

**DELEGATED**

**AGENDA NO**

**PLANNING COMMITTEE**

**5 July 2017**

**REPORT OF DIRECTOR,  
ECONOMIC GROWTH AND DEVELOPMENT  
SERVICES**

**17/0872/FUL**

**Rear Of 42 Junction Road, Norton, TS20 1PW**

**Erection of a pair of semi-detached properties to the rear of 42 Junction Road with proposed access from Grantham Road**

**Expiry Date 5 July 2017**

**SUMMARY**

The application site is located within the rear garden of 42 Junction Road, Norton and the proposal is for a pair of three bedroomed semi-detached properties with access from Grantham Road, a cul-de-sac located off Junction Road.

The dwellings will be two and a half storeys (rooms in the roof), with a pitched roof design and projecting bay window detail on the ground and first floor front elevations. The properties will have a maximum ridge line roof height of 9.2 metres. Both properties will have driveways located to the side. The proposal will include the removal of several trees within the rear garden of the application site.

The main considerations with this application are the principle of the development, the effects on the privacy and amenity of the neighbouring properties, the effect on the character and appearance of the street scene, the effect on highway safety and any other matters.

The application site is located within the limits of development. The Council is currently unable to provide the 5 year housing supply and the guidance set out in the NPPF encourages sustainable forms of development whilst not specifically discouraging development within rear gardens. Previous planning permission have been approved within the rear gardens of properties along Junction Road and taking these factors into consideration the principle of the development is considered acceptable.

Objection comments have been received from properties along Junction Road, Whitfield Road and Grantham Road in terms of a number of issues which include the impact of the character of the area, loss of privacy/daylight, being overbearing, parking provisions and traffic impact.

With regards to the material planning considerations the proposed dwelling are considered to be of an adequate design and articulate certain features that exist within the street scene and general character of the area. The separation distances to the neighbouring properties are also considered appropriate and will not adversely impact the privacy and amenity of the host property or the neighbouring properties. Adequate parking is provided within the site and suitable access with the required visibility splays are also provided.

The proposal is therefore deemed to be in general accordance with the National Planning Policy Framework and the Development Plan and therefore is recommended for approval subject to the conditions set out in the report.

## **RECOMMENDATION**

That planning application 17/0872/FUL be approved subject to the following conditions and informatives:-

1 **Approved Plan**

The development hereby approved shall be in accordance with the following approved plans;

| Plan Reference Number | Date on Plan  |
|-----------------------|---------------|
| P3466/SITE            | 28 March 2017 |
| P3466/01              | 28 March 2017 |
| P3466/03A             | 30 March 2017 |
| P3466/02B             | 8 May 2017    |

Reason: To define the consent.

2. **Materials**

Prior to the commencement of the development, the materials used in the construction of the walls and roof of the development, hereby approved, shall be submitted to and approved by the Local Planning Authority.

Reason: To ensure a satisfactory form of development.

3. **Boundary treatment**

Notwithstanding the submitted plan details, prior to the commencement of development, details of the enclosures shall be submitted to and approved in writing by the Local Planning Authority. Such means of enclosure shall be erected before the development hereby approved is occupied.

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

4. **Permitted development rights restriction**

Notwithstanding the provisions of classes A, B, and C of Part 1 of the Town and Country Planning (General Permitted Development) (Amendment)(No. 2) (England) Order 2015 (or any order revoking and re-enacting that Order), the buildings hereby approved shall not be extended or altered in any way without the written approval of the Local Planning Authority

Reason: To ensure there is adequate in curtilage parking provision in the interests of highway safety.

5. **Visibility splays**

The visibility splays approved on plan P3466/02B dated 8 May 2017, shall be retained for the lifetime of the development, unless otherwise agreed with the Local Planning Authority.

Reason : In the interests of highway and pedestrian safety.

