Butts Lane where those roads pass the site. The roadway opens out at the junction of Yarm Road with South View and Butts Lane with the little sloping green and bus stop. The site is seen at a distance by the houses in South View which stand at a similar or higher level. From these road junctions the difference in site level between the site and Yarm Road is readily apparent. In views from these adjacent roads the erection of a replacement house would create a more dominant feature within the street scene. That the house would be seen more prominently than the existing bungalow is not reason in itself for the application not to be supported.
34. The proposed replacement house would increase the footprint and overall size of the dwelling within this existing garden which has a site area of 0.137 hectares. This in density terms would equate to just over 7 houses to a hectare which is relatively low. The replacement of one dwelling for another would not be an overdevelopment as is claimed by objectors unless the scale of the house could be considered excessive for the plot area but this not the case. The proposed house would have 4 bedrooms with 2 integral garages. There is space in the attic for further bedrooms but no windows are shown at this level and a condition is recommended to control the introduction of any in future. The existing bungalow is some 21m long and 8m deep. The proposed house would be 22.7m long, including a projection chimney on the gable end. The central part of the house would be 9m wide with a projection taking this to 11.8m. However, the garage wing would be only 6m deep. The scale of the replacement house is therefore not excessive for the plot size.
35. The size and scale of the house has been reduced from that shown on the details with the previous withdrawn application reference 09/0548/FUL, although some objectors do not consider that this is an improvement. The bulk of the house has been reduced in the current designs by the reduction in height of the western end to some 1.1m below that of the main central section of the roof which would stand at 8m above ground level. The 7m of the eastern end containing the garages and master bedroom would also be some 2m lower than the central section. The house design would visually break up into three sections the mass of the house and be seen as a main central part with two lower wings. The central part would have a forward gabled projection of 2.8m and a pillared portico over the main doorway. This design breaks up the mass of the building so that it would not have one long ridgeline and appear bulky. Objectors have said that the design is not sympathetic to that of the scale and form of surrounding dwellings and its position at the entrance to Eggescliffe village and the conservation area.
36. The existing bungalow is seen in the context of the surrounding development and mature gardens and is seen from Yarm Road against a backdrop of higher houses and trees as the land rises up towards Eggescliffe village. The eaves level of the applicant's existing bungalow is currently below that of all 3 surrounding properties. This includes 2 houses and a dormer bungalow at No.7 Langdale Close which is on even higher adjoining land. Due to the difference

in ground levels the proposed house would stand at about the same height as the dormer bungalow at No.7 Langdale Close and still below that of the taller house at No.3 Butts Lane. The proposed dwelling would stand taller than the adjoining house 657 Yarm Road but so do the existing houses and bungalows adjoining it. In this situation the proposed larger and taller replacement dwelling would be visible but it is considered it would not be visually intrusive and over dominant in the street scene as stated by the Egglecliffe and Eaglescliffe Parish Council and objectors.

37. The objectors say that it would not be in keeping with other older properties on edge of historic village and Conservation Area and that the materials should be brick and not white rendered. Neither of the adjoining houses No.657 Yarm Road or 3 Butts Lane are within the Conservation Area. The houses within the conservation area on the south side of Butts Lane are generally hidden from view by the amount of screening mature trees and other planting within their extensive gardens. The adjoining house No.3 Butts Lane is white rendered and therefore the proposed house would be in keeping with this property. The existing bungalow is brick but the change in materials is not considered to be unacceptable in this context.
38. The site is outside the boundary of the Egglecliffe Conservation Area which follows Butts Lane and Yarm Road and returns down South View to include a small triangle of open space at the junction of those roads opposite the site. The site and proposed house would be clearly visible from the adjoining roads and triangular open space which are within the Conservation Area. The house design, size, form and materials are considered to be reasonable for its situation and the nature of the surrounding houses which are a variety of styles. It is not considered that there would be an adverse impact on the setting and character of the Egglecliffe Conservation Area.
39. The Acting Head of Technical Services considers that the existing boundary planting should be sufficient to screen any views of the development from the surrounding dwellings but that new tree planting on the boundary with Yarm Road is required to help screen views of the development from the road. A condition is proposed for new landscaping and another to protect the existing hedge. It would be a while before tree planting screened the proposed house but with the existing hedge of some 2m height that impact in the meantime is not considered to be so unacceptable as to warrant a refusal.
40. The opinion of the Acting Head of Technical Services is that the reduction in height at the eastern garage end of the proposed house design should be acceptable to prevent pruning of the adjacent protected conifer trees in the neighbour's garden. The majority of the new development covers the existing floor plan of the bungalow so that there should be minimal root damage. However a condition is proposed to ensure full protection of the root protection area during any construction works. Policy HO3 allows residential development that is sympathetic to the character of the locality and takes account of and accommodates important features within the site. Although there are no important features within the site itself the measures to protect the conifer trees in the neighbour's garden should be adequate to protect these trees.
41. The highway access and the driveway would remain in its current position next to the entrance to No.3 Butts Lane. The driveway parking and turning areas would be finished in brindle block paving which is acceptable and preferable to the existing tarmac driveway.
42. The Environmental Health officer has advised that in the case of unexpected land contamination works must be halted on that part of the site and it be reported in writing immediately to the Local Planning Authority. A condition is proposed to this effect.

