

**DELEGATED**

**AGENDA NO  
PLANNING COMMITTEE**

**23 October 2019**

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

**19/0144/FUL**

**Chesterfield, 6 - 7 Mill Lane, Norton**

**Part retrospective application for the conversion of redundant school offices to form 11No. apartments and the erection of three 2 storey dwellings.**

**Expiry Date 23 October 2019**

**SUMMARY**

This application seeks planning permission for the conversion of the school offices and the erection three, two storey dwellings to the rear of the main building. Work on converting the building into apartments has already begun, but no works on the construction of the dwellings at the rear of the site has begun.

The application has been submitted to address a number of changes to the original scheme and to allow for the increase in the number of apartments by one unit. To the rear where the proposed dwellings were approved, the position, style and scale has been amended since the original scheme with those units being separated out to break up the overall massing.

In addition information is also provided to enable the discharge of conditions which have not yet been discharged from the original planning application (17/2887/FUL)..

Thirteen objection comments have been received, with the main concerns relating to highway safety, impacts upon privacy and the impact upon the character of the conservation area. However, as will be detailed further in this report, the scheme is considered to be acceptable with regards to the main planning considerations and local planning policy. The scheme is therefore recommend for an approval.

**RECOMMENDATION**

**That planning application 19/0144/FUL be approved subject to the following conditions and informatives below;**

**01. Approved plans**

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

<b>Plan Reference Number</b>	<b>Date on Plan</b>
<b>P2019-CH-09 REV B</b>	<b>13 September 2019</b>
<b>P2019-CH-10</b>	<b>13 September 2019</b>
<b>P2017-CH-06 REV G</b>	<b>13 September 2019</b>
<b>P2017-CH-07 REV F</b>	<b>13 September 2019</b>
<b>P2017-CH-08 REV D</b>	<b>13 September 2019</b>

P2017-CH-05 REV C	13 September 2019
P2017-CH-01	17 April 2019
P2017-CH-02	18 April 2019
P2017-CH-03	26 March 2019
SBC0001	22 January 2019
P2017-CH-04 REV D	9 April 2019

Reason: To define the consent.

02. **Materials**

All external finishing details shall be carried out in full accordance with the details provided on the 12.09.19 including Pulford Blend bricks and Sandtoft 20/20 roof tile.

Reason: To ensure a satisfactory form of development.

03. **Landscaping Hardworks**

Prior to the completion of the development, full details of the proposed hard landscaping shall be submitted to and approved in writing by the Local Planning Authority. This will include all external finishing materials, finished levels, and all construction details confirming materials, colours, finishes and fixings. The scheme shall be completed to the satisfaction of the Local Planning Authority and in accordance with the approved details within a period of 12 months from the date on which the development commenced or prior to the occupation of any part of the development. Any defects in materials or workmanship appearing within a period of 12 months from completion of the total development shall be made-good by the owner as soon as practicably possible.

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.

05. **Landscaping Softworks**

Prior to the occupation of the development, full details of soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. This will be a detailed planting plan and specification of works indicating soil depths, plant species (including grass), numbers, densities, stock size and type, planting methods including construction techniques for pits in hard surfacing and root barriers and short/long term maintenance arrangements. All works shall be in accordance with the approved plans. Any trees, shrubs or plants which within 5 years of the date of planting, die, become diseased or are removed shall be replaced with the same species unless the Local Planning Authority first gives its consent to a variation.

Reason: To ensure a high quality planting scheme is provided in the interests of visual amenity which contributes positively to local character and enhances bio diversity.

06. **Enclosure**

Notwithstanding the proposals detailed within the submitted information and prior to the occupation of the development hereby approved, details of any enclosure 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 and be retained for the live of the development thereafter.

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

**07. Scheme for Illumination**

Prior to the completion of the development hereby approved, full details of the method of external illumination:

- (i) Siting;
- (ii) Angle of alignment;
- (iii) Light colour; and
- (iv) Luminance.

of buildings facades and external areas of the site, including parking courts, shall be submitted to and agreed in writing by the Local Planning Authority before the development is occupied and the lighting shall be implemented wholly in accordance with the agreed scheme prior to occupation. The agreed lighting shall be retained and maintained in accordance with the agreed details for the life of the development unless otherwise agreed.

Reason: To enable the Local Planning Authority to control details and in the interests of the amenity of the adjoining residents and for the protection of sensitive wildlife habitats.

**08. Compliance with arborist recommendations/ Remediation**

All works are to be carried out in accordance with the Method Statement and Mitigation Measures, with precautions taken as per BS5837 Tree work recommendations. Notwithstanding this and prior to the completion of the foundations and footings of the development, full tree root remediation details shall be submitted to the local planning authority. Such measures shall be carried out in full within three months of the date of approval and shall remain in place for the duration of all constructions works.

