

DELEGATED

AGENDA NO
PLANNING COMMITTEE
12 NOVEMBER 2014
REPORT OF CORPORATE DIRECTOR,
DEVELOPMENT AND NEIGHBOURHOOD
SERVICES

14/2175/FUL

Plot 6, Development Site 17 Plots Bettys Close Farm, Roundhill Avenue
Proposed detached two storey dwelling

Expiry Date 13 October 2014

SUMMARY

As members will note from the report, the application site has been subject to a number of previous applications both in outline and for reserved matters which have established the principle of residential development on the site. The application site forms part of a wider area of former agricultural land situated to the south-west of Ingleby Barwick. Residential properties are situated to the east of the application site while the River Leven and River Tees bound the site to the south and west, with further former agricultural land to the north.

This application seeks planning permission for a five bedroom, two storey detached dwelling with integral double garage. The proposed dwelling will measure approximately 17m (w) x 12m (d) with a maximum height of approximately 9.4m.

The principle of a residential development on the site has been long since established through previous outline and reserved matters approvals and given that these approvals have been implemented, the provision of residential development on the site remains acceptable. This is a reserved matters application ensuring that this development is covered by the outline application and the responsibility to comply with the required infrastructure and Section 106 requirements imposed on the site falls on the original developers and Section.106 agreement. Whilst it is acknowledged that the extension above the garage will increase the scale and massing of the dwelling it is not considered that this will cause any significant harm to the visual amenity of the area or cause significant harm to the neighbouring resident's amenity. The proposal is acceptable in all other regards and is recommended for approval.

RECOMMENDATION

That planning application 14/2175/FUL be approved subject to the following conditions and informative;

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

<i>Plan Reference Number</i>	<i>Date on Plan</i>
001	13 August 2014
004	11 August 2014
003	11 August 2014

Reason: To define the consent.

Site and floor levels:

- 02 *Notwithstanding the information submitted as part of the application details of the proposed site levels and finished floor levels shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development.*

Reason: To define the consent

Means of enclosure:

- 03 *All means of enclosure associated with the development hereby approved shall be in accordance with a scheme to be first agreed with the Local Planning Authority before the development is commenced. Such means of enclosure as agreed shall be erected before the development hereby approved is first occupied and shall be retained for the life of the development.*

Reason: In the interests of the visual amenities of the locality.

Obscure glazing to side elevations:

- 04 *Notwithstanding any description contained within this application, all windows contained within the side elevations of the hereby approved dwelling shall be obscurely glazed and non-opening. The obscure glazing shall be provided at a minimum of level four and shall first be agreed in writing with the Local Planning Authority. The glazing shall be installed in accordance with those agreed detail and shall be retained for the life of the development.*

Reason: In the interests of the amenity of the neighbouring occupiers

Materials:

- 05 *Notwithstanding any description of the materials in the application, precise details of the materials to be used in the construction of the external walls and roofs of the building(s) shall be submitted to and approved in writing by the Local Planning Authority prior to the construction of the external walls and roofs of the building(s).*

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

Soft landscaping works:

- 06 *A detailed scheme for landscaping and tree and/or shrub planting shall be submitted to and approved in writing by the Local Planning Authority before the development authorised or required by this permission is occupied. Such a scheme shall specify types and species and the works shall be carried out in the first planting and seeding season following the occupation of the dwelling or the completion of the development whichever is the sooner. Any trees or plants which within a period of five years from the date of planting die, are removed, become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation.*

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

- Construction Activity;**
07 ***No construction activity shall take place on the premises before 8.00 a.m. on weekdays and 9.00 a.m. on Saturdays nor after 6.00 p.m. on weekdays and 1.00 p.m. on Saturdays (nor at any time on Sundays or Bank Holidays).***
- Reason: To avoid excessive noise and disturbance to the occupiers of nearby premises.***
- Unexpected land contamination;**
08 ***In the event that contamination is found at any time when carrying out the approved development that was not previously identified, works must be halted on that part of the site affected by the unexpected contamination and it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken to the extent specified by the Local Planning Authority prior to resumption of the works.***
- Reason: To ensure proper restoration of the site.***
- No open burning;**
09 ***No waste products derived as a result of the development approved herein shall be burned on the site except in an appliance first approved in writing by the local planning authority.***
- Reason: In the interests of the amenities of the area.***