8. **Hard landscaping**

Prior to the commencement of the hereby approved development a scheme for all hard landscaping works shall be submitted to and be approved by the Local Planning Authority. The development shall be undertaken in accordance with the approved scheme and implemented in full prior to the development being brought into use.

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

7. **Soft Landscaping**

Notwithstanding the submitted information, prior to the commencement of the development a detailed planting scheme shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall specify final tree/shrub types and species, stock size, numbers and densities. The approved planting scheme shall be implemented and completed in accordance with the approved details with the soft landscaping works being carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development whichever is the sooner and 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.

8. **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. Following completion of measures identified in the approved remediation scheme, a verification report must be submitted in writing and approved by the Local Planning Authority.

Reason: To ensure a satisfactory form of development

9. **Hours of Construction and demolition**

No construction/demolition activity shall take place on the site outside the hours of 8.00 - 18.00 Monday to Friday, 8.00 - 13:00 pm Saturday and not at any time on Sundays or Bank Holidays.

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

**INFORMATIVE OF REASON FOR PLANNING APPROVAL**

Informative 1: Working Practices

The Local Planning Authority found the submitted details satisfactory subject to the imposition of appropriate planning conditions and has worked in a positive and proactive manner in dealing with the planning application

Informative 2: Northern Gas Networks

Northern Gas Networks have advised that there may be apparatus in the area that may be at risk during construction works and the applicant should contact them directly to discuss their requirements and should diversionary works be required these will be fully chargeable.

**SITE AND SURROUNDINGS**

1. The application site is located within the rear garden of 42 Junction Road, a large detached property located on the corner of Junction Road and Grantham Road.
2. The adjacent property to the north is 4 Grantham Road with the eastern boundary to the rear being shared with 40 Junction Road, 3,5,7 and 9 Whitfield Road. Opposite the site are 3 and 5 Grantham Road and the rear garden of 44 Junction Road.

## **PROPOSAL**

3. The proposal is for a pair of three bedroomed semi-detached properties to be located within the rear garden of 42 Junction Road. The frontage of the properties will face towards Grantham Road with vehicle access taken off Grantham Road.
4. The semi-detached properties will be two and a half storeys (rooms in the roof) which include a pitched roof design with a maximum roof height of 9.2 metres with bay window detailing on the front elevation. Both properties will have separate driveways located to the side. The materials for the properties will be a mixture of brick and render with slate roof tiles.

## **CONSULTATIONS**

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

### **SBC Highways Transport and Design Manager**

#### **General Summary**

The Highways Transport and Design manager does not object to the proposals as outlined below, but requests a number of landscape conditions be added to the application.

#### **Highways Comments**

The proposed dwellings would take access from Grantham Road; Grantham Road is a residential road with a carriageway width of approximately 4.8m, there is no turning facility and due to some dwellings lacking incurtilage car parking facilities there are high levels of on-street parking. In accordance with SPD3: Parking Provision for Developments 2011, 2 incurtilage car parking spaces are provided for each 3-bedroom house. There would be no scope to provide additional parking for the proposed dwellings therefore given the high levels of on-street parking it is suggested that the number of bedrooms be restricted by condition to no more than 3, and permitted development rights be removed. The revised site plan shows pedestrian visibility splays of 2m x 2m (where land ownership allows) to either side of the proposed drives, these should be retained thereafter.

#### **Landscape and Visual Comments**

The submitted layout plan shows the location of the proposed new dwellings facing onto Grantham Road. The new dwellings follow the existing building line on Grantham Road with small front gardens separating the properties from the footpath. The proposed dwellings are similar in style and appearance to the existing properties in terms of design. However they are significantly smaller than the existing dwellings which may detract from the streetscape and the character of the existing houses on Grantham Road. It is considered that the site would therefore before be more suited to a single dwelling only.