Reason: In the interests of maintaining and protecting the protected trees on this site.

**09. Tree Replacement**

Prior to the completion of the foundations and footings, exact details of the replacement tree species and the planting location shall be submitted to the Local Planning Authority for approval in writing. The tree planting works shall be carried out in the first available planting and seeding season. Should the trees 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: In the interests of the amenity of the surrounding area.

**10. Foul Water**

The development shall be implemented in line with the drainage scheme contained within the submitted document entitled "Proposed Drainage Plan" dated "22/10/2018". The drainage scheme shall ensure that foul flows discharge to the 300mm combined sewer in the vicinity of manhole 5302.

Reason: To prevent the increased risk of flooding from any sources in accordance with the NPPF.

**11. Discharge of Surface Water**

Development shall be implemented in accordance with the drainage documents entitled "Chesterfield House Mill Lane Norton Surface Water Drainage Strategy Issue

4” dated 14/09/19, “Chesterfield House Mill Lane Norton Sustainable Urban Drainage System Management Plan Issue 2” dated 14/09/19, “Chesterfield House Mill Lane Norton Surface Water Drainage Health and Safety Assessment Issue 1” dated 15/09/19, “Drawing titled Surface Water Drainage Strategy Drawing number 001/1 Rev C” dated 14/09/19 and “Drawing titled Surface Water Attenuation Basin Construction Details Drawing Number 001/3 Rev A” dated 10/09/19.

Reason: To prevent the increased risk of flooding from any sources in accordance with the NPPF.

12. **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 approval by the Local Planning Authority.

Reason: To ensure the proper restoration of the site.

12. **Construction/ Demolition**

No construction/demolition works or deliveries shall be carried out except between the hours of 8.00am and 6.00pm on Mondays to Fridays and between 9.00am and 1.00pm on Saturdays. There shall be no construction activity including demolition on Sundays or on Bank Holidays.

Reason: To ensure that the development does not prejudice the enjoyment of neighbouring occupiers of their properties.

13. **Site Management Plan**

Works shall be undertaken in full accordance with Site Management Plan (date received 26.03.19) for the duration of the construction works.

Reason: To protect the amenity of local residents.

14. **Site Levels**

The site levels of this site shall be completed in accordance with drawing P2019-CH-09 REV B (date received 13.9.19).

Reason: To protect the amenity of local residents and to ensure a satisfactory form of development.

16. **Internet Connectivity**

Open access ducting to facilitate fibre and internet connectivity shall be provided from the homes to the public highway.

Reason: To ensure that infrastructure is provided to facilitate fibre connections to all new development in accordance with Policy TI3 of the Stockton on Tees Local plan.

**INFORMATIVES**

*Informative: Working Practices*

*The Local Planning Authority has worked in a positive and proactive manner and sought solutions to problems arising in dealing with the planning application by seeking a revised scheme to overcome issues and by the identification and imposition of appropriate planning conditions.*

*Informative: Working Practices*

*The Local Planning Authority has worked in a positive and proactive manner and sought solutions to problems arising in dealing with the planning application by gaining additional information required to assess the scheme and by the identification and imposition of appropriate planning conditions.*

*Informative: Tees Archaeology*

*In the event that bone is found during construction/ excavation work, such works shall cease and the developer must contact Tees Archaeology immediately (on 01429 523454) who will be able to advise on whether the bone is animal or human and be able to assist in the correct course of action should the bone be human. It is an offence to excavate human remains without a licence from the Ministry of Justice, and the correct licence must be obtained to carry out any excavation required in an appropriate manner.*

*Informative: Northern Gas Networks*

*The applicant should contact Northern Gas Networks 0800 040 7766 to ensure no nearby apparatus is at risk during construction works.*

## **BACKGROUND**

1. Planning permission was granted in 2009 for a change of use of the premise from offices to an education facility (09/0172/REV). Last year however, planning consent was granted to allow for the conversion of the property into 10no. apartments and three dwellings along with the associated infrastructure such as parking, landscaping, erection of bin stores (17/2887/FUL).

## **SITE AND SURROUNDINGS**

2. This application site relates to a large detached traditional building located at Chesterfield House within Norton conservation area. The property features large grounds which adjoin that of Red House School to the western side and a shared driveway to the properties of Windsor House, Warwick House and Northfield House to north of the site. There are two access points into the site off Mill Lane, and to the south there are further residential properties. Works have started on site in terms of refurbishing and converting Chesterfield House, but at the time of the site visit, no works had commenced on the new build elements.