INFORMATIVE

Informative 1: National Planning Policy Framework

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

BACKGROUND

1. The application site has been subject to several planning applications in recent years all which have included the provision of a country park and housing development. In 2000 an application was originally submitted for 98 dwellings, though later amended to 60 dwellings and a country park (ref; 00/0741/P), this application was refused in December 2000 as it was considered that the proposal would have detracted from the open nature of the landscape. A further application was received in 2001 (ref. 01/1132/P) which reduced the area of housing land occupied and included a large area of planting to separate the proposed housing from the country park. This application was determined by the Planning Committee and it was resolved that the Council were minded to approve the application. However, the application was referred to Government Office North East (GONE) as a Departure to the Development Plan and the application was "called-in" for determination by the Secretary of State. The application was then withdrawn before it was heard at a public inquiry.
2. More recently an application for the erection for 19 no. self-build properties (ref; 05/3047/OUT) was submitted and withdrawn. This scheme differed from the previous applications in that in that the number of houses was reduced although the actual area shown on the plans submitted did largely follow a similar area to the two previous applications for much larger housing numbers.

3. A further application for a housing development of 17 no. executive style self-build plots and the country park was subsequently approved by the Planning Committee (ref; 06/1064/OUT). This application differed in that there was a further reduction in housing numbers and the amount of land proposed for housing was also reduced. A detailed section 106 agreement for providing the Country Park was completed as part of the application.
4. In 2009 a reserved matters application for 17 no. self-build housing plots and the creation of a country park/local nature reserve was then submitted and approved (ref; 09/1340/REM). These were followed by two applications for the discharge of planning conditions submitted (refs; 11/0790/APC and 11/0792/APC) in April 2011, where the pre-commencement conditions were discharged. The applicants have subsequently implemented this consent by implementing the footings for one of the dwellings (plot 6) and the permission therefore remains extant.
5. A further application (ref 13/0651/VARY) sought to vary the previously approved plans of planning approval 09/1340/REM to allow for alterations to the adoptable road and relocation of the car park to serve the country park. This application was also approved.

SITE AND SURROUNDINGS

6. The application site forms part of a wider area of former agricultural land situated to the south-west of Ingleby Barwick.
7. Residential properties are situated to the east of the application site while the River Leven and River Tees bound the site to the south and west, with further former agricultural land to the north.

PROPOSAL

8. This application seeks planning permission for a five bedroom, two storey detached dwelling with integral double garage. The proposed dwelling will measure approximately 17m (w) x 12m (d) with a maximum height of approximately 9.4m. Since the original application was lodged revised forms have been submitted which amends the application to a reserved matters development.
9. Pre-application discussions regarding the design of the proposal were held with officers prior to the application being made and this has led to the applicant making a number of revisions to the scheme, primarily to try and reduce the scale and massing of the building and break up the front elevation.

CONSULTATIONS

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

Head of Technical Services

I refer to your memo dated: 21/08/14

General Summary

Subject to the comments below, The Head of Technical Services has no objections to this development.

Highways Comments

In accordance with SPD3: Parking Provision for Developments 2011, a 5-bedroom house should provide 4 incurtilage car parking spaces. The proposed garage does not meet the minimum internal dimensions of 6m x 5.5m required to be considered as 2 parking spaces however 4 spaces can be accommodated on the drive, there are no highway objections.

Landscape & Visual Comments

There are no landscape and visual objections to the development. Boundary treatments should be provided in line with the estate site masterplan which requested a 1.8m high brick wall to the side (rear) garden facing the road, a 1.8 m high close board fence in the rear garden and a beech hedge to the front facing the main access road with further planting provided in the front garden itself. Suggested condition wording is attached in the informative section below.

