

**DELEGATED**

**AGENDA NO  
PLANNING COMMITTEE**

**23 OCTOBER 2013**

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

**13/1629/FUL**

**1 - 43 Tarring Street, Stockton-on-Tees,  
Construction of 6.no infill dwellings between 15 and 29 Tarring Street and 2.no new dwellings to the west of 22 Worthing Street and first floor rear extensions and window alterations to 17.no dwellings (from 3 - 43 Tarring Street and 22 Worthing Street)**

**Expiry Date 5 September 2013**

**SUMMARY**

Planning permission is sought for the development of six infill houses between 15 and 29 Tarring Street, extensions to existing terraced properties between 1-43 Tarring Street and the erection of two semi-detached dwellings on Worthington Street. The proposal will not involve any alterations to the current access roads or footpaths.

This application was previously considered at the Planning Committee on the 11<sup>th</sup> September. Members were minded to refuse the application on four grounds, these being, due to the lack of in-curtilage car parking, overdevelopment of the site, lack of sustainability and the resulting poor design and contravening the privacy guidance giving rise to unacceptable living conditions.

The Head of Planning Services and the Principal Solicitor reported at the meeting that if members were minded to refuse the application contrary to officer recommendation then the Planning protocol would be invoked. The application was therefore deferred as the protocol required the application to be reported back to Planning Committee for further consideration.

Since the previous committee meeting the applicant has submitted revised plans. The alterations to the scheme include the following:-

- a) Lowering the roof height of the proposed extensions to the rear of properties by 0.5m.
- b) Removal of the proposed bedroom windows within the rear extension which members considered resulted in unacceptable impacts on privacy, although retaining the rear windows within the first floor extensions between 1 and 13 Tarring Street and the two semi-detached properties where there is reduced overlooking.
- c) Addition of an obscurely glazed bedroom window and a roof light on the north side of the first floor extensions of the infill houses and existing terraced properties between 1-43 Tarring Street.

There were 7 individual letter of objection and a petition of 79 signatures to the original scheme and a further 5 letters of objection have been received on the amended scheme.

In summary, the main objection comments relate to the impact of the development in terms of overlooking and loss of light, the design of the development and the impact on the character of the street scene, the fact the development will divide communities, the impact in terms of the parking and emergency vehicle access to the street within the vicinity of the development and the development being different to that which was originally proposed a number of years ago.

The revised plans have resulted in additional objections being made which consider that the amendments will not alter the outlook of the properties, that extensions to properties will mean more tenants and increased parking problems with no parking provision proposed, that the reduction in the roof heights and removal of windows will not affect the fact that the scheme will block out light, will result in the loss of privacy and will encourage anti-social behaviour. Residents consider that Compulsory Purchase Orders should be placed on these properties.

The design of the new houses is considered to mirror the existing properties within Tarring Street. The properties would increase from 2 beds to 3 beds and be provided / retain a rear yard. The design and scale of the properties and extensions are considered to generally fit in with the existing properties within the street scene. Whilst there is no on-site parking provided, there remains to be the opportunity for on street parking immediately to the front of the properties as was previously the case and as is the case for the remaining occupied terraces within the northern end of Tarring Street.

The principle of development is considered to accord with relevant policy as the site is designated as a brownfield site, within the core area and within the limits of development defined within the Stockton on Tees Local Plan. Both the in-fill terraced properties and the two new build semi-detached properties proposed on Worthington Street are on areas of land which were previously used for housing.

In view of all these matters, the Council is required to consider each application submitted on their own individual merits and the proposal is in accordance with relevant planning policies taking into account relevant material planning considerations.

## **RECOMMENDATION**

***That planning application 13/1629/FUL be approved subject to the following conditions and informatives***

**01     *The development hereby approved shall be in accordance with the following approved plan(s);***

<b><i>Plan Reference Number</i></b>	<b><i>Date on Plan</i></b>
<b><i>004_A</i></b>	<b><i>4 July 2013</i></b>
<b><i>020_B</i></b>	<b><i>11 July 2013</i></b>
<b><i>021_B</i></b>	<b><i>11 July 2013</i></b>
<b><i>022_B</i></b>	<b><i>11 July 2013</i></b>
<b><i>030_D</i></b>	<b><i>23 September 2013</i></b>
<b><i>031_D</i></b>	<b><i>23 September 2013</i></b>
<b><i>032_D</i></b>	<b><i>23 September 2013</i></b>
<b><i>033_D</i></b>	<b><i>23 September 2013</i></b>
<b><i>034_D</i></b>	<b><i>23 September 2013</i></b>
<b><i>035</i></b>	<b><i>23 September 2013</i></b>

**Reason: To define the consent.**

**02 Materials**

**Notwithstanding the details hereby approved, no above ground development shall commence until full details of the external finishing materials for the buildings shall be submitted to and approved by the Local planning Authority**

**Reason: In the interests of visual amenity and to comply with Local Plan Policy HO3 and Core Strategy Development Plan Policy CS3.**

**03 No burning 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 the neighbouring properties.\**

**04 Construction working hours**

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

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

**INFORMATIVE OF REASON FOR PLANNING APPROVAL**

**Informative 1:**

*The Local Planning Authority has implemented the requirements of the National Planning Policy Framework.*

**Informative 2:**

*Northern Gas Networks have advised that there may be apparatus in the area that may be at risk during construction works and should the planning application be approved we require the promoter of these works to contact us directly to discuss our requirements in details. Should diversionary works be required these will be fully chargeable. Contact details given are as follows; Sandra Collett, Network Records Assistant, 0845 6340508 (Option 6)*

**Informative 3:**

*Northumbrian Water have advised that three 225mm Public Sewers cross the site and is shown built over in the application. Northumbrian Water will not permit a building over or close to its apparatus. Diversion or relocation of the apparatus may be possible at the applicant's full cost. We will be contacting the developer/agent to notify them of the build situation; however, for planning purposes you should note that the presence of our assets could impact upon the layout of the scheme as it stands.*

**BACKGROUND**

1. The location of the infill housing along Tarring Street and the location of the proposed two dwellings at Worthing Street is a former housing development site where the previous properties have been demolished with the areas now being grassed open space areas. Recent planning approval has been granted for 117 dwellings to the east of the site as part of the Parkfield Regeneration and to the south of the site is the recent development of the Aldi Supermarket and Health Centre.