The submitted tree survey information is very basic, however the Council's Principal Tree and Woodlands Officer has reviewed the information and acknowledges that the trees are of low amenity value internal garden plantings, that do not contribute to the wider landscape character and amenity value and therefore cannot be protected by a tree preservation order. However it is requested that some mitigation tree planting be undertaken within the gardens of the new dwellings to offset the loss of existing trees.

Should the application be approved full details of all hard and soft landscaping, boundary treatments, gates and materials will be required. The suggested condition wording is included below.

#### **Informative**

- Landscaping Hardworks
- Enclosure
- Soft Landscaping

### **Private Sector Housing**

No comments received.

### **Northern Powergrid**

No Comments received

### **National Grid**

National Grid has No Objection to the above proposal which is in close proximity to our high voltage transmission underground cable. I have enclosed a location map to show the location of National Grid high voltage transmission underground cables within the vicinity of your proposal and associated information below.

### **Environmental Health Unit**

I have no objection in principle to the development, subject to the imposition of the following conditions:

- Unexpected Land Contamination
- Construction/ Demolition Noise

### **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, then we require the promoter of these works to contact us directly to discuss our requirements in detail. Should diversionary works be required these will be fully chargeable.

### **Northumbrian Water Limited**

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

### **Councillor D Wilburn**

I have received representation from a number of local residents re the above. Concerns expressed include:

- Grantham Road is particularly narrow and a further 2 driveways close to Junction Road will greatly reduce areas used currently for parking and the delivery of goods and materials to local houses making a very difficult situation for those exiting or entering from Junction Road, worse.
- It is assumed that the access to/from the new housing estate on the Education Centre site will be virtually opposite Grantham Road and this new development will greatly increase the problem of exiting onto Junction Road
- A number of residents believed this would be a major over development of the site and that given the height (3 stories) would be oppressive and overlook nearby gardens giving loss of amenity to neighbouring properties.
- A number have expressed puzzlement at the Application Form's claim that there are no trees or bushes involved in the works as this property is noteworthy, and much praised, for the number of trees and bushes on the site and the wildlife this encourages. It is probably wise to instigate a formal survey of trees and bushes to map these before any works are considered/approved.

Residents would be grateful that the above issues are included in any consideration of this site for the described development.

### **Councillor N Wilburn**

I would like to register my objection to the development of the back garden of 42 Junction Road, Norton. The main reasons for my objection are as follows:

- The narrowness of Grantham Road which already has vastly insufficient parking for its existing residents. In addition the part of Grantham Road from which the entry and exit of the proposed new dwellings would occur is the only part of the road which allows a 3 point turn

for delivery vehicles which frequently need to reverse down the road having delivered at houses further up. Adding additional entrances at this part of the road would reduce the option of vehicles being able to make these manoeuvres resulting in potential traffic hazards.

- The effect the additional dwelling and consequent number of cars exiting and entering Junction Road might have on the already heavy Junction Road traffic particularly considering the likely development of the Education Centre site.
- The height of the proposed properties (3 storeys) would be overbearing on neighbour's properties resulting in a loss of their amenity.
- Loss of trees and bushes on the site which have been in situ for many years and provide habitat for local wildlife.

I would be grateful for acknowledgement of my objection which I believe may be outside of the period for the general public to make representation?

### **MP Alex Cunningham**

I very much share the concerns of local residents and objectors to the above application which is far from compatible with the local area and is considerable overdevelopment on a very restricted site.

This is an established older housing area and two, three story modern houses, will be incongruous and detract from the look of the street- and with the removal of trees, other vegetation and an attractive wall, the whole aspect will be compromised. Such high imposing properties will also have a detrimental effect on the privacy of other local people.

I am aware that other back garden developments along Junction Road have been allowed in recent times but this one is quite different as there is not access onto the main road and depends on a side entrance.

There are also already considerable challenges in the Grantham Road area particularly in relation to congested parking and entering/leaving the street and additional vehicles can only add to them particularly with the site being in close proximity to the junction.

