

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

6 February 2019

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

18/2463/FUL

2 Lingfield Drive, Eaglescliffe, TS16 0NX

Application for the conversion of 1no dwelling house to create 2no dwelling houses.

Expiry Date 6 February 2019

SUMMARY

Planning permission is sought for the sub-division of an existing residential dwelling into two residential properties at 2 Lingfield Drive in Eaglescliffe.

10 letters of representation have been received with 9 letters of objection and 1 letter of support. Matters raised by local residents mainly relate to concerns around increased traffic and parking problems, the suitability of the site for the sub-division and that the proposal being out of character with the surrounding area.

The application site is located within a residential area, within the limits to development and is considered to represent a sustainable location. The context of the surrounding area, is formed through a mix of residential house types with the presence of two storey semi-detached dwellings, semi-detached bungalows and a large modern detached property of Lingfield House, adjacent to the application site.

The proposed subdivision of the property would also be largely formed from the extent of the existing previously extended residential property, the footprint of the building is therefore largely already established with only the addition of the lean to porch being proposed.

Given the limited changes to the existing building, and even though the proposal would introduce a three row terrace within the street scene it is considered the street already features a mix of house types so that the proposed development would not significantly impact on the character and appearance of the surrounding area or result in significant loss of privacy and amenity for the surrounding neighbouring properties and future occupiers of the proposed dwellings.

As the required parking can be provided at the site, it is considered that there is no undue risk to highway safety.

RECOMMENDATION

That planning application 18/2463/FUL be approved subject to the following conditions and informatives:

01 Commencement Period

The development hereby permitted shall be begun before the expiration of Three years from the date of this permission.

Reason: By virtue of the provision of Section 91 of the Town and Country Planning Act 1990 (as amended).

02 Approved Plans

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

Plan Reference Number	Date on Plan
L017053-202 REV A	22 October 2018
L017053-203 REV A	22 October 2018
L017053-200	22 October 2018

Reason: To define the consent.

03 Materials

The external finishing materials shall match with those of the existing building.

Reason: In the interests of visual amenity and to ensure a satisfactory form of development.

04 Vehicular Parking Provision

Prior to the occupation of the proposed dwellings, the driveway to the front shall be provided in accordance plan L017053-202 A. The hard-standing shall be constructed from porous/permeable materials or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwelling house and the hard standing shall be retained for the life of the development thereafter. The spaces shall be retained for perpetuity of the proposed use.

Reason: To provide the requisite in curtilage car parking provision in the interests of highway safety and to prevent increase risk of flooding from surface water run-off.

05 Hours of Construction

No construction activity shall take place on the site outside the hours of 8.00am - 6.00pm Monday to Friday, 8.00am - 1pm Saturday and nor at any time on Sundays or Bank Holidays.

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

Informative: 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: Dropped Kerb

The applicant should contact Care for Your Area 01642 391959 regarding the construction of the dropped vehicle crossing.

BACKGROUND

17/2611/FUL Proposed 3 Bed Dwelling. Application refused 2nd February 2018.

15/0888/FUL Two storey side extension and construction of a front porch. Approved with conditions 2nd June 2015

90/1002/P Two storey extension to the side. Approved 8th June 1990

SITE AND SURROUNDINGS

1. The application site is adjacent to the semi-property dwelling of 2 Lingfield Drive and the site is located at a corner location. The detached property of Lingfield House is located at the opposite side and the properties of 1-11 (odd) Lingfield Drive are opposite (front).

PROPOSAL

2. The application seeks planning consent for the sub-division of the property of 2 Lingfield Drive to create two residential dwellings. The application property has previously benefited from an approval for a two storey side extension, which has largely been built out. In addition to the subdivision, the application also seeks the erection of a lean to porch to the front that would serve the entrance for each of the two properties.

CONSULTATIONS

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

Highways Transport & Design Manager

General Summary

Subject to the comments below the Highways, Transport and Design Manager raises no objections.

Highways Comments

The applicant has demonstrated that this proposal will not worsen visibility and in-curtilage car parking is provided in accordance with SPD3: Parking Provision for Developments 2011.

Informative: The applicant should contact Care for Your Area 01642 391959 regarding the construction of the dropped vehicle crossing.

Landscape & Visual Comments

There are no landscape and visual objections to the proposed conversion to two separate dwellings.

Environmental Health Unit

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

Construction/ Demolition Noise

I am concerned about the short-term environmental impact on the surrounding dwellings during construction/demolition, should the development be approved. My main concerns are potential noise, vibration and dust emissions from site operations and vehicles accessing the site. I would recommend working hours for all Construction/Demolition operations including delivery/removal of materials on/off site be restricted to 08:00 - 18:00Hrs on weekdays, 09.00 - 13:00Hrs on a Saturday and no Sunday or Bank Holiday working.