2. The Council currently owns 14 of the 17 existing properties within the scheme and is seeking to acquire a further property. The Council is currently negotiating terms for the transfer of these to the applicant along with two areas of land (where the new properties are proposed). This transfer is intended to be subject to the council being given three properties within the larger Parkfield regeneration scheme area which are currently owned by the applicant and subject to suitable conditions being imposed which require the properties to be redeveloped within an acceptable time frame. This is on-going.
3. This current application is placed before committee for consideration following the Planning Protocol being invoked at committee on the 11<sup>th</sup> September following members being minded to refuse contrary to officer recommendation.

### **SITE AND SURROUNDINGS**

4. The application site comprises of land at 1-43 Tarring Street and a plot on Worthing Street, located within the Parkfield area of Stockton. The application site is located to the west of Stockton Town Centre and to the north of Yarm Lane.
5. Tarring Street is an existing row of terraced properties with a cleared area between 15 and 29 Tarring Street. A further cleared area is located to the west of 25 Worthing Street towards the southern boundary of the site with Dean Street located along the northern boundary. To the west of Tarring Street are residential properties along Middleton Walk and Leybourne Terrace.
6. To the east is St Bernard Road, which is currently an area of open space but planning permission has been granted for a housing regeneration scheme for 117 dwellings and associated access at St Bernard's Road, Worthing Street, Hartington road and Dovecot Street (13/0299/FUL).

### **PROPOSAL**

7. The proposal relates to the erection of 6 new infill properties on Tarring Street, 2 new properties on Worthing Street and the erection of extensions to the rear of existing properties in Tarring Street. These are as follows;

#### ***Six new In-fill Properties***

8. The proposed in-fill development of six new three bedroomed terraced properties lies between 15 and 29 Tarring Street. The in-fill properties will replicate the current design and materials of the original terraced properties along Tarring Street, with the same ridgeline roof height, sash window and door design detailing and materials to match the existing terraced properties.
9. The proposal for the in-fill properties has been amended following the previous committee meeting to lower the roof height of the first floor section of the rear extension from 7metres down to 6.5metres. The amendments also result in the removal of the first floor rear bedroom window within the rear extension section and its replacement with an obscurely glazed bedroom window and roof light within the side elevation.

***Two new build semi-detached properties on Worthing Street***

10. The proposal includes two new three bedroomed semi-detached properties to be built on Worthing Street on an area of open land located between Tarring Street and Leybourne Terrace. The new dwellings will have a pitched roof design with sash windows with a two storey extension projecting from the rear elevation. The single window on the first floor rear elevation of the two new build properties will remain in place for these two properties.
11. The two new build properties on Worthington Street will have a garden area to the rear of the properties which will be enclosed with a 2 metre high brick wall with single access gate to the rear. Since the original submission the two new build properties have been moved approximately 0.5 metres towards the western boundary of the plot to take into account the position of the sewers.
12. Since the previous committee meeting the applicant has reduced the roof height of the first floor element to the rear of the both the new build properties from 6.9 metres to 6.5 metres.

***Alterations to existing terraces at 1-13 Tarring Street***

13. The application proposes alterations to the existing terraced properties, to include the following:-
  - a) The existing ground floor single storey element to the rear of the properties will be demolished and a two-storey extension would be constructed to the rear. The ground floor of the extensions will project to the rear boundary and will have a gable pitched roof design. The width of the extensions will increase the previous width of the ground floor from 2.2 metres to 3.14 metres and the first floor of the extension will have the same width. There will be no windows located on the ground floor rear elevation of the extensions. The rear elevation of the two-storey extension will be set in 1 metre from the existing rear boundary. The brickwork and roof tiles for the extensions will match the original properties.
  - b) The original windows on the ground floor rear elevation will be replaced.
  - c) The proposal has been amended since the original submission with the roof height of the first floor extension to the rear of 1-13 Tarring Street having been reduced from 7 metres to 6.49 metres.

***Alterations to existing terraces at 15-43 Tarring Street***

14. The application includes additional alterations to these existing terraced properties to include the following :-
  - a) The existing ground floor single storey element to the rear of the properties will be demolished and a two-storey extension would be constructed to the rear. The ground floor of the extensions will project to the rear boundary and will have a gable pitched roof design. The width of the extensions will increase the previous width of the ground floor from 2.2 metres to 3.14 metres and the first floor of the extension will have the same width. There will be no windows located on the ground floor rear elevation of the extensions. The rear elevation of the two-storey extension will be

set in 1 metre from the existing rear boundary. The brickwork and roof tiles for the extensions will match the original properties.

- b) The original windows on the ground floor rear elevation will be replaced
- c) The proposal has been amended since the original submission with the roof height of the first floor extension to the rear of 1-15 Tarring Street having been reduced from 7 metres to 6.5 metres
- d) Since the previous planning committee the proposed window on the first floor rear elevation has been removed. An additional obscurely glazed window and roof light are proposed on the north side elevation of the first floor extensions.

### **Alterations to 22 Worthing Street**

15. The proposal includes alterations to this property which include extending the projection of the existing two-storey extension to the rear of the property with the rear elevation with the first floor rear elevation being set in 1 metre from the rear boundary. The extension will have a single access door and window on the ground floor side elevation and a window on the first floor which will face towards Worthing Street with no windows on the rear elevation. The extension will have a gable roof design with brick work and roof materials matching the original property.

### **CONSULTATIONS**

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

#### **Head of Technical Services**

The Head of Technical Services has no objections to this development.

This memorandum is in response to alterations having been made to the proposed development at Tarring Street and Worthing Street.

The Head of Technical Services had no objection to the original proposals but the proposals were revised following concerns raised when the original proposals were presented at Planning Committee.

Having reviewed the updated plans, all comments provided on the original proposals still apply and there is no objection to the proposals. The development would replace dwellings that have been demolished so there should be no overall change in parking demand. However, it is acknowledged that the highway landscaping proposed as part of the adjacent Parkfield development could reduce the current on street parking. A plan provided in this report shows how parking could be reinstated as existing if this landscaping is removed.

#### **Highways Comments**

The development proposals have been amended but all changes relate to the scale and design of the properties proposed, not the quantum of development. The development is for 8 new dwellings (replacing previously demolished properties) and alterations and extensions to 17 existing dwellings. No in-curtilage car parking is proposed and therefore all the properties would be reliant upon on-street car parking, in line with the previous terraced housing arrangements.