Informative

UDLV03 ENCLOSURE

UDLV06 LANDSCAPING - SOFTWORKS

Environmental Health Unit

I have no objection in principle to the development, however, I do have some concerns and would recommend the conditions as detailed be imposed on the development should it be approved.

o Construction Noise

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

o Open burning

No waste products derived as a result of clearing the land hereby approved shall be burned on the site except in a properly constructed appliance of a type and design previously approved by the Local Planning Authority.

o Unexpected land contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified, works must be halted on that part of the site affected by the unexpected contamination and it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken to the extent specified by the Local Planning Authority prior to resumption of the works.

Councillor R Patterson

I refer to the above and I would like to lodge an objection as follows:

1. The site has no road access or drainage / sewers the access is through a farm gate into a field.
2. How do we stand with the section 106 agreements, surely there is land handover to SBC prior to getting development started.
3. This plot is poorly sited, with a gable wall on full view as you enter Ramsey Gardens.
4. Distances between this plot and the existing properties in Ramsey Gardens may not meet the previous approvals.
5. Please ensure that roads are in accordance with SBC engineers requirements.

This whole development leaves me with major concerns for existing local residents. Ten years have already elapsed since planning applications started on this site from the current land owners. If this self-build development goes ahead I have great concerns that it will take the same route as the last self-build site on The Rings at Riverside View. The first plots were sold in March 2005, with at least 4 of the 55 plots still not complete. This puts huge strain on those

living next to the development. It is unfair and not right. This development would end up as a 20 year job. Not impressed.

The layout has left a road, kick about area and car park immediately behind residents properties, when there are far better options. This venture as a whole needs to be handed over for an appropriate price to a good local developer who can develop a better site lay - out, without the need for a 15 foot high mound to screen the development from the Tees Valley, and instead develop something that blends in better with the Tees Valley landscape.

Councillor K Dixon

I totally agree with the observations by Councillor Patterson, this seems a piece meal application in an effort to get the first buildings up with no thought for the planning application consequences.

Please register my objections as per the points outlined by Councillor Patterson; I hope that in future applications fall under the original permissions. I concur with Councillor Patterson's observations on the application and therefore object on the same grounds.

Councillor D C Harrington

I support Councillor Patterson and object to this scheme on the same grounds. Please add my name to the list of objections for the reasons listed by Councillor Patterson.

Parish Council

Ingleby Barwick Town Council has considered all of the information and plans provided in respect of planning application no. 14/2175/FUL.

The Town Council would refer to the previous planning approvals in respect of the overall design and layout of the development at Bettys Close Farm.

It is questioned as to whether the proposed development on plot 6 is in line with the overall planning permission granted for the site, with particular regard to the required distance from the existing properties adjacent to the site.

The Town Council would be grateful if you could ensure that the above concerns are given due consideration.

Northern Gas Networks

No objections

Northumbrian Water Limited

Thank you for consulting Northumbrian Water on the above proposed development.

In making our response to the local planning authority Northumbrian Water will assess the impact of the proposed development on our assets and assess the capacity within Northumbrian Water's network to accommodate and treat the anticipated flows arising from the development. We do not offer comment on aspects of planning applications that are outside of our area of control.

Having assessed the proposed development against the context outlined above I can confirm that at this stage we would have no comments to make.

I trust this information is helpful to you, if you should require any further information please do not hesitate to contact me.

PUBLICITY

11. Neighbours were notified and those comments received are set out below:

Mrs Helen Gregory - 5 Ramsey Gardens Ingleby Barwick

Please consider my objections to the following application for planning permission.

1. My first objection is the height of the dwelling 9m 40, this I feel is not in keeping with the other properties in the near vicinity. The height I feel will dominate and create loss of light and effect privacy.

2. The square footage of this proposal has been increased from its original plan. This I feel due to the vast scale of the property be out of keeping with the surrounding houses.

3. The side profile of the house: windows/ balcony on the side of the house will effect the privacy in our living room.

Please carefully consider our objections which are in short: the vast scale and size of the property, the loss of light due to the height and or privacy effected due to the side windows/ balconies.

