

DELEGATED

AGENDA NO
PLANNING COMMITTEE

DATE 12 SEPTEMBER 2012

REPORT OF CORPORATE DIRECTOR,
DEVELOPMENT AND NEIGHBOURHOOD
SERVICES

12/0561/FUL

The Garth, Coal Lane, Wolviston

Demolition of existing bungalow and erection of three new dwellings

Expiry Date 30 April 2012

SUMMARY

This planning application was considered at the Planning Committee meeting on 22nd August 2012 when Members resolved to defer consideration to enable a site visit to take place.

Planning permission is sought for the erection of three dwellings to replace an existing bungalow. The proposed scheme provides each dwelling with a rear garden and 2 off street parking spaces. A number of objections have been received mainly relating to the over development of the site, the impact of traffic and associated movements and the impact on privacy and amenity associated with surrounding premises.

The scheme will provide a reduction in ground levels and finished floor levels to those currently on site although would replace the existing bungalow with 2 storey housing. The additional bulk and mass is considered to fit within the site and in view of intervening distances between properties, angles of view and site level changes, it is considered that the impact on privacy and amenity would not be sufficiently significant to warrant refusal of the application.

The Head of Technical Services considers there to be adequate provision of parking and that there will be no undue impact on highway safety. Conditions are recommended in order to further control ground levels, the provision of a connecting footpath to the front of the site, a front boundary treatment and a landscaping scheme.

The proposed scheme is considered to accord with relevant planning policies as detailed within this report.

RECOMMENDATION

That planning application 12/0561/FUL be approved subject to the following conditions and informatives;

01 **Approved Plans**
The development hereby approved shall be in accordance with the following approved plans;

<i>Plan Reference Number</i>	<i>Date on Plan</i>
901_A	12 June 2012
005_B	12 June 2012
110_A	12 June 2012

No development hereby approved, including any preparatory works to the ground, shall commence until a scheme for the protection of trees and shrubs has been submitted to and approved in writing by the Local Planning Authority. The scheme shall detail the precise location of protective fences, areas of material storage within the site and root protection zones. The approved scheme of protection shall be implemented on site prior to construction works commencing on site and shall be maintained throughout the period of construction.

Reason: In order to protect the trees in view of their positive contribution to the visual amenity of the area and to accord with Stockton on Tees Core Strategy Development Plan Policy CS3 'Sustainable living and climate change'.

07. Landscaping scheme

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, a landscaping scheme. Such a scheme shall detail the following;

a) Areas of soft landscaping including plant species, numbers, densities, locations, and sizes, planting methods, maintenance and management.

b) Hard landscaping throughout the site,

c) Areas of landscaping to be retained and a scheme for their protection, and

d) Excavations required for service runs.

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

Planting works shall be carried out during the first planting and seeding season following the substantial completion of the development.

Reason: In the interests of visual amenity and to comply with Stockton on Tees Core Strategy Development Plan Policy CS3 'Sustainable living and climate change'.

08. Minimise energy consumption

The residential units shall be built to Lifetime Homes Standards and achieve a minimum of Level 3 of the Code for Sustainable Homes if commenced before 1 January 2013 and thereafter a minimum of Code Level 4 unless otherwise agreed in writing with the Local Planning Authority or any other equivalent Building Regulation rating at the time of the submission of the application for reserved matters.

Reason: In order to minimise energy consumption in accordance with Stockton-on-Teas Adopted Core Strategy policy CS3.

09. Construction Working Hours

No construction/building works or construction related 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 properties and to accord with saved Policy HO3 of the Stockton on Tees Local Plan.

10. Burning of waste

During the construction phase of the development there shall be no open burning of waste on the site.

Reason: To protect the amenity of the occupants of nearby properties.

11. **Removal of PD Rights – All Householder**
Notwithstanding the provisions of classes A, B, C, D & E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the Town and Country Planning (General Permitted Development) (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 erected within the curtilage without the written approval of the Local Planning Authority.

Reason: To prevent significant undue detrimental loss of privacy and amenity for future occupants taking into account the dense nature of the development as proposed, and to comply with saved Policy HO3 of the Stockton on Tees Local Plan.