The Head of Technical Services did not object to the original proposals as:

- The proposed dwellings are replacements for dwellings which have been demolished since 2010 and therefore the development should not increase demand for on-street parking compared with the conditions when these properties were last occupied;

- The properties are located in a highly accessible location with many facilities within walking distance and therefore it is anticipated that car ownership levels will be low; and
- Emergency access to the properties on Middleton Walk would remain as existing and existing arrangements would not be affected by this development.

Concerns were however raised at Planning Committee regarding local parking and the impact of the recently approved Parkfield housing development to the east of this site.

It is acknowledged that a high level of on-street parking currently occurs within the local area and the redevelopment of the Parkfield area could exacerbate parking issues. However, given the short walking distance to Stockton High Street it is reasonable to assume that some existing car parking within this area is associated with town centre workers / visitors and not local residents. Whilst the redevelopment of the Parkfield site could displace commuter parking, there is sufficient car parking within Stockton town centre to accommodate commuter demand.

The Parkfield development does however also effect on-street parking as the redevelopment includes proposals to introduce footway build-outs and landscaping aimed at reducing vehicle speeds and creating a Home Zone style of environment. This would affect Tarring Street as the east side of Tarring Street is included within the Parkfield boundary. It should be noted that 20 terraced properties previously on the east side of Tarring Street are to be replaced with 6 semi-detached properties as part of the already approved housing regeneration scheme. These properties each have two in-curtilage parking spaces. This reduction in properties should reduce residential parking demand. However the landscaping proposals reduce the amount of on-street parking on the west side of Tarring Street which forms part of this development. If this landscaping on the west side of Tarring Street was removed, it is anticipated that at least 1 on-street parking space could be accommodated in front of each dwelling in line with current arrangements which would represent a like for like replacement.

Given that the overall demand for parking should not change and that the level of parking supply can be reinstated as previous, there is no highway reason to object to the development.

#### Landscape & Visual Comments

The proposal to reinstate like for like car parking would remove the build outs and their associated landscaping within the adopted highway, proposed as part of the wider Parkfield Regeneration. This revision of the highway is acceptable in landscape and visual terms as Tarring Street will still benefit from significant landscaping associated with the public realm and gardens of the consented Parkfield Regeneration Scheme.

#### Environmental Health Unit

Environmental Health would have no objection to this application and would request an advisory condition for

#### Construction Noise

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

#### Northern Gas Networks

Northern Gas Networks 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 we require the promoter of these works to contact us directly to discuss our requirements in details. Should diversionary works be required these will be fully chargeable.

### Northumbrian Water Limited

I can inform you that three 225mm Public Sewers cross the site and is shown built over in the application. Northumbrian Water will not permit a building over or close to its apparatus. Diversion or relocation of the apparatus may be possible at the applicant's full cost. We will be contacting the developer/agent to notify them of the build over situation, however, for planning purposes you should note that the presence of our assets could impact upon the layout of the scheme as it stands.

### Private Sector Housing

The Private Sector Housing Division has no comments or objections to make on this application.

### Stockton Police Station

Good design must be the aim of all those involved in the development process and should be encouraged everywhere. For example reference to 'Planning out Crime - Good Practice Guidance', and Planning Advice can make a major contribution to both the prevention of crime and reducing the fear of crime.

'Secured by Design' (SBD) aims to achieve security for the building shell and to introduce appropriate design features that enable natural surveillance and create a sense of ownership and responsibility for every part of the development in order to deter criminal activities and anti-social behaviour. These features include, adequate lighting, control of access, defensible space, and a landscaping and lighting scheme, which when combined, enhances natural surveillance and safety and help to instil a sense of ownership on the local environment.

Secured by Design is an important part of the process of risk management and the vulnerability of people and property to crime can be reduced significantly if the following advice and measures are incorporated.

Incorporating sensible security measures during the design and build combined with good management practices is shown to reduce levels of crime, fear of crime and disorder. The aim of the police service is to assist in the design process to achieve a safe and secure environment without creating a 'fortress environment'.

### Crime Pattern Analysis.

A crime pattern analysis has been carried out revealing over 4521 incidents being reported to Police within the Ward in the past 12 months. Of these, 774 related to criminal activity ranging from criminal damage to burglary, 877 incidents of anti-social behaviour and 1833 public safety issues. Achieving Secured by Design accreditation will reduce the opportunities for crime to occur.

### Access and Movement.

The access and movement through the re-development is defined by the present streets. All routes are well defined, due to the terraced housing set up; it is difficult to provide defensible space at the front of the properties. Maximum natural surveillance to the rear must be achieved and any blind spots or alleyways eliminated where potential offenders could hide.

### Structure

The design of the buildings must be selected with security in mind. All areas within the development should have a clearly defined use.

### Surveillance

All aspects of the development should benefit from good natural surveillance. Well lit spaces are crucial to reducing the fear of crime and it should be used to ensure good natural surveillance is available during the hours of darkness.



Lighting should be designed to illuminate external doors and vulnerable areas, such as rear yards, these should be none switched and be controlled by photo electric cell. The use of low consumption lamps is recommended with units positioned to reduce glare, light pollution and possible attack.

#### Ownership

All space must be clearly defined and adequately protected in terms of use and ownership. It should be clear what areas are public, semi-public, semi-private or private. This is achievable through the creation of defensible space.

Rear and side treatments to the properties that bound public land must be a minimum of 1.8 meter brick design with 200mm boxed trellis topping. 2.2 meter perimeter would be preferred.

Gates giving access to the rear yard of the properties should be robust and have suitable locking mechanism fitted. Key operated locks with additional bolts top and bottom is recommended.

#### Meter boxes

In order to reduce the opportunities for theft by 'bogus officials' the utility meters should, where possible, be located to the outside and front of the dwelling where they can be overlooked. This will negate the need for an official to enter the building in order to read a meter, which will in turn reduce the opportunity for distraction burglary. Meter boxes should be situated on the front elevation of buildings and covered by natural surveillance. Although considered to be extremely undesirable in security terms, it is accepted that utility meters and control equipment that provides a supply by the use of some form of pre-paid token or key may be located within the dwelling. Intelligent meters with automatic signalling is an acceptable alternative

#### Physical Protection

The physical security of the properties is of utmost importance to enhance its sustainability.