Junction Road has become if increasingly busy and is projected to get busier still as more homes are built in the area. I believe that with the substantial development in the immediate area on the site of the former Education Centre across Junction Road will offer potential residents the opportunity to buy property in Norton and there is therefore no need for two houses in another property's back garden.

I would hope that the Planning Authority would recognise the proposal as overdevelopment on a garden site, which will have detrimental effect on the environment and look of the area as well as adding to already difficult access and parking.

### **PUBLICITY**

6. Neighbours were notified and letters of objection were received from the 25 addresses detailed below with the main objections summarised below. Full details can be viewed at <http://www.developmentmanagement.stockton.gov.uk/online-applications/>

Jayne Yellow, 3 Grantham Road, Norton

Mark Ewing, 3 Grantham Road, Norton

Mark Shepherd, 4 Grantham Road, Norton

Wendy Shepherd, 4 Grantham Road, Norton

Jill Hampton, 5 Grantham Road, Norton

Ms Sharon Davison, 6 Grantham Road, Norton

Ms Karen Cruickshank, 7 Grantham Road, Norton

John Ranson, 8 Grantham Road, Norton

H R Motson, 10 Grantham Road, Norton

Mark and Barbera Smith, 44 Junction Road, Norton

Donald Robertson, 7 Whitfield Close, Norton  
Neil Mcaulay, 13 Whitfield Road, Norton  
Tony Lannon, 22 Kilwick Close, Billingham  
Peter Davison, 36 Imperial Crescent , Norton  
David Walker, 12 Grantham Road, Norton  
Mr McNaughton, 17 Grantham Road, Norton  
Mr K Roberts, 19 Grantham Road, Norton  
Margaret Saul, 20 Grantham Road, Norton  
Helen Davison, 21 Grantham Road, Norton  
Mark Coleman, 22 Grantham Road, Norton  
Liz Holt, 7 Foston Close, Norton  
Jane Brand, 67 Ashton Road, The Glebe, Norton  
Stephen Gordon, 73 Buckthorn Crescent, Stockton  
Alexander Ewing, 31 Clifton Avenue, Billingham  
Scott Meikle, 9 Portman Rise, Guisborough

7. The main reasons for objection are :

Tree Survey

- Tree survey completed by individual who has a National Diploma in Arboriculture, not to BS5837 standards.
- No mention of the pond
- Request TPO's be placed on the trees by independent body
- Existing trees have public amenity value
- Trees and bushes on the site provide a green corridor
- Detrimental impact on character if trees removed.
- Removal of trees would impact on privacy to properties along Whitfield Road
- Variety of trees have value to the local wildlife as set out in The Woodlands Trust and The Wildlife Trust websites.
- Survey mentions future root and drain damage to 4 Grantham Road which is incorrect.

Highways

- Additional congestion created in cul-de-sac
- Existing parking issues with properties in Grantham Road not having driveways and visitors and trades people using this end of the road as overflow parking area.
- Existing problems in turning cars in street
- Existing congestion on Junction Road with problems exiting Grantham Road
- Access to 4 Grantham Road already difficult
- Emergency vehicle, Local Authority hospital shuttle and delivery vehicle access issues
- Pedestrian safety issues with pavement parking.
- New houses and their driveways access will reduce the available parking at this end of Grantham Road
- Parking provision shown as 4 cars but driveway width means in reality would park on the road.
- Construction traffic issues with reversing on Junction Road, dangerous due to location of traffic island
- Future developments at former Education Centre and Blakeston Lane will add to parking issues
- Proximity of the driveways to the junction of Junction Road creates potential hazard for vehicles
- Applicant should use his own driveway as a shared driveway for the new dwellings

Visibility splays

- Out of character with the area
- Splays make no difference in terms of access, parking and traffic issues
- Only addresses 75% of the visibility issues as still issues in terms of the boundary fence with 4 Grantham Road