INFORMATIVE OF REASON FOR PLANNING APPROVAL

Informative 1: Summary of reasons and policies

The proposed scheme has been considered against the policies and documents identified below and is considered to be of a suitable scale, mass and design for the area taking into account the existing mix, character and appearance of surrounding development. Adequate access and parking have been provided and it is considered that the proposed development would not unduly compromise the amenity or privacy of surrounding properties as a result of the precise relationship of elevations and windows within the buildings and the distance between opposing elevations. There are no other material considerations which suggest the application should be determined otherwise.

Core Strategy Policy 2 (CS2) - Sustainable Transport and Travel

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

Core Strategy Policy 7 (CS7) - Housing Distribution and Phasing

Core Strategy Policy 8 (CS8) - Housing Mix and Affordable Housing Provision

Core Strategy Policy 11 (CS11) - Planning Obligations

Local Plan Policy HO3 - Housing

Informative 2: Northern Gas Networks

Northern Gas Networks have advised that there may be gas apparatus in the area and that the developer contact them to discuss this. Contact details given are as follows;

Sandra Collett

Network Records Assistant

0845 6340508 (option 6)

BACKGROUND

01. There is no planning history for the site relevant to this application.

SITE AND SURROUNDINGS

02. The application site is located within the north western corner of Wolviston Village, on the site of an existing detached bungalow. The character of the area is made up of the older historic properties adjacent to the sites southern boundary and on the opposing side of the highway as well as the more modern development associated with Moreland Close to the north / east sides of the site which is a relatively modern cul de sac of detached and link detached properties. There is a notable amount of landscaping and tree cover along the street scene. The existing bungalow on site is raised to the level of the adjacent highway.

PROPOSAL

03. Planning permission is sought for the erection of a terrace of 3 properties. The properties are two storey, 3 bed units, detailed having a private rear garden and off street parking spaces to the front which are accessed directly from Coal Lane. The terrace is proposed with a split floor level and changing roof styles which has been aimed at reducing the mass of built development and minimising its impacts on surrounding properties. The development would involve the lowering of the existing ground level to achieve reduced ground floor levels for the proposed dwellings.
04. The application was initially submitted with parking to the rear and has since been amended on two occasions in order to reduce the potential impact on surrounding properties. Parking is now being proposed to the front of the site.

CONSULTATIONS

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

Head of Technical Services

General Summary

Subject to the comments below Technical Services have no objections.

Highways Comments

In accordance with SPD3: Parking Provision for Developments each 3-bedroom dwelling has 2 incurtilage car parking spaces. There appears to be a gate post in the middle of the central drive, it is recommended that this be removed to make manoeuvring easier.

Informative: The applicant should contact Direct Services regarding the construction of the dropped vehicle crossings.

Landscape & Visual Comments

The revised scheme is more in keeping with the local area and therefore considered acceptable from a landscape and visual viewpoint.

Small scale specimen tree planting should be provided in the rear gardens to soften views of the houses from adjacent properties. Details of the planting should be provided as per the condition wording below.

A hedge or a low brick wall with planting behind would be a suitable frontage boundary treatment to match those already existing in the local area. Details of the boundary enclosures and or planting should be provided as per the condition wording below.

Northumbrian Water Limited

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

Northern Gas Networks

Northern Gas Networks have advised that they have no objections to the scheme although there may be apparatus in the area at risk during construction works and should planning permission be approved have requested the promoter of the works should contact NGN. An informative is recommended to address this matter.

Wolviston Parish Council

Wolviston Parish Council object to this application on the following grounds

- 1) It is an overdevelopment of the site
- 2) The site is on a dangerous corner, with a bus stop outside, and the area has previously suffered with speeding problems, as noted on a SBC traffic survey. This means that the extra traffic created increases the accident risk
- 3) There could be issues with access and egress from the site due to poor visibility of the oncoming traffic
- 4) There appears to be inadequate parking for visitors
- 5) The privacy of neighbouring properties is compromised
- 6) Increase in noise pollution
- 7) This is another application that adversely changes the character of the village.