#### Doors.

All door sets in SBD developments shall comply with the following:

The SBD standard for door sets is BS PAS24-2012. All door sets shall also be fit for purpose and tested to BS PAS 24-2012 'General performance requirements for door assemblies'. Door sets shall also comply with the relevant material annex when available. All security testing, performance testing and assessment must be undertaken at a suitably qualified UKAS (United Kingdom Accreditation Service) accredited test facility.

Door sets installed within SBD developments shall be covered by an appropriate test report, or if certificated (BSI Kite mark or similar) shall be tested as part of the manufacturers range of door assembly. I will require a copy of the third party certificate prior to the SBD certificate being awarded. If an SBD company is to be used, details of the company will suffice.

Any glazed panels adjacent to doors form an integral part of the door frame then they shall be tested as part of the BS PAS 24 compliance. Alternatively where they are manufactured separately from the door frame, they shall be certificated to PAS 24-2012 or BS 7950: 1997. In such cases the window shall be securely bolted to the door assembly together in accordance with the manufacturer's requirements.

#### Vision panels, door viewers, door chains.

A door viewer shall be fitted between 1200mm and 1500mm (not required if the door set is installed with clear glazing). As an alternative to a door viewer a glazed secure vision panel may be used. This is of particular benefit to persons who, for whatever reason, may have difficulty using a door viewer e.g. a household where one or more of the occupants utilises a wheel chair. A door

chain shall be fitted. All such products must be installed in accordance with the manufacturer's specifications.

#### Windows.

Ground floor windows and those easily accessible above ground floor, shall be successfully tested and Certificated (BSI Kite mark or similar) to PAS 24-2012 'Specification for enhanced security performance of casement and tilt/ turn windows for domestic applications'. Glazing shall be laminated to 6.4mm minimum thickness.

Windows shall be securely fixed in accordance with the manufacturer's specifications, a copy of which will be given to the ALO/CPDA.

Consideration should also be given to small top openings for ground floor windows.

#### Down Pipes

Down-pipes fitted to the properties are to be of a square profile and be fitted using close coupled fixings and flush fitted to the walls. Other features that could be used as a climbing aid are to be avoided.

#### Sheds

Sheds are particularly vulnerable to attack. I would recommend no windows and the use of coach bolts for extra security and a good quality close shackled padlock. If cycle storage is to be within the sheds then it is to be fitted with a "Sold Secure" Silver Standard padlock. Sheds must be positioned away from the outer wall line by about 1 meter with doors facing towards window.

#### Intruder Systems

I recommend alarms to be fitted to the properties; they must conform to BS EN 50131 & PD 6662 for wired systems, or, BS 6799 for wire free systems. SBD requires a 13 amp non switched fused spur to be installed if alarms are not to be fitted.

#### Management

A well designed development with management in mind will help discourage crime in the present and in the future. Suitable processes should be put in place for the maintenance and repair of areas within the development that are not obviously private, examples being landscape management, road repair, street-lighting and signage.

Although not an SBD requirement, Stockton District along with many other areas nationwide is suffering from high volumes of metal theft. These include copper piping, boilers, cables and lead flashing. Dwellings under construction are particularly vulnerable. I recommend that alternative products be utilised where possible. Many new builds are now using plastic piping where building regulations allow and alternative lead products.

Crime prevention advice is given free without the intention of creating a contract. The Police Service does not take any legal responsibility for the advice given. However, if the advice is implemented, it will reduce the opportunity for crimes to be committed.

#### Councillor D Coleman

I have been approached by residents in the area who are opposed to his new development. They have created a petition which they will present to the Planning Committee but they would like the opportunity to speak directly to members if the committee at a site visit. They have been told by planning officers that only a request from a Ward Councillor would bring about a site visit. I have never been aware of such a system but if this is the case can I please make a formal request for a site visit before the decision is taken.

## **PUBLICITY**

Neighbours were notified on by letter and Site Notice and comments received are set out below:-

### **Mr and Mrs E Bateman 39 Middleton Walk**

These houses we look onto were supposed to be demolished in Phase 1 which was 7 years ago now you've changed the plans. We were told we would be looking on to a new estate which we agreed to and was looking forward to. We don't agree to what 'Jomast Development' wants to do we want the old property out & a new estate to look onto. It's us who live here amongst it all not the council they haven't kept their promise about Phase 1.

### **Mr and Mrs Marsay 37 Middleton Walk**

We object to 'Jomast Development' building on Tarring Street. The current properties that he owns are a disgrace and have held up the development of the new estate. We are happy for the old properties to be demolished as per the original plans and a new estate to be built in its place. We do not want to look out on a lot of mis-matched houses we have looked out on a slum for long enough. We want a reputable building firm to build a modern housing estate and have families who will look after them.

### **Mrs Mary Andrews 33 Middleton Walk**

Strongly object to the proposed planning application for Tarring Street and Worthing Street. I am disgusted that these dilapidated and gutted properties are still standing after families were forced to move out. Residents looking onto this site for the last 7 ½ to 8 years were promised a nice landscaped area to look onto, but if this application is approved it will be like Berlin wall, separating two communities from merging together. We have had a lot of problems in Tarring Street in the past with bad tenants and unscrupulous landlords and do not want to go back there.

### **Frank Pybus 29 Middleton Walk**

About the above application, I would like to point out that I disagree very much about the plan you seem to think is ok. They won't be the space for cars to park, please don't say you have worked it all out, I don't think for one minute with the parking idea and for back to back houses in Tarring Street and Middleton Walk, I don't like people overlooking my private place. I say no thanks I don't want any Tom, Dick and Harry putting in them.

### **Mr and Mrs Perks 27 Middleton Walk**

In relation to the application by Jomast Developments, my husband and I are totally opposed to what is planned. Residents deserve better than a mis-match of styles, when what is required is one coherent development, namely Tees Valley which will provide much needed modern dwellings complete with gardens and landscaping. Resurrecting the 'old' Tarring Street with its well documented history of dubious private landlords is not what was envisaged when the original "master-plan" took place.(eight years of hot-potch demolition and subsequent eyesores that have created increased anti-social behaviour and drug dealing). We have serious concerns about Planning Policy Guidelines regarding back to back off set distances between Middleton Walk and Tarring Street properties, should they not be 21 metres ? Although only a guide-line the proposed first storey extensions and the reduced back-to-back distances would mean that our properties would be deprived of privacy. The façade proposed does not link favourably with dwellings on the Ewbank Estate or the rest of Tarring Street. By having two separate developers, the site, which was supposed to be a "gateway" project has been compromised to the point where it would be totally inappropriate. Landscaping has not been considered as part of the Jomast Development which was a major point in the re-development of the site. A potential 'Berlin Wall' effect is the last thing we want between a Tristar Estate and Tees Valley Development.