### Character and Appearance

- Detract from the 1930's design and character of Grantham Road
- Set a precedent no other corner plot development along Junction Road
- Slate roof materials not in character with the street scene
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### Amenity issues

- Loss of privacy to rear gardens of 42 Junction Road and 7 Whitfield Close
- Loss of light to rear garden of 42 Junction Road and 4 Grantham Road
- Restrictive covenant in deeds for 4 Grantham Road mentions nothing should be done to obstruct light through any of the windows on the north and south sides of the property.
- Loss of view
- Future maintenance of the boundary fence with 4 Grantham Road
- Dirt and gravel from construction
- Noise issues with removal of trees that buffer the noise from Junction Road and from additional vehicles coming down the street
- Impact on the drains

### Development need

- No requirement for this high density development with future development of the education centres
- 3 unoccupied properties along Grantham Road so do not require more housing

### Restrictive covenants

- 1930 houses often have restrictive covenant and this needs to be examined

## **PLANNING POLICY**

8. Where an adopted or approved development plan contains relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permissions shall be determined in accordance with the Development Plan(s) for the area, unless material considerations indicate otherwise. In this case the relevant Development Plan is the Core Strategy Development Plan Document and saved policies of the Stockton on Tees Local Plan. Section 143 of the Localism Act came into force on the 15 Jan 2012 and requires the Local Planning Authority to take local finance considerations into account, this section s70(2) Town and Country Planning Act 1990 as amended requires in dealing with such an application [planning application] the authority shall have regard to a) the provisions of the development plan, so far as material to the application, b) any local finance considerations, so far as material to the application and c) any other material considerations

9. 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.

#### Paragraph 17

„...always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings“ Paragraph 19. The Government is committed

to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable



growth. Therefore significant weight should be placed on the need to support economic growth through the planning system

#### Paragraph 49

Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning

Paragraph 56 '....good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.'

### **Local Planning Policy**

10. The following planning policies are considered to be relevant to the consideration of this application.

#### Core Strategy Policy 1 (CS1) - The Spatial Strategy

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.

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

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

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

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.

#### 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.

### **MATERIAL PLANNING CONSIDERATIONS**

11. The main considerations with this proposal are the principal of the development, the effects on the privacy and amenity of the neighbouring properties, the effect on the character and appearance of the street scene, the effect on highway safety and any other matters.

### **Principle of development**

12. The National Planning Policy Framework (NPPF) sets out that there is a presumption in favour of sustainable development and through its core planning principles encourages the planning system to promote economic development including the provision of new housing, seeking high quality design and reusing land that has been previously developed.
13. Paragraph 49 of the NPPF sets out that Local Authorities need to be able to demonstrate a 5 year supply of deliverable housing sites and where this cannot be demonstrated the relevant policies for the supply of housing should not be considered up-to-date. As the Local Planning Authority cannot currently demonstrate a 5 year housing land supply, the provision of two dwellings cannot be given significant weight as a result of the limited scale, it does nevertheless weight in favour of the proposed development. Although garden areas are not included within the definition of previously developed land it does not specifically preclude the development of garden areas and each application should be assessed on their own merits and in line with the development plan.
14. With regards to the development plan, the application site lies within the limits of development. As set out in saved Local Plan Policy HO3 new housing will be considered acceptable within the limits of development providing it accords with the criteria set out in policy HO3.
15. It is noted that the majority of the properties along Junction Road have large rear garden areas which form part of its character. However, planning approvals have been granted for new dwellings within the rear gardens at 85 Junction Road (12/2949/FUL) and 101 Junction Road (04/1370/FUL). In view of the above and given the location and siting of the two semi-detached properties alongside existing properties within Grantham Road, the proposed dwellings in this location are considered to accord with the policies of the NPPF and the development plan. Consequently the principle of development is considered to be acceptable.