PUBLICITY

Neighbours were notified and comments received are summarised below:-

S Milner, 3 Moreland Close Wolviston

- The map on the website is several years out of date. There is now a new road The Ashes opposite the bungalow in question.
There are 3 x 6 bed houses and a bungalow on this road. This means there must be allowance for at least 15 cars for this road and type of house.
The building on the southern side of Jalna has been demolished and was in line with where the access road joins Coal Lane.
- The Garth is situated between a bus stop and the blind corner of Coal Lane and Durham Road.
The recent addition on The Ashes to this 50metre stretch of road makes this a congested stretch of road.
- Three houses will need parking spaces for a minimum of 6 cars. They will need to access Coal Lane in an already difficult place.
- Three houses will need to be very close together on this plot and it is not in keeping with the existing houses in the roads off Coal Lane.

May I be so bold as to suggest a site inspection by SBC Planning Department is essential before this application is allowed to proceed any further.

B Natress, 48 Durham Road Wolviston

With reference to the above application (and in no order of priority) we wish to draw attention to the following:

On the south elevation of the proposed development a bathroom window is indicated that would overlook the garden of 48 Durham Road: a threat to our privacy. Presumably it will be argued that this window will be glazed in opaque glass however windows can be opened. We would suggest that the rooms be redesigned to resolve this issue or the bathroom be made windowless as is the case today with many small modern dwellings?

It is proposed that the sewage waste from the three proposed properties will make use of the existing mains sewer. As this sewer runs through the garden of 48 Durham Road and connects with the latter's sewage at a point within the curtilage of our property and in line with the driveway

rear access (not accessible to the public) and given that we have experienced sewage problems on occasion with Mrs Monk this issue will surely be exacerbated with the increased usage from one individual to three families or residences focusing upon this one point, a potential health hazard. We would suggest therefore that the sewage be directed straight to the mains sewer. It is also stated that surface water/rainfall will also be directed through this existing sewer. (See also the point on the lowering of site level below.)

Coal Lane is on occasions subjected to surface rainfall flooding at a point slightly to the north of the proposed road access. The applicant states that there is no such issue or is ignorant of this problem.

It is stated that the present dwelling is not vacant: Mrs Monk's house has not been lived in since her death. It is our understanding that the owner of the property is her son through inheritance and not as it appears in the application in section 25.

If our reading of the plans is correct the whole site is to be lowered but with the retention existing boundary levels - this would suggest two further issues: the disposal of earth and surface water/rainfall dispersal as is suggested through the existing mains sewer. Water cannot run uphill and the site topography is varied affecting all surrounding properties differently. Finally is the proposal suitable in this location, namely three small confined dwellings? Whilst recognising the need for either the modernisation of the late Mrs Monk's house or the redevelopment of the site it would in our view that the house/site be best shaped by either one quality detached residence or a quality semidetached house.

Brian Liddell, 15 Moreland Close Wolviston

Our property is situated at least 10 to 12 feet lower than the proposed new development due to the rising ground level of Moreland Close. We already suffer from facing onto a brick garage wall with gable end views on two levels. Adding 3 two storey dwellings with a huge north facing gable end plus car parking in the rear garden of The Garth would bring much noise and pollution and disruption to the neighbours whose perimeter fences surround the existing bungalow and would certainly exacerbate the poor rear view of no. 15 Moreland Close. The proposal would result in the loss of light, loss of open space, loss of privacy, unimpressive new gable end visual impact, added strain on drains, excessive noise, grit and dirt pollution during the re-build, excessive noise with cars coming and going, potential sewage health hazard, possibility of illegal parking of developers / builders in Moreland Close causing obstruction to residents and damaging the highway, general strain on services including water pressure, house de-valuation, traffic exist being a few feet from a bus stop and only 150 feet from a primary school. The proposed development would damage the tranquil atmosphere of village life in Wolviston.

Please exercise some regard for the collective wishes of the 6 householders located to the rear of the demolished bungalow. The loss of privacy would be massive. The revised parking locations to the front elevation will lead to potentially disastrous issues with cars coming and going from the site next to a 90 degree bend and a bus stop.

Mrs Zoe Parkinson, 14 Moreland Close Wolviston

After reviewing the proposed plans for the erection of three dwellings, I wish to express the following concerns.