### **Eileen Cooper 19 Middleton Walk**

I would like to strongly object to the above application by Jomast Developments affecting Tarring Street. As a resident of 33 years on Middleton Walk I fully expected a new estate to improve the area, not the decrepit old properties to be brought back from the dead. Tarring Street has been an

eye sore for years, it has to change for the better. Residents were promised a lovely landscaped outlook in the original master plan – eight long years ago ! We will not get this if the above plans go ahead. Residents will be let down yet again. Please listen to the people who live here.

Adam Mansur 25 Middleton Walk

I am a resident at the above address. I am writing to you with regards to planning application number: - 13/1629/FUL to voice my objections at developing the existing buildings rather than demolishing and building a new estate. I recently moved to the above address with the hope of staying in the area on a long term basis, however should the planning application be granted I am sure I would have to re-consider. It is my desire (and the desire of many others) that the area be completely re-built in order to rejuvenate the estate.

A petition from Mary Andrews with 79 signatures objecting to the Tarring Street Development

**Additional objection comments received on the amended plans**

Mr and Mrs Bateman 39 Middleton Walk

I still object to the proposal as the changes will make no difference to the outlook. If Phase one had been completed as planned there would not of been this trouble now. We would have had a decent outlook to the new estate.

Mrs Eileen Cooper 19 Middleton Walk

Despite the changes as described in your letter of the 25<sup>th</sup> and 1<sup>st</sup> October I am definitely not in favour of the construction work Jomast has described. The roof height extensions made smaller and lack of windows on the first floor will not make any difference to the issues of derelict being renovated on the cheap. Extensions mean more tenants and more parking problems. At the moment traffic is bad, there is no provision for parking in the Jomast plans.

Tarring Street continues to be a hot spot with Police and Enforcement out day and night. As a resident of 33 years I expect better from SBC who should consider and respect that tax payers money has paid for all this planning controversy. What a waste of public money. I am at a loss to understand how Planning Committees operate, but I believe in democracy and that residents should be given the right to fight for what was promised nearly nine years ago.

All the master plans that have come and gone since then! It would be madness to allow Jomast to go ahead and reap the consequences later, spoiling what could and should be a completely re-generated site not a de-generated one.

Mrs Mary Andrews 33 Middleton Walk

I strongly object once again to any construction work being done to 1-43 Tarring Street and Worthing Street. These plans will still block out light to the residents properties of Middleton Walk. They will cause problems with parking, take our privacy away and encourage anti-social behaviour, We know this will be the case as we have had to live with these problems in the past.

The only alterations we are asking for is that these dilapidated properties be demolished, which was promised 8 1/2 years ago. This would allow these estates to merge together and provide a pleasant outlook, rather than houses over a 100 years old being botched up.

We, as residents are surely entitled to a site visit so that members of the committee can see the site for themselves we have made 3 requests so far and been refused three times, with no explanation.

We are told that the votes in our favour were overruled because of 'exceptional circumstances'. Rather than being fobbed off, would someone be courteous enough to specify what is 'exceptional' about Tarring Street and the proposal to resurrect it?

Mrs Pam Perks 27 Middleton Walk

Thank you for the invitation to comment on the above application. Regarding amendments to the above:- Minor changes to the rear elevations of 1-43 will not in any way improve the design and appearance of what are basically the poorest quality build dwellings. It takes no expert or in depth building survey to see what is patently obvious. There is no 'kerb appeal' to these properties.

Low quality bricks were used over a hundred years ago to erect this terrace (apparently) built on a shoe-string to accommodate desperate 1<sup>st</sup> World War Veterans) Why would anyone want this poor design and appearance to be perpetuated, or the properties in question patched up and given a make-over on the cheap.

To resurrect them will certainly not be pleasing on the eye, especially for Middleton Walk residents which have to look on them. Furthermore, this proposal is not good house-keeping. These relics of the past will require more and more investment as time goes by. This can't be good value for money. Residents are right to question how SBC have spent their tax-payers money over 81/2 years of endless plans and consultations.

Traffic and Parking issues are a big stumbling block to this proposal. The terrace is Victorian this application does not allow for the increase in parking that will develop. Should these extensions go ahead it will mean the likelihood of more tenants and more cars.

To refuse this application should in no way jeopardise the Tees Valley Site. They were happy to build on the whole site, up to an including Tarring Street. This was confirmed at the last presentation, earlier in the year at Habinteg Community Centre, Scarth Walk in Stockton.

CPOS should have been slapped on the controversial properties years ago and it is not too late, even at this stage to do that. All in all this proposal would be a retrograde step for this community, blighting the area rather than regenerating it. Tarring Street should have been demolished before any of the better presented streets and certainly before Lawson Street estate. Surely lessons must be learned from this.

Regeneration means new life. New life needs to be breathed into this neglected part of Stockton. Please take on these comments and put residents first. After all, we live in this area and want to continue to do so with pride not shame.

Mrs Beryl Marsay and Derrick Marsay Middleton Walk

In response to your letters regarding Jomast's proposal for Tarring Street and Worthing Street my husband and I are totally against the construction work planned by Jomast developments, even with recent alterations.

We have lived here for thirty three years and know what a backward step this would be for the community, especially for us living opposite.

Extensions proposed would only make matters worse, with more occupants to cause more traffic problems at the rear.

Tarring Street has always been a 'hot spot' causing endless A.S.B and drug dealing. Thanks to greedy landlords this street has a horrendous reputation. Jomast is landlord to some of the properties causing us to have to grave concerns about his plans for the future. To approve this application would be a complete nonsense and waste of money. 81/2 years on we deserve better demolition of 1-43 Tarring Street is the only acceptable solution. Please consider out views.

**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

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.