Northumbrian Water Limited

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.

Northern Gas Networks

Northern Gas Networks acknowledges receipt of the planning application and proposals at the above location. 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. We enclose an extract from our mains records of the area covered by your proposals together with a comprehensive list of precautions for your guidance. This plan shows only those mains owned by Northern Gas Networks in its role as a Licensed Gas Transporter (GT). Privately owned networks and gas mains owned by other GT's may also be present in this area. Where Northern Gas Networks knows these they will be represented on the plans as a shaded area and/or a series of x's. Information with regard to such pipes should be obtained from the owners. The information shown on this plan is given without obligation, or warranty, the accuracy thereof cannot be guaranteed. Service pipes, valves, siphons, stub connections, etc., are not shown but their presence should be anticipated. No liability of any kind whatsoever is accepted by Northern Gas Networks, its agents or servants for any error or omission. The information included on the enclosed plan should not be referred to beyond a period of 28 days from the date of issue.

Ward and Parish Councillors, and Northern Powergrid were consulted and no comments were received.

PUBLICITY

4. Neighbouring properties were notified via letter and a total of 10 letters were received with nine letters of objection and one letter of support. The names and addresses and a summary of the contributors comments are detailed below:-

Summary of Comments received

- Comments have raised issues that the proposal would increase traffic and congestion in an area already experiences traffic related problems. Residents have also commented that the corner location of the application site is dangerous and is used by children passing by, travelling to and from school.
- Concerns are raised that the proposed three terraced houses would be out of keeping with the character of the estate and would be an over-development of this particular section of the street. The requirement for the hardstanding of the grassed area to the front would be out of keeping with the frontages within the area and the development would set a precedent for further cramped forms of development to be approved within the area.
- Residents have highlighted anomalies between the approved two storey extension to the side and the built extension in relation to the location of windows and doors.
- An objection comment has suggested that other sites within the local area are more suitable for the housing ahead of the proposed site.
- Concerns are raised in relation to the devaluation of property prices as a result of the proposed development.

- Residents have suggested that a legal covenant exists that restricts new development within the area.
- Concerns are raised in relation to a loss of amenity for surrounding neighbouring properties.

Objector representations

1. Mrs Yvonne Gray - 3 Lingfield Drive Eaglescliffe
2. Mrs Jean Fields - 5 Lingfield Drive Eaglescliffe
3. Steve Cooper - 9 Lingfield Drive Eaglescliffe
4. Mr Matt Dawkin - 11 Lingfield Drive Eaglescliffe
5. Miss Heather Siddell - 11 Lingfield Drive Eaglescliffe
6. Mrs Ruth Vickers - 13 Lingfield Drive Eaglescliffe
7. Mr Adam Vickers - 13 Lingfield Drive Eaglescliffe
8. Mrs Holmes 17 - Lingfield Drive Eaglescliffe
9. Mr Carl Fields - 2 Marion Avenue Eaglescliffe

Supporting representation

1. Robert Hamer - 7 Lingfield Drive Eaglescliffe

PLANNING POLICY

5. 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 January 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

National Planning Policy Framework

6. The purpose of the planning system is to contribute to the achievement of sustainable development. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. These are economic, social and environmental objectives.
7. So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11) which for decision making means;
 - approving development proposals that accord with an up-to-date development plan without delay; or
 - where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. 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.

Local Planning Policy

8. At the time of writing this report the emerging Local Plan is at an advanced stage prior to its formal adoption. It is expected that the emerging Local Plan will be adopted at the determination of the current planning application and therefore it is considered appropriate to consider this planning application against the policies of the emerging Local Plan only. Should this position change, an update report will be issued accordingly informing Members of any policy changes.

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

Policy SD1 - Presumption in favour of Sustainable Development

1. In accordance with the Government's National Planning Policy Framework (NPPF), when the Council considers development proposals it will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. It will always work proactively with applicants jointly to find solutions which mean that proposals for sustainable development can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

2. Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.

3. Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise - taking into account whether:

- Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or,
- Specific policies in that Framework indicate that development should be restricted.

Policy SD3 - Housing Strategy

1. The housing requirement of the Borough will be met through the provision of sufficient deliverable sites to ensure the maintenance of a rolling five year supply of deliverable housing land. Should it become apparent that a five year supply of deliverable housing land cannot be identified at any point within the plan period, or delivery is consistently falling below the housing requirement, the Council will work with landowners, the development industry and relevant stakeholders and take appropriate action in seeking to address any shortfall.