Mrs Adrienne Atkin - 10 Ramsey Gardens Ingleby Barwick

I wish to submit my comments for the application of 14/2175/FUL

I write in connection with the above planning application. I have examined the plans and I know the site well. I wish to object strongly to part of this proposed development.

1. The proposed extension which sits directly on top of the double garage, the small window at the top of the Gable Elevation will see directly into our garden and sitting area in the rear of our property.

2. The actually rooms on top of the garage will significantly effect the loss of light at different parts of the day this will block our light and shadow our garden.

3. In the winter it will be significantly worse as the sun is at its lowest and less light is available.

4. Having the rooms on top of the garage will give us a feeling of being over looked with a massive lack of privacy.

5. The height of the said rooms with the roof pitch looks out of sync with the rest of the development; it pitches higher at one point but no explanation to why this is. It looks too dominate and not in alignment or keeping with current properties. The design pitch looks a bit added on. I refer to the area to the right of the picture showing gable elevation in white

6. The loss of light will not allow us to enjoy our property to its full extent due to the loss of light and shadowing. The visual impact on us is one of great concern.

7. Height of this development is around 9.4 meters high the houses in close proximity are around 8 meters. This difference in height will look dramatically different and not in keeping with the original concept of surrounding houses.

8. The rooms above the garage was not on the original plans as appears to be an extra it will effect around 1/13 of our property at the rear of the house, thus causing distress and visual impact especially with the privacy and loss of light aspect.

9. The house will look too different to the houses in the surrounding area. A blot on the landscape surely this house needs to blend in

10. There is no boulevard effect which was in the original plans 06/1064/out which goes along the total fence area on these plans.

I understand that this development has already been approved with the outline permission; my biggest concern is the area above the garage as mentioned above. Should this development be passed in the way it's been applied for, it may set a precedent for the rest of the plots making this development look totally different to surrounding houses. It will increase in traffic and carbon footprint as the more bedrooms it's allowed the more cars it will have. The area in question is supposed to blend with its landscape and local properties and the approval could lead to an unplanned expansion of other plots in that area.

Whilst we understand that this development has already been approved its the additional space that the developer is asking for that is in question as well as the visual impact and the privacy issue.

Mrs Carolyn Mallaby - 22 Nevern Crescent Ingleby Barwick

I wish to object to the plans for the following reasons:

- The plan does not adhere to the Development brief submitted with Application 13/0651/VARY which states that 'dwellings must be designed so there is no direct overlooking of living rooms or gardens. Windows of all habitable rooms, including kitchen areas must be excluded from side walls where this would overlook an adjoining plot' The proposed design has windows on both gable ends, which would overlook adjoining properties.
- Given the protracted timescale since the approval of Application 06/1064/OUT and the uncertainty regarding future development of this site as a whole, it is essential that building on Plot 6 DOES NOT commence until the developer has completed the required drainage works, road access and services.

PLANNING POLICY

12. 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.
13. 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.
14. The following planning policies are considered to be relevant to the consideration of this application:-

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.

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.

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.

Core Strategy Policy 10 (CS10) Environmental Protection and Enhancement

3. The separation between settlements, together with the quality of the urban environment, will be maintained through the protection and enhancement of the openness and amenity value of:

i) Strategic gaps between the conurbation and the surrounding towns and villages, and between Eaglescliffe and Middleton St George.

ii) Green wedges within the conurbation, including:

_ River Tees Valley from Surtees Bridge, Stockton to Yarm;

_ Leven Valley between Yarm and Ingleby Barwick;

_ Bassleton Beck Valley between Ingleby Barwick and Thornaby;

_ Stainsby Beck Valley, Thornaby;

_ Billingham Beck Valley;

_ Between North Billingham and Cowpen Lane Industrial Estate.

iii) Urban open space and play space.

Saved Policy HO3 of the adopted Stockton on Tees Local Plan

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.

Saved Policy REC 8 of the adopted Stockton on Tees Local Plan

Land along the Tees and Leven Valleys will be designated as a country park.

National Planning Policy Framework

15. 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.