## **PROPOSAL**

3. This application seeks consent for a similar form of development to the original approved scheme, although now the configuration of the dwellings at the rear of the site has changed. The proposed buildings have altered in position, scale and style and the number of apartments within the main building has gone up from 10 to 11.
4. With respect to the new dwellings to the rear of the site, the plans have been revised to still show an 'L-shaped' floor design, but the floor area of the dwellings has increased to create a more spread out form of development, especially as one of the dwellings would now be detached. The original height measured at approximately 6.5m in height which has increased to 7.1m with the detached dwelling at about 7.8m in height.
5. This application also seeks to provide the details to satisfy those conditions which were not discharged as part of the original scheme.

## **CONSULTATIONS**

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

### **Tees Archaeology**

The development area was the subject of an archaeological evaluation in 2018 which revealed no indication of archaeological activity. There is therefore no further need for archaeological involvement.

### **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.

It should also be noted that, following the transfer of private drains and sewers in 2011, there may be assets that are the responsibility of Northumbrian Water that are not yet included on our records. Care should therefore be taken prior and during any construction work with consideration to the presence of sewers on site. Should you require further information, please visit <https://www.nwl.co.uk/developers.aspx>.

Having assessed the proposed development against the context outlined above Northumbrian Water have the following comments to make:

We would have no issues to raise with the above application, provided the application is approved and carried out within strict accordance with the submitted document entitled "Proposed Drainage Plan". In this document it states the foul flows shall discharge to the 300mm combined sewer in the vicinity of manhole 5302, whilst all surface water shall discharge to soakaways.

We would therefore request that the following condition be attached to any planning approval, so that the development is implemented in accordance with this document:

**CONDITION:** Development shall be implemented in line with the drainage scheme contained within the submitted document entitled "Proposed Drainage Plan" dated "22/10/2018". The drainage scheme shall ensure that foul flows discharge to the 300mm combined sewer in the vicinity of manhole 5302 and ensure that surface water discharges to soakaways.

**REASON:** To prevent the increased risk of flooding from any sources in accordance with the NPPF.

It should be noted that we are not commenting on the quality of the flood risk assessment as a whole or the developers approach to the hierarchy of preference. The council, as the Lead Local Flood Authority, needs to be satisfied that the hierarchy has been fully explored and that the discharge rate and volume is in accordance with their policy.

### **Principal Environment Officer**

Thanks ever so much for the attached information and documents outlining the measures that will be employed at Chesterfield House to ensure that the development can meet the requirements of the planning condition in relation to emissions reductions and renewable energy. The attached contains all the information required and I am satisfied that if the development proceeds in accordance with the attached that the condition can be discharged.

### **Highways Transport & Design Manager**

*(Received 24.09.19)*

### Highways Comments

The proposals are a part retrospective application for the conversion of redundant school offices to form 11 apartments and the erection of three 2 storey dwellings.

The site benefits from an extant planning approval (17/2887/FUL) for the conversion of the redundant school offices to form 10 No. apartments and an extension of the existing building for the creation of three dwellings.

It is therefore considered that the impact on the highways network of the currently proposed development, which increases the number of dwellings by one over and above the previous approval (17/2887/FUL), has previously been considered and found to be acceptable.

In accordance with SPD3: Parking Provision for Developments 2011, 11 apartments should provide 16 incurtilage car parking spaces (1.5 spaces per unit) and 3 2/3-bedroom houses should provide 6 spaces (2 spaces per unit), requiring a total of 22 spaces. The proposed site plan P2017-CH-07 Rev F shows the required parking provision can be achieved. The site layout plan is therefore considered to be acceptable.

The applicant has submitted a 'Site management plan', in support of the proposals which is considered to be broadly acceptable. The implementation of the 'Site management plan' should be secured by condition.

Subject to the above there are no highway objections.

### Landscape & Visual Comments

As noted previously, there are no landscape and visual objections to the proposals. However it is recommended that a number of conditions be applied to any permission to ensure that the recommendations of the arboricultural impact assessment and method statement are followed, and that details of replacement planting are submitted and agreed as soon as possible.

### Flood Risk Management

*(Received 04.10.19)*

The Local Lead Flood Authority are satisfied that the proposed development will not increase flood risk to the area, the development must be undertake in strict accordance to the following approved documents:-

- Chesterfield House Mill Lane Norton Surface Water Drainage Strategy Issue 4 dated 14/9/19
- Chesterfield House Mill Lane Norton Sustainable Urban Drainage System Management Plan Issue 2 dated 14/9/19
- Chesterfield House Mill Lane Norton Surface Water Drainage Health and Safety Assessment Issue 1 dated 15/9/19
- Drawing titled Surface Water Drainage Strategy Drawing number 001/1 Rev C Dated 14/9/19
- Drawing titled Surface Water Attenuation Basin Construction Details Drawing Number 001/3 Rev A Dated 10/9/19

### **Environmental Health Unit**

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

- o Unexpected Land Contamination
- o 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.