I reside at 14 Moreland Close with my husband and young child, the rear of the property overlooks the proposed development site with a boundary fence between our rear garden and the site.

- I am extremely concerned that the erection of two storey dwellings on the site will infringe on our privacy at the rear of our house where the bedroom and bathroom are situated, this also extends to neighbouring properties of as similar layout. Our rear garden will be greatly overlooked by the dwellings and again this will have an impact on our privacy.

- Noise/Traffic Pollution, at the present time the parking and access for the bungalow situated on the site is at the front, on the proposed plans parking spaces are to be located at the rear, two of which are next to the boundary with my property. This will greatly increase the noise pollution from vehicles that will be accessing not only the two spaces close to my property but the other spaces available. I also have concerns that the parking is so close to my rear garden where my young child will be playing that the fumes created from the potential of six vehicles so close may have an impact on his health. Although I appreciate parking has to be provided I would suggest it was situated at the front of any proposed development.
- Loss of natural light/open space, this is fairly self explanatory. The only preventative measure would be the development of one storey dwellings on the site.
- Over development of the land, three two storey dwellings is clearly an over development, better suited would be a 'like for like' property.
- House price de-valuation, this development is likely to de-value not only my property but any property overlooking the site.
- Boundary fencing, if the proposed plans were to be granted consideration would have to be given to the present boundary fencing and maintenance during the build.
- Access to the proposed site, the access to the site is situated on a busy road very close to the opening to Moreland Close, situated between the two is a bus stop in use, the increased traffic the development will cause may increase the potential for serious road traffic collisions as visibility will be poor.

I feel that this development would ruin the quiet and tranquil atmosphere of not only Moreland Close but the surrounding area and would result in a devaluation of Property values due to;

Loss of Light

I appreciate the properties have been lowered by a further 150mm; however, i still believe single storey dwellings would be more appropriate. The erection of the second storey will inevitably block light into the rear rooms and garden of our house, at the present time we already suffer from a degree of loss of light due to the overgrown shrubbery and neighbouring properties however, this will only become worse if the planning application is granted. This issue will also have an impact of the value of our property.

Loss of Privacy

This heading is self -explanatory, the demolition of one bungalow and erection of three two storey houses can only invade on the privacy we currently have. On the second floor at the rear of our property we have a bedroom and bathroom, the erection of the properties will allow the occupants to be able to look directly into these rooms and vice versa therefore, having an impact on privacy whilst using these rooms. Downstairs we currently have a conservatory and outside patio area that will be directly overlooked by the second floor of all three houses. This issue will also have an impact of the value of our property or saleability in the future.

Visual Impact

Again this issue is similar to the above, if the planning is granted then from all the rear windows of our house including the conservatory we will have a view of all three new properties, if single storey dwellings were built this would have a less of an impact.

Traffic

As with my previous objection, i believe that the increase in traffic parking at the properties will be a danger when driving along coal lane, The properties provide two parking spaces only, the majority of households possess two cars therefore, where will visitors to the properties park, no doubt people will attempt to park on coal lane itself which is already a busy road and if this was the case would cause further obstructions when leaving Moreland Close or to people driving through the village.

One issue that I feel has not been addressed is the boundary fencing, if these plans were granted I feel as neighbouring properties we need to know what would happen the boundary fencing which is in a poor state of repair and will no doubt either be damaged further whilst clearing the site or whilst construction is on going.

L Featherstone, 12 Moreland Close Wolviston

Object. The proposed development is not welcomed. The replacement of a bungalow with 3 two storey properties must be a gross overdevelopment of this rural location. The proposed revision of reduction in height levels is insignificant. Our issues remain;

- Such Close Proximity
- Overdevelopment of the site
- Loss of privacy and tranquillity
- Loss of open space / light
- Visitor Parking
- Public Safety / Highways

With such close proximity we would be over whelmed by this development. This rural location requires a like for like replacement (single storey). We find the situation totally unacceptable. The thought of being overlooked directly into upper floors and garden is alarming. We currently enjoy the open aspect of this area and would greatly regret any raising of roof levels as proposed.

It would be very dangerous for visitors to the properties to park on Coal Lane in close proximity to a fast / blind bend. We would question whether this development is really necessary and in the best interests of all concerned.