Impact on residential amenity and privacy

43. The current proposal shows a number of changes to the position and size of the proposed house compared with the previous application No. 09/0548/FUL. The proposed house has been shown moved forward by up to 4m so that it would be further away from the boundaries with 7 Langdale Close. At the same time it has been re-orientated and moved away from the south-eastern boundary with 3 Butts Lane. These changes have also moved it a couple of metres further away from 657 Yarm Road compared with the position of the existing bungalow. Objectors have said that these changes have not improved matters although the proposed house would be further from their properties.
44. This re-positioning of the dwelling would put the rear elevation 18m from the gable end of No.7 Landgdale Close and the corners of the house some 10m from those of No. 657 Yarm Road and 3 Butts Lane. The height of the western end of the building has been reduced so as to be 1m below that of the central part of the proposed house and the ridge would stand at 6.8m above ground level. The house would have the form of a two storey dwelling with the eaves just above the first floor windows on the central section and level with the cills of the dormer windows on the lower wings on either side. There are intervening fences, trees and other planting around most of the boundaries. These distances are considered satisfactory to avoid the new house being overbearing to adjoining residential properties which is contrary to the opinion of neighbours.
45. The proposed house would only have windows in the front and rear elevations and not in the gable ends. The main elevations of the proposed house would not directly face onto 657 Yarm Road or 3 Butts Lane. The rear elevation would face the gable end of 7 Langdale Close at a distance of 18m. This is in excess of the 11m advised to protect privacy for a rear extension facing the side of a neighbouring property as set out in the Council's Supplementary Planning Guidance Note 2: Householder Extension Guide February 2004.
46. Objections have been made that the size of the property and its roof height would allow it to be turned into apartments or a private nursing home. This is not the development under consideration and would have to be the subject of another application if it were the applicant's future intentions, but there are no indications that it would be so.
47. The Environmental Health Officer has advised that the construction noise could be an issue for surrounding residents and a condition is recommended to control the hours of operations.
48. It is considered that the proposed development would not be an overdevelopment of the site or cause a sense of overbearing and loss of privacy and amenity for the residents of adjoining residential properties. The proposal would allow the retention and the planting of additional screen planting to further mitigate any impact.

Highway safety, parking and access

49. Objectors are concerned that the replacement house would be located with an access onto a busy village road leading to Eggescliffe village and at a dangerous traffic junction onto Yarm Road. Also that there is a lack of car parking for the size of dwelling.
50. The Acting Head of Technical Services has no highway objections to the proposal. The highway advice is that the scheme indicates that the property can provide the maximum 4 incurtilage parking required. It is therefore in accordance with Supplementary Planning Document 3: Parking Provision for New Developments, November 2006.
51. The access would remain in its current position with a shared opening with No.3 Butts Lane. Subject to this access not being changed the Acting Head of Technical Services has no

highway objections. Saved policy HO3 requires a development to show that satisfactory arrangements can be made for access and parking for residential development before it is permitted and that is the case in this instance.

CONCLUSION

52. The replacement of a dwelling within the site would be acceptable for housing development in principle and the proposed position, design, scale, mass, form and materials of the replacement house are all considered to be acceptable and that it would not adversely affect the setting of the Egglecliffe Conservation Area or the streetscene or trees protected by a Tree Preservation Order. The impact on residential amenity and privacy would not be sufficient to warrant a refusal and the access and parking would not adversely affect highway safety. The proposals are therefore in accordance with Stockton-on-Tees Borough Council Core Strategy Development Plan March 2010 policies CS1 and CS3 and Stockton on Tees Local Plan Saved Policy HO3 and Government guidance in PPS3 Housing June 2010 and PPS5 Planning for the Historic Environment and Supplementary Planning Guidance Note 2: Householder Extension Guide February 2004.

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

WARD AND WARD COUNCILLORS

**Ward Eaglescliffe
Ward Councillor Councillor A L Lewis**

**Ward Eaglescliffe
Ward Councillor Councillor J. A. Fletcher**

**Ward Eaglescliffe
Ward Councillor Councillor Mrs M. Rigg**

IMPLICATIONS

Financial Implications: None
Environmental 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.

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
The Town and Country Planning Act 1990.
Planning Policy Statement 1: Delivering Sustainable Development - February 2005
Planning Policy Statement 3: Housing - June 2010
Planning Policy Statement 5: Planning for the Historic Environment - March 2010

Supplementary Planning Document 3: Parking Provision for New Developments November 2006.
Supplementary Planning Guidance Note 2: Householder Extension Guide February 2004.