### ***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.

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

1. Accessibility will be improved and transport choice widened, by ensuring that all new development is well serviced by an attractive choice of transport modes, including public transport, footpaths and cycle routes, fully integrated into existing networks, to provide alternatives to the use of all private vehicles and promote healthier lifestyles.
2. All major development proposals that are likely to generate significant additional journeys will be accompanied by a Transport Assessment in accordance with the 'Guidance on Transport Assessment' (Department for Transport 2007) and the provisions of DfT Circular 02/2007, 'Planning and the Strategic Road Network', and a Travel Plan, in accordance with the Council's 'Travel Plan Frameworks: Guidance for Developers'. The Transport Assessment will need to demonstrate that the strategic road network will be no worse off as a result of development. Where the measures proposed in the Travel Plan will be insufficient to fully mitigate the impact of increased trip generation on the secondary highway network, infrastructure improvements will be required.

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.
4. 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.
2. 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.
3. 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.
4. 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.
5. 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.
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.

2. No additional housing sites will be allocated before 2016 as the Regional Spatial Strategy allocation has been met through existing housing permissions. This will be kept under review in accordance with the principles of 'plan, monitor and manage'. Planning applications that come forward for unallocated sites will be assessed in relation to the spatial strategy.
3. Areas where land will be allocated for housing in the period 2016 to 2021:  
Housing Sub Area Approximate number of dwellings (net)  
Core Area 500 - 700  
Stockton 300 - 400  
Billingham 50 - 100  
Yarm, Eaglescliffe and Preston 50 - 100
4. Areas where land will be allocated for housing in the period 2021 to 2024:  
Housing Sub Area Approximate number of dwellings (net)  
Core Area 450 - 550  
Stockton 100 - 200

### **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.
4. The average annual target for the delivery of affordable housing is 100 affordable homes per year to 2016, 90 affordable homes per year for the period 2016 to 2021 and 80 affordable homes per year for the period 2021 to 2024. These targets are minimums, not ceilings.
5. Affordable housing provision within a target range of 15-20% will be required on schemes of 15 dwellings or more and on development sites of 0.5 hectares or more. Affordable housing provision at a rate lower than the standard target will only be acceptable where robust justification is provided. This must demonstrate that provision at the standard target would make the development economically unviable.
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.



7. The mix of affordable housing to be provided will be 20% intermediate and 80% social rented tenures with a high priority accorded to the delivery of two and three bedroom houses and bungalows. Affordable housing provision with a tenure mix different from the standard target will only be acceptable where robust justification is provided. This must demonstrate either that provision at the standard target would make the development economically unviable or that the resultant tenure mix would be detrimental to the achievement of sustainable, mixed communities.
8. Where a development site is sub-divided into separate development parcels below the affordable housing threshold, the developer will be required to make a proportionate affordable housing contribution.
10. The Borough's existing housing stock will be renovated and improved where it is sustainable and viable to do so and the surrounding residential environment will be enhanced.
11. In consultation with local communities, options will be considered for demolition and redevelopment of obsolete and unsustainable stock that does not meet local housing need and aspirations.

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

9. New development will be directed towards areas of low flood risk, that is Flood Zone 1, as identified by the Borough's Strategic Flood Risk Assessment (SFRA). In considering sites elsewhere, the sequential and exceptions tests will be applied, as set out in Planning Policy Statement 25: Development and Flood Risk, and applicants will be expected to carry out a flood risk assessment.
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.

**Saved Policy HO3 of the adopted Stockton on Tees Local Plan**

5. Within the limits of development, residential development may be permitted provided that:
  - a. The land is not specifically allocated for another use; and
  - b. The land is not underneath electricity lines; and
  - c. It does not result in the loss of a site which is used for recreational purposes; and
  - d. It is sympathetic to the character of the locality and takes account of and accommodates important features within the site; and
  - e. It does not result in an unacceptable loss of amenity to adjacent land users; and
  - f. Satisfactory arrangements can be made for access and parking.

**MATERIAL PLANNING CONSIDERATIONS**

The main considerations with this proposal are the principle of the development, residential amenity, the design and appearance of the properties, highway safety and sustainability and are there any viable alternative proposals for the site. These and other material planning considerations are detailed below.

***Principle of Development***

16. The application site is located within the urban area of Stockton and all new properties proposed are to be located on brownfield land which was previously developed, which is within the development limits for Stockton.

17. The guidance set out in the Councils Core Strategy CS1(2) states that 'priority will be given to previously developed land in the Core Area to meet the Borough's housing requirement'. In relation to housing regeneration development within the Parkfield Area of Stockton, the guidance set out in Core Strategy policy CS1(4) states that ' 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'.
18. Core Strategy Policy CS7(1) seeks to ensure that 75% of dwellings completions should be on previously developed land and saved Local Plan Policy HO3 states that housing within the limits of development will be supported in principle.
19. In view of these matters, the principle of the proposed new housing is considered to accord with guidance contained within these policies.

### ***Residential amenity***

20. The new properties and those being extended are located within a residential area, backing onto existing properties within Middleton Walk and facing onto open land which is to be developed as part of a recently approved housing scheme. In previously commenting on the scheme, members considered that the scheme would have an unacceptable impact on the privacy of existing properties in Middleton Walk due to a first floor bedroom window being present within the rear elevation. The revised plans have removed these windows from all properties that fell short of the guideline privacy distance, thereby removing this impact. Officers considered the initial submission to be acceptable taking into account the historic layout of dwellings in the area and this amendment is considered to improve that situation.
21. The proposed scheme seeks to retain the first floor rear windows in 1-13 Tarring Street which is considered to be acceptable as these properties do directly overlook the existing properties in Middleton Walk and achieve 21m+ between opposing properties elevations containing windows.
22. Windows proposed on the rear elevations of 1-5 Tarring Street will be 6 metres from the side boundary of the new build properties within this scheme which have a kitchen window at ground floor facing towards it. Notwithstanding this, there is a 2m high yard wall surrounding this property, thereby minimising impacts on overlooking in this regard.
23. The front elevations of properties on Tarring Street will retain 19 metres separation with the properties within the proposed new housing scheme which is notably greater than was the case when there was a terrace on the opposing side. Taking this into account, it is considered to be an overall improvement.
24. Objection has been raised that the scheme would be overbearing for existing residents in Middleton Walk and the properties to the rear. Whilst noted, and although residents may have been anticipating a different scheme coming forward, the local authority needs to consider the scheme that has been submitted on its own merits. The proposed layout of this scheme replicates the layout of the housing which is still on site with infill which reflects the layout of housing recently demolished. The impact of the terrace is almost identical to the impact that the recently renovated properties at the opposing end of Tarring Street have on properties within Middleton Walk. The provision of terraced properties is not in itself unacceptable, the proposal replicates a form of development that has existed for many years at this location and the properties in Middleton Walk were built with Tarring Street in place. Whilst a reduced

dominance of the terrace would be achieved were it to be further away or of a reduced scale, the terrace reflects a situation that has existed for a long time and which is partially dictated by the highway layout in the area. Following concerns raised by members at the earlier committee meeting, the applicant has reduced the height of the projecting rear extensions by approximately half a metre which is considered to be a positive step. In view of these matters it is considered that the scheme would not result in an unacceptable overbearing development, particularly as the majority of properties are already in place. Whilst the infill properties could be built to a reduced height, it is considered to be important for them to follow the existing gutter / roof lines of the existing properties to be in keeping with the existing terrace.