Mr David Longhorn, 46 Durham Road Wolviston

We would like to object on the following grounds.

There will be a severe loss of privacy both for ourselves and all surrounding neighbours, at present there is one single bungalow situated on the plot, to then try and erect 3 double storey houses on the same area is at best a ludicrous idea, the loss of privacy and being overlooked for all concerned is dramatic. At present no-one overlooks any of these properties however once built people will be able to look directly into the upper floors of all adjacent properties. This proposal is a severe over development of the site also we feel

This in turn will lead to a de-valuation of the adjoining properties without doubt and therefore bring into doubt the future re-sale values of the properties.

The extra impact of the drains and sewage must also be looked at here, to increase the usage of these old drains by approximately quadrupling the throughput is highly unacceptable and could lead to serious health issues.

Again one of the major issues here has to be access and egress, this is a well documented area within the council and already is known as a dangerous corner. To then have 3 families attempting to attempt to pull off their respective drives is merely an accident waiting to happen. Their appears also insufficient parking for guests and visitors to this property

We also echo the comments of the parish council in questioning whether this development is really necessary and is in the best interests of all concerned.

Mr B M Hopkins, 8 Moreland Close Wolviston (comments made prior to revised scheme being submitted)

The entrance and exit of so many cars on that side of Coal Lane so close to a dangerous bend increases hazard.

- Cars must exit the development nose first. Increased noise / pollution whilst manoeuvring , impacting on neighbours and future occupants.
- noise of late night manoeuvring including proposed
- Increased danger to cars turning left out of Moreland Close, especially when a bus is parked at the Bus Stop for several minutes which occurs regularly.
- Danger to pedestrians as there is no path, particularly when going to shops / school etc.
- The proposed are presumably 'starter homes' for young people so there would soon be children. Where will they play on the proposed development and how will they be protected from straying onto the road.
- Extra strain on utilities.
- Visiting cars will park on Coal Lane (highly dangerous) or Durham Road (already clogged especially at school collection times) or in Moreland Close (already often at capacity with on road parking).
- The proposed houses are entirely out of keeping with all the dwellings in Wolviston North of Durham Road.
- Would this design of minimal space and living accommodation even be considered for council housing?
- If the bungalow must be demolished, one dwelling of appropriate design would be acceptable.

PLANNING POLICY

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 Plan is the Core Strategy Development Plan Document and saved policies of the Stockton on Tees Local Plan

Section 143 of the Localism Act came into force on the 15 Jan 2012 and requires the Local Planning Authority to take local finance considerations into account, this section s70(2) Town and Country Planning Act 1990 as amended requires in dealing with such an application [planning application] the authority shall have regard to a) the provisions of the development plan, so far as material to the application, b) any local finance considerations, so far as material to the application and c) any other material considerations

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

National Planning Policy Framework

Paragraph 14. At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking;

For decision-taking this means:

approving development proposals that accord with the development without delay; and

where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
- specific policies in this Framework indicate development should be restricted.

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.

Core Strategy Policy 2 (CS2) - Sustainable Transport and Travel

3. The number of parking spaces provided in new developments will be in accordance with standards set out in the Tees Valley Highway Design Guide.

Further guidance will be set out in a new Supplementary Planning Document.

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.

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.

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.

Core Strategy Policy 7 (CS7) - Housing Distribution and Phasing

1. The distribution and phasing of housing delivery to meet the Borough's housing needs will be managed through the release of land consistent with:

- i) Achieving the Regional Spatial Strategy requirement to 2024 of 11,140;
- ii) The maintenance of a 'rolling' 5-year supply of deliverable housing land as required by Planning Policy Statement 3: Housing;
- iii) The priority accorded to the Core Area;
- iv) Seeking to achieve the target of 75% of dwelling completions on previously developed land.

6. Proposals for small sites will be assessed against the Plans spatial strategy.

Core Strategy Policy 8 (CS8) - Housing Mix and Affordable Housing Provision

1. Sustainable residential communities will be created by requiring developers to provide a mix and balance of good quality housing of all types and tenure in line with the Strategic Housing Market Assessment (incorporating the 2008 Local Housing Assessment update).