2. The following are priorities for the Council:

- a. Delivering a range and type of housing appropriate to needs and addressing shortfalls in provision; this includes the provision of housing to meet the needs of the ageing population and those with specific needs.
- b. Providing accommodation that is affordable.
- c. Providing opportunities for custom, self-build and small and medium sized house builders.

3. The approach to housing distribution has been developed to promote development in the most sustainable way. This will be achieved through:

- b. Supporting residential development on sites within the conurbation as defined by the limits to development which comprises the main settlements of Stockton, Billingham, Thornaby, Ingleby Barwick, Eaglescliffe and Yarm.

Policy SD8 – Sustainable Design Principles

1. The Council will seek new development to be designed to the highest possible standard, taking into consideration the context of the surrounding area and the need to respond positively to the:
 - a. Quality, character and sensitivity of the surrounding public realm, heritage assets, and nearby buildings, in particular at prominent junctions, main roads and town centre gateways;
 - b. Landscape character of the area, including the contribution made by existing trees and landscaping;
 - c. Need to protect and enhance ecological and green infrastructure networks and assets;
 - d. Need to ensure that new development is appropriately laid out to ensure adequate separation between buildings and an attractive environment;
 - e. Privacy and amenity of all existing and future occupants of land and buildings;
 - f. Existing transport network and the need to provide safe and satisfactory access and parking for all modes of transport;
 - g. Need to reinforce local distinctiveness and provide high quality and inclusive design solutions, and
 - h. Need for all development to be designed inclusively to ensure that buildings and spaces are accessible for all, including people with disabilities.
2. New development should contribute positively to making places better for people. They should be inclusive and establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit.
3. All proposals will be designed with public safety and the desire to reduce crime in mind, incorporating, where appropriate, advice from the Health and Safety Executive, Secured by Design, or any other appropriate design standards.
4. New development will seek provision of adequate waste recycling, storage and collection facilities, which are appropriately sited and designed.

Policy H4 – Meeting Housing Needs

1. Sustainable residential communities will be created by requiring developers to provide a mix and balance of good quality housing of appropriate sizes, types and tenures which reflects local needs and demand, having regard to the Strategic Housing Market Assessment, its successor documents or appropriate supporting documents.
2. Support will be given to higher density development within areas with a particularly high level of public transport accessibility. Elsewhere housing densities will be considered in the context of the surrounding area in accordance with policy SD8.

Policy Background

5.50 The NPPF requires the Council to “Plan for a mix of housing to meet the needs of the community, including families with children, older people and people with disabilities.” While the Council’s current evidence of the need and demand of dwelling types and tenures in the borough is detailed in the Stockton-on-Tees Strategic Housing Market Assessment (SHMA) 2016 there may be other acceptable sources of evidence. Such information may include updates to the SHMA, come from local needs surveys carried out by housing providers or market housebuilders, or from other strategies such as updates to the Tees Valley Strategic Needs Assessment.

5.51 The SHMA (see Figure 15) identifies a need for market housing focused heavily towards the provision of 3 bedroom homes followed by the provision of 2 and 4 bedroom homes. With regards to affordable housing, the SHMA 2016 identifies that priority should be towards the delivery of 2 and 3 bedroom homes at a mix of 70% affordable rented and 30% intermediate tenures.

MATERIAL PLANNING CONSIDERATIONS

9. The main considerations of this application relate to the principle of development, the effects on the character and appearance of the dwelling, street scene and surrounding area, the effects on the privacy and amenity of the neighbouring properties, and highway safety considerations.

Principle of Development

10. The application site is located within a residential area, within the limits to development and is considered to represent a sustainable location. The development would be largely formed from an existing residential property and would provide a mix of dwelling types and the principle of development is considered to be acceptable subject to satisfying other material planning considerations.

Impact on the Character of the Street Scene

11. Paragraph 127 of the NPPF states that proposals should be sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.
12. Neighbouring objections received have commented that the proposal is out of keeping with the character of the area and would be an over-development of this particular section of the street and represents a cramped form of development.
13. In considering the context of the surrounding area, Lingfield Drive is made up of a mix of residential house types with the presence of two storey semi-detached dwellings, semi-detached bungalows and a large modern detached property of Lingfield House, adjacent to the application site. In terms of the application property, the footprint of the building is largely already established within the street through the erected two storey side extension, with the addition of the lean to porch being proposed. It is considered that given the built form already largely exists within the street, the impact of the proposed sub-division with the addition of the porch to the front would have a limited impact on the character of the surrounding area. Whilst the proposal would introduce a three row terrace within the street scene, it is considered the street already features a mix of house types and that the prevailing character would not be so strong as to warrant the refusal of the planning application on these grounds.
14. Comments received in relation to the proposed hardstanding to the front resulting in an undue impact on the open green frontage are noted, however such works can be carried out under permitted development and therefore consideration of the loss of front garden is considered not sufficient reason to warrant refusal of the planning application on these grounds.
15. It is considered that in the context of the existing street scene, taking account of existing dwellings and extensions, the proposed subdivision of the application property would not result in a significant impact on the character of the surrounding area to warrant refusal of the application and the proposal is considered acceptable in this respect.