***The design and appearance of the properties***

25. The proposed site is located on previously developed land and will utilise the existing road highway layout. The design of the in-fill properties with the front elevation facing directly onto the pavement and the provision of rear projecting extensions and rear yards. Elevation detailing of properties further assists this with brick work detailing under the eaves, sash window design and brick detailing above the window and the doors. The ridgeline roof height of the six in-fill properties has been designed to have the same ridgeline roof height as the existing terraced properties along Tarring Street. The six proposed in-fill properties will have brick work and roof tiles to match the existing terraced properties along Tarring Street. In view of these matters the scheme is considered to be in keeping with the current terraced property layout along Tarring Street, thereby being in accordance with the requirements of saved Local Plan Policies HO3 and HO12 in this regard.
26. Objection comments have been received in relation to the design of the development replicating the existing terraces and the wish for the demolition of the existing terraces and a new housing development scheme for the site, indicating that the scheme proposed is not that which was promised to them 8 years ago. Whilst this desire is noted, the scheme being proposed fits with the existing form of development on the site and the recently redeveloped properties at the other end of Tarring Street. There is no other option which has been put forward as a proposal to consider and as such, it is not a matter of choosing an alternative scheme as no such scheme exists. The authority is therefore required to consider the scheme submitted which is the purpose of this report.
27. The Head of Technical Services have commented that they have no landscape or visual objections to the proposal and that the proposal forms part of a larger regeneration scheme.

***Highway Related Matters***

28. The proposal will utilise the existing access roads and footpaths. Both the in-fill terraced properties and the two semi-detached properties are replacing properties demolished in the recent past. The proposal will however increase properties from being 2 bed to 3 bed units.
29. The Head of Technical Services had no objections to the original proposal and have no objections to the revised plans, considering there will be no overall change to the parking demand from that of the situation prior to demolitions taking place and it remaining to be possible for on street parking to serve these properties as is the case at the other end of Tarring Street and other surrounding terraces. The Head of Technical Services has further supported this, considering that the site is located within a highly assessable and sustainable location with many facilities, including the town centre, and public transport within walking

distance. It is therefore anticipated that the level of car ownership will be low and the current emergency access to properties will not be affected.

30. The Head of Technical Services considers that although there may be high levels of parking within the area at the moment, these are likely to be associated to ad-hoc commuter parking rather than residents. Once the larger site is developed, this situation would change. Further to this, the larger approved scheme adjacent has significantly reduced the overall number of properties in this area and replaced them with properties which all have in curtilage parking as well as numerous visitor parking spaces located throughout. The overall parking arrangements for the whole area will be significantly improved to that which was the case prior to demolitions taking place. The Head of Technical Services has indicated that the road treatment for Tarring Street can be adjusted from that approved as part of the larger site in order to allow parking along the entire length of the highway in front of this application site. This is considered to be adequate to serve the development.

### ***Sustainability***

31. Core Strategy Development Plan CS3 requires 10% renewables on site and properties to be built to Code 4 Standards, a requirement which would only relate to the 8 new build properties as the existing properties are only being extended. There is limited opportunity for renewables on site due to the lack of space and the orientation of roof slopes. Further to this, the applicant has indicated that they are going to improve the fabric of the existing properties as well as having to build the new properties and extensions to modern building standards. In view of these matters, it is considered that the overall scheme would meet the general principles of this policy.

### ***Overdevelopment of the site***

32. The overall number of the proposed dwellings within the scheme has not been reduced since the previous Planning Committee meeting; however the applicant has reduced the height of the first floor extensions to the rear of the in-fill properties, existing properties along Tarring Street and the two new build properties. The overall height of these rear extensions has been reduced from 7 metres to 6.49 metres. The reduction in roof height of the rear extension will mean visually the extensions to the rear of the property are in proportion with the scale and appearance of the current rear elevations of the existing terraced properties within Tarring Street.
33. The proposed six in-fill terraced properties and the two new build semi-detached properties will be located on previously developed housing site. The number of properties proposed as part of this development is the same as the number which was previously located on the site. Therefore, the number of proposed dwellings and the overall scale of the development is considered to fit in with the existing street scene and due to the previous housing which existed on the site means the proposal is not considered as overdevelopment of the site.

### ***Are there any viable alternative proposals for the site.***

34. Several residents have commented that the proposal is not the development or type of properties the community understood was to take place on the site. The Council can only consider proposals for housing that are formally submitted for development sites and areas and this is the current proposal for this site, which forms part of the overall regeneration of the Parkfield area. It should be noted that there is no alternative proposal for the site. On this basis

that should this application be refused this area of the site would be likely to remain in its current condition for a significant period of time due to the financial constraints from the state of the economy on private and public investment.