### **Residential Amenity**

16. The National Planning Policy Framework comments within paragraph 17 that one of the overarching roles of the planning system is that any new development should 'Always seek to secure high quality design and good standard of amenity for all existing and future occupant of the land and buildings.'
17. Objection comments have been received regarding loss of privacy, loss of light and potential overbearing impact to existing properties along Junction Road, Whitfield Road and Grantham Road. In assessing such impacts it is noted that the rear boundary of the site is shared with 3,5,7 and 9 Whitfield Road and 40 Junction Road. There will remain a minimum separation distance of 24 metres between the proposed properties and Whitfield road and a minimum of 34 metres to the rear of 40 Junction Road which accords with the recommended 21 metre separation guidance set out in SPG 2 in terms of acceptable privacy distances.
18. Opposite the site is 3 Grantham Road and the rear garden of 44 Junction Road. The proposed dwellings will be sited a minimum of 17 metres from 3 Grantham Road. Despite this distance being less than the 21 metre guidance in SPG2 this is guidance only and the existing properties along Grantham Road have a separation distance of 17 metres it therefore reflects the existing situation of the street scene. The proposed dwellings will only face towards a small section of the rear garden of 44 Junction Road with 24 metres remaining to their rear elevation windows and it is considered will not have a significant impact on the privacy of this garden area.
19. There will be six metres between the proposed dwellings and the side elevation of 4 Grantham Road which is a comparable separation distance which exists between the existing semi-detached properties along Grantham Road. The proposed dwellings will have no windows on

the side elevation facing these neighbours. The windows located on the front and rear elevations of the proposed dwellings including the roof lights to the second, will be at an oblique angle to the front and rear gardens of the neighbours with the majority of the neighbours rear garden remaining private.

20. The host dwelling (42 Junction Road) is positioned 14 metres from the application site. Given the fact there are no windows on the side elevation of the proposed dwelling and that the windows on the rear will only provide limited views of a small area of the host property, there is considered to be no issues in terms of privacy on the host property.

### **Character and appearance**

21. The guidance set out in paragraph 17 of the National planning Policy Framework (NPPF) states that one of the twelve key principles planning should take account of is to '...always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings'. Further guidance is set out in paragraph 56 of the (NPPF) which states that 'good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.'
22. The application site is located within the rear garden of a large detached property at 42 Junction Road. Grantham Road (which is a cul-de-sac) which itself contains a mixture of two-storey semi-detached properties. The predominant character of the properties along Grantham Road is also that that the frontages have projecting ground and first floor bay window detail although there are a mixture of roofing designs. The materials generally consist of brick detailing on the ground floor and render above, with single storey garages to the side and low boundary walls to the front.
23. The proposed development is for two semi-detached properties to be located towards the northern boundary of the site. Whilst comments from objectors regarding the design of the properties are noted, the proposed properties are semi-detached properties with a similar pitched roof design to the those elsewhere in the street scene. Further the bay window design and entrance door detailing on the front elevation of the properties along with an appropriate choice of materials is considered to fit in with the existing character and appearance of the street scene.
24. The proposed building line is also comparable to those along Grantham Road with a small garden area to the front. Whilst comments regarding an overdevelopment of the site are noted. The host property has a large garden to the rear and sufficient space remains (measuring approximately 12 metres by 22 metres). The proposed dwellings themselves will have a small garden area to the front with a rear garden area of approximately 12 metres length. Given the overall site layout the proposal is not considered to be an overdevelopment of the site.
25. The submitted tree survey has been assessed by the Council's Principle Tree and Woodland Officer who has confirmed that the trees within the site are of low amenity value and do not contribute to the wider landscape character. In terms of their amenity value they are not worthy of Tree Preservation Orders, although it is advised that there should be some replacement tree planting provided which can be achieved through the imposition of a landscaping condition.