2. A more balanced mix of housing types will be required. In particular:

- _ Proposals for 2 and 3-bedroomed bungalows will be supported throughout the Borough;
- _ Executive housing will be supported as part of housing schemes offering a range of housing types, particularly in Eaglescliffe;
- _ In the Core Area, the focus will be on town houses and other high density properties.

3. Developers will be expected to achieve an average density range of 30 to 50 dwellings per hectare in the Core Area and in other locations with good transport links. In locations with a particularly high level of public transport accessibility, such as Stockton, Billingham and Thornaby town centres, higher densities may be appropriate subject to considerations of character. In other locations such as parts of Yarm, Eaglescliffe and Norton, which are characterised by mature dwellings and large gardens, a density lower than 30 dwellings per hectare may be appropriate. Higher density development will not be appropriate in Ingleby Barwick.

6. Off-site provision or financial contributions instead of on-site provision may be made where the Council considers that there is robust evidence that the achievement of mixed communities is better served by making provision elsewhere.

Core Strategy Policy 10 (CS10). Environmental Protection and Enhancement

10. When redevelopment of previously developed land is proposed, assessments will be required to establish:

- _ the risks associated with previous contaminative uses;
- _ the biodiversity and geological conservation value; and
- _ the advantages of bringing land back into more beneficial use.

Core Strategy Policy 11 (CS11) - Planning Obligations

1. All new development will be required to contribute towards the cost of providing additional infrastructure and meeting social and environmental requirements.

2. When seeking contributions, the priorities for the Borough are the provision of:

- _ highways and transport infrastructure;
- _ affordable housing;
- _ open space, sport and recreation facilities, with particular emphasis on the needs of young people.

MATERIAL PLANNING CONSIDERATIONS

05. Planning permission is sought for the erection of three 2 storey dwellings on a site within the defined limits of development for Wolviston and adjacent to but outwith the defined Wolviston Conservation Area and area of Archaeological significance for the village. The

site is currently occupied by a single storey bungalow and the proposed development would require its demolition prior to construction.

Principle of Development

06. The site is within the development limits for Wolviston which is deemed to be a sustainable village for residential development within the Council's Villages Study. The principle of development is also in accordance with saved Local Plan Policy H03 in that the land is not allocated for another use, is not underneath electricity lines and is not used for recreational purposes.
07. The redevelopment of a brownfield site is in accordance with the guidance of Core Strategy Development Plan Policy CS7 which seeks to achieve the target of 75% of dwelling completions on previously developed land.
08. The remainder of issues relate mainly to the impact of the development on its surroundings and the provisions being made for future occupiers. These and other material planning matters are considered as follows;

Scale of development

09. The existing bungalow on the site is relatively modest and has an attached double garage. The bungalow measures 19.3m in width and 11.4m (max.) in depth, having an overall ridge height of 5.5m. See appendix. ref. 1.
10. The proposed terrace block of dwellings measures 15.9m in width x 9.5m in depth with additional single storey protrusions at either side and bay windows to the front. The overall height to ridge is 7.8m. See appendix. ref. 2.
11. The scale of the development is greater than that which is currently on site; however, there is a wide ranging scale of properties surrounding the site, which is generally a mix of 2 storey detached and link detached properties. As such, the general principle of 2 storey properties on the site is considered to be appropriate within this setting.
12. Each property is provided with two parking spaces and front and rear garden / driveway areas. The proposed properties at either side are set 2.5m from the northern boundary (closest point) and 1.4m from the southern boundary). The closest parts of the 2 storey section of the properties are set 3m from the side boundaries. Rear garden lengths vary between 9 and 10m whilst front garden / driveway areas are approx. 6m (between front elevation and adopted highway). Although objections have been raised that the proposal relates to the overdevelopment of the plot, in view of these matters, there is considered to be sufficient spacing for the properties within the site.