***Residual matters***

35. The objection comments mention that there have been three requests made for a committee site visit to be conducted and these have been refused with no reason provided. There has been only one initial request made from Councillor Coleman for a site visit prior to the committee meeting however the appropriate procedure was not invoked and was not therefore considered by the Head of Planning and the Chair of the Planning Committee.
36. The proposal relates to a housing regeneration scheme where both the in-fill development and the two semi-detached properties are replacing the same number of properties which were demolished on the site. The terraced properties are providing an amenity yard area to the rear and the semi-detached properties are providing rear garden amenity space. Whilst section 106 contributions for open space, recreation and landscaping would normally be required under Core Strategy CS11 as the proposal is replacing the same number of dwellings on the site and there is amenity space provision for the occupants, it would not be appropriate to require additional contributions to be made.
37. The Councils Environmental Health Officers have commented on the application and requested a condition regarding the construction hours due to the proximity of the development to existing residential properties. This condition is considered to be relevant and necessary.
38. Northumbrian Water have commented that there are three sewers within the site. They have advised that the sewers can be relocated however this would be at the applicant's expense. The applicant has moved the location of the two-semi-detached properties to facilitate this however has been made aware of the issue in terms of the development. An informative is recommended however that the developer gains early contact with Northumbrian Water.
39. Northern Gas Networks have advised that they have no objections to the proposal although there may be apparatus in the area which are at risk during construction. An informative is recommended suggesting the developer gains early contact with Northern Gas Networks.
40. Concerns have been raised regarding the developer and future occupants of the site. Concerns raised regarding individual developers and future occupants are not a material planning consideration and cannot be considered as part of the proposal.
41. Since the original submission the site layout has been slightly altered with the two new build dwellings being located further to the west to ensure that there are no issues with the existing sewers and the two new build properties now have individual garden areas to the rear.
42. Objections have been raised with regard to the fact the in-fill properties will divide the existing estate from the proposed new housing regeneration scheme estate approved under application 12/0299/FUL. The proposed in-fill properties may be a physical structure between the properties however the proximity of each of the properties within the area to each other and the open space provision provided under application 12/0299/FUL should ensure there is no community division.

43. The Police Architectural Liaison Officer (ALO) has considered the submitted information and indicated that there was a considerable amount of crime within this area in the past 12 months which is assumed to be a reflection of the partially demolished housing area and more opportunities therefore being available for such behaviour to occur. The ALO has highlighted the importance of designing out crime which the applicant has taken account of in their latest site layout, particularly in respect to window positions and wall heights. It is considered that the scheme complies with the requirements of Core Strategy Development Plan Policy CS3(8) in these regards.
44. Objection comments have been received that the objection votes were overruled because of 'exceptional circumstances' and clarification of the process is requested as to why Tarring Street is 'exceptional'. With the planning committee members being minded to refuse the application contrary to the officer's recommendation the Head of Planning Services and the Principal Solicitor invoked the planning protocol. This allows the members to fully consider the reasons for refusal the application with a further report on the application to be considered at a further committee date.
45. Objection comments have been received that the properties should have had Compulsory Purchase Orders placed on them and for the terraces to be demolished to allow a new scheme on the site. As part of the Council's original master plan for the area this area of the site was also proposed for acquisition and demolition. Due to funding cuts i.e. the cessation of Housing Market Renewal Funding the Council did not have the £6.3 million to continue with this proposal and as such removed this area from the demolition plan. The 80 properties which were not proposed for demolition were subsequently offered improvements via the GoWarm Community Energy Savings Programme (CESP). The CESP scheme was extremely well received in Stockton with over 1660 properties receiving full external wall insulation (and in many cases heating systems or other improvement).
46. Tees Valley Housing (TVH) have no objection to this application as they are of the opinion that this proposal will complement their adjacent development. There are potential implications for the larger Tees Valley site redevelopment proposal if Jomast do not secure this planning consent. Refusal of this application would necessitate the need to proceed with a CPO to secure the interest for a larger area of the site than would otherwise be required. In summary, any refusal would adversely impact on both the financial viability and the deliverability of their scheme. The financial implications which would occur through the refusal of this application are threefold;-
- a) Current negotiations with TVL are based on the assumption that the Council will be in a position to undertake the land transfer that will see the majority of the site transferred to TVL 'as one'. The financial benefit of this approach is that it will allow TVL to appoint a contractor who will not have to leave the site and return to complete later phases as and when the Council is able to assemble the site. Being able to appoint a contractor for the full site has significant cost benefits for TVL
  - b) TVL will incur additional service diversion costs as they will be required to keep properties not in the ownership of the Council fully connected to existing service supplies.

- c) TVL have secured funding from the HCA for affordable housing on the site (and would hope to secure further funding in later bid rounds). The contract entered into with the HCA required TVL to complete their initial affordable properties by March 2015, if they are not able to gain access to the site (in a timely manner) of a sufficient area is not sold to enable the build out of HCA funded units then there is a significant risk that funding will be lost to the scheme. Should this occur then this may result in a reduced scheme (i.e fewer units, a part developed site or the development of the site taking significantly longer than the current 3 year build projection.

## **CONCLUSION**

47. The proposal is considered to be in accordance with the provisions of the Core Strategy in relation to the principle of new housing development within the core urban area, being on a brownfield site and being within the limits of development.
48. While concerns have been raised by local residents in relation to the location of the dwellings and the design of the dwellings, the development is on previously developed land and provides a density and scale which is in keeping with the surroundings. The development is of a design and appearance which accords with the character and appearance of the existing street scene. Sufficient amenity space will be provided for the residents of the terraced properties with the new semi-detached properties having separate rear gardens. Adequate access is provided from the existing road network as detailed within the report. It is considered therefore that there will be no undue impacts in terms of the privacy and amenity of the nearby residents and that the future occupants of the properties will have adequate privacy and amenity.
49. It is recommended that the application be Approved with Conditions for the reasons specified above.

**Corporate Director of Development and Neighbourhood Services**  
**Contact Officer Miss Debra Moody Telephone No 01642 528714**

## **WARD AND WARD COUNCILLORS**

Ward Stockton Town Centre  
Ward Councillors Councillor D. W. Coleman, Councillor P. Kirton

## **IMPLICATIONS**

### **Financial Implications:**

The Council is involved in acquiring properties within the larger area of the Parkfield housing regeneration scheme and the transfer agreement detailed within this report would prevent the need for some properties to be acquired through other means such as the serving of a Compulsory Purchase Order. The determination of this application will therefore have financial implications which would be relevant to any future processes required to realise relevant acquisitions.

### **Environmental Implications:**

As set out in the 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. Consultees and neighbour comments have all been taken into

account as has the impact on existing residents and their associated rights. It is considered that there are no known impacts that would fundamentally affect people's Human Rights.

**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 need for a safe and secure environment has been considered and the benefits achieved through the careful consideration of the site layout. There are no significant community safety implications as a result of this proposal which achieves, good natural surveillance over most areas.

**Background Papers:**

The Town and Country Planning Act 1990.

National Planning Policy Framework

Stockton on Tees Local Plan Adopted Version June 1997

Core Strategy Development Plan Document March 2010

Supplementary Planning Document 3: Parking Provision for New Developments

Supplementary Planning Document : Open Space, Recreation and Landscaping

Supplementary Planning Document 6 : Planning Obligations

The Local Planning Authority has implemented the requirements of the National Planning Policy Framework