### **Highway Safety**

26. The proposal will have individual driveways located to the side and the required highway and pedestrian visibly splays have been demonstrated on a submitted plan. Despite the objectors received with regards to parking and highway safety the Highways Transport and Design Manager thereofre has no objections to the scheme as two incurtilage car parking spaces will be provided for each dwelling in accordance with the guidance set out in SPD3- Supplementary Parking Provision for Developments.
27. Consideration has alao been given to the width of the cul-de-sac and the current limitations on parking within the street, whilst comments with regards to restricting the number of bedrooms

are noted, the use of any room within the house is a matter for the future occupants and any change to the 'use' of any rooms is not classed as development and so cannot be controlled via a condition. However, in order that extensions are not added without planning approval, it is recommended that the permitted development rights be removed to prevent any potential for increases in bedroom provision or reduction in available parking provision.

28. Visibility splays of 2m x 2 metres (where land ownership allows) are shown on either side of the driveway. The highway transport and Environment Manager considered that the location of the fence to the side of 4 Grantham Road does not make the existing situation for these occupants any worse and therefore considered the visibility splays provided to be acceptable. A condition will be placed on the application that the splays should be retained for the lifetime of the development.
29. The proposed development is only for 2 dwellings and therefore a construction management plan would not be requested with the applicant being responsible for the organisation of construction vehicles to the site.
30. Any future development of the former Education Centre and Blakestone Lane will be considered in terms of their impact on highway safety and parking provision. With this proposal being for only 2 additional dwellings any additional potential impact in terms of congestion along Junction Road is not considered to be significant.

#### **Residual matters**

31. Objection comments have been received regarding restrictive covenants on the properties along Grantham Road. Restrictive covenants are a separate legal issue and are not a material planning consideration which can be considered as part of the application.
32. Concerns have been raised as to the future maintenance of the boundary fence between the site and 4 Grantham Road. The ownership/maintenance of the fence is a civil issue between both parties and is not a material planning consideration.
33. Objection comments have been received regarding the potential issues with the drainages system from the creation of 2 additional properties. The type of proposal falls outside of the scope of matters which can be considered by the Council's Flood Risk officer and Northumbrian Water have been consulted and have no comments on the proposal.
34. Whilst Objection comments have been received that there are no other developments within the rear garden of corner plots on Junction Road and this would set a precedent, each application is considered on their own planning merits and approval of this application would not necessarily set a precedent for further development of corner plots.
35. Comments have been received that the removal of the trees within the site which act as a buffer to Junction Road would generate additional noise to the residents along Grantham Road. Whilst the trees may have some perceived benefit, the trees could be removed without planning permission and therefore a similar impact could occur regardless of whether the proposed dwellings were constructed or not.

#### **CONCLUSION**

36. Overall it is considered that the proposed development is acceptable in terms of appearance, landscaping, layout and scale and it is considered that the site could satisfactorily accommodate the proposal without any undue impact on the amenity of any adjacent neighbours.
37. It is considered that the proposal is in general accordance with the National Planning Policy Framework and the Development Plan policies and therefore the recommendation is to approve the application subject to the conditions set out in the report.

**Director of Economic Growth and Development Services**  
**Contact Officer Miss Debra Moody Telephone No 01642 528714**

**WARD AND WARD COUNCILLORS**

|                        |                                 |
|------------------------|---------------------------------|
| <b>Ward</b>            | <b>Norton West</b>              |
| <b>Ward Councillor</b> | <b>Councillor David Wilburn</b> |
| <b>Ward Councillor</b> | <b>Councillor Norma Wilburn</b> |

**IMPLICATIONS**

Financial Implications: None

Environmental Implications: As detailed 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.

Community Safety Implications:

The provisions of Section 17 of the Crime and Disorder Act 1998 have been taken into account in the preparation of this report

**Background Papers**

Stockton on Tees Local Plan Adopted 1997

Core Strategy – 2010

Supplementary Planning Documents

SPD1 – Sustainable Design Guide

SPD3 – Parking Provision for Developments