Impacts on surrounding properties

13. There are three properties to the rear of the site and a further two properties to the north side / rear (11, 12, 14, 15 and 16 Moreland Close). These properties are two storey in height and set at differing levels to one another and to the application site. The land generally slopes from a high southern point to a low northern point with 15 and 16 Moreland Close being set noticeably lower than the surrounding properties.
14. No's 11, 12 and 14 Moreland Close to the rear of the site have their own rear gardens abutting the site, measuring approx. 7 to 8m in length with a privacy fence between them and the application site. The proposed scheme has been amended from the initial submission to reduce the ground level of the proposed dwellings, with two properties being set 0.3m lower than the floor level of the existing bungalow and the other being set 1.05m lower (See Appendix 2). The proposed dwellings have a single window and door within their rear elevations at ground floor and a single bedroom window at first floor level and the

distance achieved between opposing main elevations from the existing properties to the proposed properties varies between 16.5m and 19m (excluding the presence of conservatories / garden rooms). Objections and concerns have been raised from the occupiers of properties that there will be unacceptable impacts on privacy associated with existing gardens and windows. Whilst these distances are below the 21m that the Council would normally consider suitable for such relationships, in view of there being reductions proposed in ground levels, there being 9m+ rear gardens to the proposed properties, only single bedroom windows within the first floor of each property and the removal of permitted development rights to extend the properties, although affecting privacy and amenity for existing residents, it is considered that this would not be a significantly detrimental impact given the form of development that can be erected when permitted development rights are available.

15. No 15 Moreland Close is set to the rear / side of the development plot at right angles to the proposed dwelling and only oblique views will be achieved between properties (approximately 19m between the main sections of dwellings). The garden of the closest plot is detailed as being lowered from the existing garden level. The occupier of this property has raised concerns about the scale of the development and its height above their property; however, in view of existing floor levels and garden levels noticeably reducing, it is considered that the proposed development will retain an adequate level of privacy and amenity associated with no.15 Moreland Close
16. The rear elevation of No. 16 Moreland Close will face towards the side elevations of the lowest of the proposed properties although would remain to be set at a lower level to that property. Officers would normally expect distances between rear and side elevations to be 11m and this proposal achieves between 11.5m and 13m whilst allows space for intervening trees to be retained. In addition, a hip roof has been detailed for this end property which will limit the impact of the roof as it will slope away from no. 16 Moreland Close.
17. The proposed dwelling to the southern side of the site is set away from the plot boundary with the adjacent property of 48 Durham Road which itself has a significant rear garden. The opposing distance between dwellings is approximately 27m and in view of the proposed development presenting a side elevation towards this boundary with a single obscurely glazed bathroom window within it, it is considered that there would be no significant impact on privacy or amenity associated with this property.
18. There is a significant distance between the proposed properties and those on the opposing side of Coal Lane and it is not expected to have any notable impact on any associated privacy or amenity, particularly in view of the intervening carriageway.
19. Objection has been raised that the proposed development will damage the existing tranquil atmosphere, however, as the scheme seeks permission for a small number of properties on a residential plot it is considered that the general atmosphere of the area (post construction) would remain.
20. Concern has been raised that there will be a loss of light to properties and whilst light may be affected by the greater mass of development on site, there remains to be reasonable spacing between properties and it is considered that the overall impact on light would not be significant.
21. Whilst it is considered that appropriate levels can be achieved by the development and the finished floor levels would be fixed by the details submitted, it is considered necessary to control the garden levels to a greater degree than would be achieved by the levels currently

submitted. This will allow greater protection of tree roots, existing boundary treatments and privacy matters. A suitable condition is recommended.

Design and appearance

22. The proposed terrace of dwellings has a step in level to mirror that of the land form and a change in roof style. This detailing along with bay windows, canopies above doors and single storey projections to either side are considered to give the development a modest appearance whilst the inclusion of a corbelled water table detail and soldier course brickwork are considered to give the properties complementary features to existing properties within the village. In order to control the final details of the scheme, conditions are recommended relating to materials for external surfaces and the front boundary treatment.

Highway related matters

23. Objection has been raised against the scheme with concern over additional vehicles entering / exiting the site, vehicles reversing out from the site in close proximity to a 90 degree bend with indications that vehicles travel quickly along this stretch of highway and at a position where there is a bus stop and other accesses. The question has also been raised as to where visitors to the site would park and whether there is sufficient parking for the proposed development.
24. The Councils Head of Technical Services has considered the submitted details and has advised that adequate parking is detailed although a change to the boundary detail is necessary in order to achieve suitable manoeuvring from the middle property. A condition is recommended to achieve this.
25. The concern raised that there is no path to the front of the site is noted and a condition is recommended in order to ensure such provision and connection to the existing footpath which serves the bus stop adjacent to the site.