16. In determining this application it is considered that the following sections of the National Planning Policy Framework (NPPF) are relevant;

Section 1. Building a strong, competitive economy

Section 4. Promoting sustainable transport

Section 6. Delivering a wide choice of high quality homes
Section 7. Requiring good design

MATERIAL PLANNING CONSIDERATIONS

17. The main planning considerations of this application are compliance with planning policies and the impacts of the development on the character of the area, the amenity of neighbouring occupiers and access and highway safety. These considerations are set out below;

Principle of Development;

18. The application site lies outside of the current built form of Ingleby Barwick and lies within the green wedge. The purpose of the green wedge as defined under Core Strategy policy CS10 is to maintain the separation of settlements, improve the quality of the urban environment, and to protect and enhance the openness and amenity value of those sites. In this instance the site lies within the green wedge which forms the River Tees valley and helps to maintain the separation of the settlements of Ingleby Barwick and Eaglescliffe.

19. However, outline and reserved matters planning permissions for the erection of 17 no. self-build properties and the provision of a country park have previously been granted, the pre-commencement planning conditions were also discharged in May 2011 and the developer commenced work on site prior to the permission lapsing on the 21st September 2011. The permission has therefore been implemented, remains extant and is capable of being carried out under the plans of the previous approvals.

20. As these previous and extant approvals detail a dwelling on this particular site, the principle of residential development is considered to remain acceptable, subject to all other material planning considerations.

Visual Impact;

21. Within the surrounding area there are a number of different styles of two storey dwellings, some of which have evidence of a room in the roof and previously planning permission was granted on the site for a two storey dwelling with rooms within the roof space and an attached double garage and given the intension for a self-build property, a hatched area shows the extent of a buildings footprint (see appendices). The proposed development remains for a single dwelling with its main orientation facing north-south. Its side elevation will therefore remain facing toward the existing street of Ramsey Gardens, albeit with a first floor addition. The extent of the buildings footprint is also broadly in line with the parameters set out within the previously approved site plan.

22. A number of the objectors have raised concerns with regards to its position, scale and design and how the dwelling would not be in keeping with the other properties in the area and how it may set a precedent for future development. Whilst it is acknowledged that the proposal will result in an increase in the overall scale and massing of the building (as a result on the dwelling extending above the garage), in comparison to some of the other properties already approved on the wider development it is considered to be in keeping remaining development on this site in terms of scale, massing and design.

23. Although the proposal includes some windows within the side elevations, these are secondary windows and add a degree of interest in to what would otherwise be relatively blank elevations. Whilst at odds with the design guide, the proposed windows would be obscurely glazed to protect levels of privacy and it is not considered that there would be significant visual harm to justify a refusal of the application.

24. The Council's Landscape Officer has commented that they have no objections to the scheme although request that the means of enclosure are provided in line with the site masterplan

details of which can be controlled through a planning condition along with details for appropriate landscaping.

Amenity;

25. The proposed dwelling maintains its north-south orientation with the main associated habitable rooms looking out in those two directions. As a result the main habitable room windows in the rear elevation of the property are approximately 22m from the main rear elevation of plot 5. In addition the proposed front elevation will be in excess of 21m to what will be the gable elevation of plot 8 (to the north). In both instances this is in excess of the Council's minimum separation distances of 21m (habitable room to habitable room) and 11m (blank elevation to habitable room). Whilst concerns regarding the installation of windows within the side elevations of the property are noted, these are secondary windows and are indicated as obscurely glazed, in order to ensure that the privacy of neighbouring occupiers is preserved a planning condition will be imposed, the details of which will first need to be agreed in writing with the Local Planning Authority. In view of the above it is not considered that the proposal will have an adverse impact on the amenity of the future occupiers of the neighbouring properties in terms of loss of privacy, daylight or appearing overbearing.
26. Externally the gable elevation of the proposed property will be situated approximately 16m from the corner of No.10 Ramsey Gardens and approximately 20m from the corner of No.7 Ramsey Gardens, the main elevations will look north or south and whilst there may be some overlooking from these elevations given the associated angles it will be limited and likely to be restricted to the garden areas of these dwellings. In addition a landscaping buffer will be provided as part of the wider planning approval between the approved highway and existing boundary fences on these dwellings. Given these considerations and despite existing residents' concerns with regards to the overbearing impact, loss of light and loss of privacy it is not considered that the proposed dwelling will have such a detrimental impact that it would justify a refusal of the application.
27. The proposed dwelling will be situated approximately 10.5 metres from the southern boundary of the plot and given the amount of remaining garden to the front of the plot, it is considered that the proposal provide a sufficient amount of private amenity space for the future occupiers and is not an over-development of the plot.
28. In line with the Environmental Health Officers comments and the outline planning permission, a planning condition is recommended to restrict the hours of construction activity to ensure that this does not take place at unsociable hours and thereby preserve a degree of amenity for those surrounding residents.