Impact on Surrounding Neighbouring Properties

16. Paragraph 127 of the NPPF states that planning decisions should promote a high standard of amenity for existing and future users whilst Emerging Planning Policy SD8 states that new development should be appropriately laid out to ensure adequate separation between buildings and an attractive environment that safeguards the privacy and amenity of all existing residents and future occupants of land and buildings.
17. The proposed sub-division is largely based on the footprint of the existing dwelling with the addition of a porch feature to the front of both properties. Properties to the front (3 -11 Lingfield

Drive) would have an approximate separation distance of 21 metres from main elevations, which is compliant with the guidance for separation distances. The addition of the porch is considered to be a modest addition to the front of the building and would not to create any significant loss of privacy and amenity for the neighbouring properties to the front and side.

18. The neighbouring dwelling to the north is the detached property of Lingfield House. The application property and the neighbouring dwelling have a splayed relationship, with the rear garden of the application site facing towards the side elevation of Lingfield House. The rear garden area of the host dwelling would be subdivided with the addition of a boundary fence. As the building would not be extended beyond the current footprint adjacent to the neighbouring property, the limited changes for the division of the rear garden area is considered not to significantly alter the relationship between the application property and neighbouring residential property of Lingfield House to the north.
19. It is noted that the erected extension features some changes to the windows and doors from the previously approved extension, and of note a window has been installed within the ground floor side elevation. Given the oblique relationship with the neighbouring property of Lingfield House, as detailed above, it is considered that the additional window would not significantly impact on the neighbouring property in terms of loss of privacy and amenity and is considered acceptable in this respect.

The application property

20. It is considered that the subdivision of 2 Lingfield Drive would retain a suitable degree of private amenity space in terms of shape, size and function for the proposed dwellings and the development is considered acceptable in this respect.

Highway Safety Matters

21. Objection comments have raised issues that the proposal would increase traffic and congestion in an area already experiencing traffic related problems. Residents have also commented that the corner location of the application site is dangerous and is used by school children travelling to and from school.
22. The application site currently provides a drive area to the side of the existing property, which would meet the requisite parking need for the two bedroomed property (north). To the front of the application site, the grassed area would be converted to provide two spaces for the three bedroomed property. Subject to the recommended condition to secure the vehicular parking and the informative in relation to the dropped kerb, the Highways Transport and Design Manager have no objections to the proposed development and the proposal is therefore considered to be acceptable in terms of pedestrian and highway safety matters.

Residual Matters

23. Residents have highlighted anomalies between the approved two storey extension to the side and the built extension in relation to the location of windows and doors. These comments are noted and have been taken account in assessing the impacts of the proposed development.
24. An objection comment has suggested that other sites within the local area are more suitable for the housing development ahead of the proposed site. It is considered that each application is assessed on its own merits and all of the material planning considerations have been taken into account when assessing the current scheme.
25. Residents have suggested that a legal covenant exists that restricts new development within this area. Whilst these comments are noted, any covenant would be enforced through a

separate legislation and would not materially impact on the determination of the current planning application.

26. Concerns are raised in relation to the devaluation of property prices as a result of the proposed development. Whilst these comments are noted, property devaluation is not a material planning consideration in determining the planning application.

CONCLUSION

27. It is recommended that the application be Approved with Conditions for the reasons specified above.

Director of Economic Growth and Development
Contact Officer Kieran Campbell Telephone No 01642 528551

WARD AND WARD COUNCILLORS

Ward	Eaglescliffe
Ward Councillor	Phillip Dennis
Ward Councillor	Stefan Houghton
Ward Councillor	Laura Tunney

IMPLICATIONS

Financial Implications: As report.

Environmental Implications: As report

Human Rights Implications:

The provisions of the European Convention of Human Rights 1950 have been taken into account in the preparation of this report.

Community Safety Implications:

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

Background Papers:

The Town and Country Planning Act 1990.

National Planning Policy Framework

The Publication Draft Local Plan

Stockton on Tees Local Plan Adopted Version June 1997

Core Strategy Development Plan Document March 2010

Application File and Relevant Planning History as referred to in the report.