Other Matters

26. A number of objections / comments have been received relating to the construction phase of the development and its associated impacts such as traffic, noise, road conditions etc. Whilst these are noted they are an accepted part of any development, being short term impacts. Notwithstanding this, in view of the site being surrounded by residential properties it is considered appropriate to limit construction working hours and a suitable condition is recommended to address this.
27. Concerns have been raised relating to devaluation of house prices, however, this is not a material planning consideration.
28. Concern has been raised in respect to the additional strain on existing services and whilst this is noted, if it were an issue, the developer would need to address it with the service providers. Notwithstanding this, Northumbrian Water were consulted on the application and advised that they have no objection to the scheme.
29. Although limited landscaping is anticipated for the site, conditions are recommended to achieve a scheme of tree protection for existing trees adjacent to and at the rear of the site and for a landscaping scheme to be agreed which will allow for some planting to the front of the site, thereby positively contributing to the street scene following the loss of the existing hedge.

30. Northern Gas Networks and Northumbrian Water have raised no objection to the scheme and an informative is recommended in respect to NGN's request for the developer to make contact with them in respect to apparatus within the area.
31. A condition is recommended requiring properties to be built to Code 3 standard in accordance with the requirements of Core Strategy Development Plan Policy CS3.
32. In respect to the provision of open space, recreation and landscaping, whilst having considered the provisions of Policy CS11 and SPD6, there is no satisfactory evidence at this point in time to link the present proposal to an effect on infrastructure requirement or to justify the need for a planning obligation. Without this information, it is difficult to identify the harm that would result from the absence of a section 106 agreement. It is therefore concluded that the test under Regulation 122 of the Community Infrastructure Regulations 2010, whereby obligations have to be necessary to make the development acceptable in planning terms, has not been met.

CONCLUSION

33. The proposed development of the existing residential plot within the defined limits of development for a sustainable village is considered to be in accordance with the principles of planning policy. Although the scheme will increase the mass of built form on site and will be likely to intensify the overall use of the site, in view of the intervening distances, levels between properties, limited openings at first floor level and the reduction in levels to both the dwellings floor level and the rear garden, it is considered that the impact on privacy and amenity for surrounding residents would not be significantly detrimental and would generally comply with saved Local Plan Policy HO3. Adequate access and parking is provided and it is considered that the proposed development, subject to condition will not unduly affect highway safety. In view of all the matters detailed within this report, it is recommended that the application be Approved with Conditions for the reasons specified above.

Corporate Director of Development and Neighbourhood Services
Contact Officer Mr Andrew Glossop Telephone No 01642 527796

WARD AND WARD COUNCILLORS

Ward Northern Parishes
Ward Councillor Councillor J Gardiner

IMPLICATIONS

Financial Implications:

There are no known financial implications for the site.

Legal Implications:

There are no known legal implications for the site.

Environmental Implications:

The proposed development has been considered against its impact on the surrounding environment and the adjoining residential curtilages. There are no known important habitats within the site whilst adequate note has been taken in respect to landscaping within the surrounding curtilages.

Human Rights Implications:

The provisions of the European Convention of Human Rights 1950 have been taken into account in the preparation of this report. The proposal will reduce the existing level of privacy and amenity for the surrounding residents, however, it is considered that this will not be a significant impact and that adequate levels of privacy and amenity will remain to be achieved due to levels, intervening distances between opposing elevations of properties, limited windows within the rear elevations of the proposed development and the direction of view.

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. The proposal is considered to provide adequate access and parking for the proposed dwellings and subject to the provision of the footpath as required by condition, should enhance pedestrian safety associated with the site / passing of the site. Due to the road layout and traffic speeds, the impact of traffic reversing into the highway is considered to be a safe manoeuvre. Beyond these matters, there are no known community safety implications.

Background Papers:

None.