Access and Highway safety;

29. The Head of Technical Services has considered the proposed development in line with the Council's adopted guidance and given the previous planning approvals the access arrangements to the site are considered to be acceptable.
30. In accordance with SPD3 (Parking Provision for Developments) a five bedroomed house requires four incurtilage car parking spaces. Although the proposed garage does not meet with the minimum internal dimensions of 6m x 5.5m to be classed as two parking spaces, the driveway serving the property is capable of accommodating the require number of spaces and consequently there are no objection on grounds of highway safety.
31. Whilst it is noted that one of the objections received states that it is considered that this proposal will increase traffic given the increased number of bedrooms, the proposal remains for a single family home with five bedrooms, the approved dwelling contains 6 bedrooms (two in

the roof space) and consequently there is no increase in the number of bedrooms or increase in associated traffic.

Residual Issues;

- 32. It is noted that both residents and ward councillors have made a number of comments in relation to the original plans, the required infrastructure to serve the development and also the section 106 agreements. Following consultation with the Council's Principal Solicitor it was advised that it was necessary for the application to be made as a reserved matter so that the development can be linked back to the required infrastructure and s.106 requirement which fall to the original developer. As outlined earlier within this report, the applicant has subsequently amended the planning forms and this is now a reserved matters application ensuring that this development is covered by the outline application and the responsibility to comply with these requirements therefore falls on the original developers and s.106 agreement
- 33. The Ward Councillors have questioned the overall layout and time it will take for delivery and state that they would like to see the development passed to a good local developer who can develop a better site layout. Whilst the comments of the Local Ward Councillors are noted, each application must be assessed on its own planning merits and it is not the role of the planning system to influence who should and should not develop a site, such considerations are therefore not material planning considerations.

CONCLUSION

- 34. The principle of a residential development on the site has been long since established through previous outline and reserved matters approvals and given that these approvals have been implemented, the provision of residential development on the site remains acceptable.
- 35. Whilst it is acknowledged that the extension above the garage will increase the scale and massing of the dwelling it is not considered that this will cause any significant harm to the visual amenity of the area or cause significant harm to the neighbouring resident's amenity to justify a refusal of the application. The scheme is also considered not to have an adverse impact on highway safety.
- 36. The proposed development is therefore considered to be in accordance with the relevant planning policies of the National Planning Policy Framework and Core Strategy and it is subsequently recommended that the application be approved subject to those conditions outlined within this report.

**Corporate Director of Development and Neighbourhood Services
Contact Officer Mr Simon Grundy Telephone No 01642 528550**

WARD AND WARD COUNCILLORS

**Ward Ingleby Barwick West
Ward Councillor Councillors K Dixon, R Patterson & David Harrington**

IMPLICATIONS

Environmental Implications.

As set out in the report.

Community Safety Implications.

Section 17 of the Crime and Disorder Act 1998 has been taken into account in preparing this report and it is not considered the proposed development would be in conflict with this legislation.

Human Rights Implications.

The provisions of the European Convention of Human Rights 1950 have been taken into account in the preparation of this report and the proposed development will not contravene these human rights.

Background Papers.

Stockton on Tees Core Strategy

Stockton on Tees Local Plan

National Planning Policy Framework (NPPF)

Planning Applications; 00/0741/P; 01/1132/P; 05/3047/OUT; 06/1064/OUT; 11/0790/APC, 11/0792/APC and 13/0651/VARY