## **PUBLICITY**

7. Neighbours were notified and those main comments received are detailed below (in summary), a total of 13 objections have been received to the proposed development.

### **Objectors**

1. Mr Russell Holmes, Windsor House, Mill Lane
2. Mr Gareth Hicks, 8 Mill Lane, Norton
3. Mr Graham Reeves, 41 The Green, Norton
4. Mr Gavin Lumley, Warwick House, Mill Lane
5. Mr John Goodman, 1 Fieldfare Lane, Norton
6. Mr John Pott, 38 The Green, Norton
7. Jim Cochrane, Northfield House, Mill Lane
8. Judith Arscott, Norton Croft, Mill Lane
9. Mr and Mrs Saunders, 8A Mill Lane, Norton
10. Mr J Coney, 3 Fieldfare Lane, Norton
11. Mrs Kerry Clayton, 16 Mill Lane, Norton
12. Mr Neil Fallon, 4 Fieldfare Lane, Norton
13. Mrs Christine Williams, King Edwin School, Mill Lane

### **Objections**

- Impacts upon privacy
- Concerns with highway safety due to inadequate car parking which will result in on-street car parking and pedestrians having to use the road more
- Queries over the location of refuse bins
- Impact upon the character of the conservation area & the proposal would result in overdevelopment of the site

## **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 Stockton on Tees Borough Council Local Plan 2019.
9. 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 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**

10. 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.
11. 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**

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

#### Strategic Development Strategy Policy 1 (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.

#### Strategic Development Strategy Policy 3 (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:

- a. Supporting the aspiration of delivering housing in the Regenerated River Tees Corridor (as identified on the Policies Map) in close proximity to Stockton Town Centre.
- 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.

#### Strategic Development Strategy Policy 8 (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;

- 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.
  4. New development will seek provision of adequate waste recycling, storage and collection facilities, which are appropriately sited and designed.

#### Transport and Infrastructure Policy 3 (TI3) - Communications Infrastructure

7. Developers should demonstrate how proposals for new homes, employment or main town centre uses will contribute to and be compatible with local fibre and internet connectivity.
8. Taking into consideration viability, the Council require developers of new homes, employment or main town centre uses to deliver, as a minimum, on-site infrastructure including open access ducting to industry standards, to enable new premises and homes to be directly served by local fibre and internet connectivity. This on-site infrastructure should be provided from homes and premises to the public highway or other location justified as part of the planning application. Where possible, viable and desirable, the provision of additional ducting will be supported where it allows the expansion of the network.

#### Natural, Built and Historic Environment Policy 1 (ENV1) - Energy Efficiency

1. The Council will encourage all development to minimise the effects of climate change through meeting the highest possible environmental standards during construction and occupation.

The Council will:

- a. Promote zero carbon development and require all development to reduce carbon dioxide emissions by following the steps in the energy hierarchy, in the following sequence:
    - i. Energy reduction through 'smart' heating and lighting, behavioural changes, and use of passive design measures; then,
    - ii. Energy efficiency through better insulation and efficient appliances; then,
    - iii. Renewable energy of heat and electricity from solar, wind, biomass, hydro and geothermal sources; then
    - iv. Low carbon energy including the use of heat pumps, Combined Heat and Power and Combined Cooling Heat and Power systems; then
    - v. Conventional energy.
  - b. Require all major development to demonstrate how they contribute to the greenhouse gas emissions reduction targets set out in Stockton-on-Tees' Climate Change Strategy 2016; and
  - c. Support and encourage sensitive energy efficiency improvements to existing buildings.
2. Proposals are encouraged where development:
- a. Incorporates passive design measures to improve the efficiency of heating, cooling and ventilation; and
  - b. Includes design measures to minimise the reliance on artificial lighting through siting, design, layout and building orientation that maximises sunlight and daylight, passive ventilation and avoids overshadowing.

Domestic

3. All developments of ten dwellings or more, or of 1,000 sq m and above of gross floor space, will be required to:

- a. Submit an energy statement identifying the predicted energy consumption and associated CO2 emissions of the development and demonstrating how the energy hierarchy has been applied to make the fullest contribution to greenhouse gas emissions reduction; and
- b. Achieve a 10% reduction in CO2 emissions over and above current building regulations. Where this is not achieved, development will be required to provide at least 10% of the total predicted energy requirements of the development from renewable energy sources, either on site or in the locality of the development.

#### Historic Environment Policy 2 (HE2) - Conserving and Enhancing Stockton's Heritage Assets

1. In order to promote and enhance local distinctiveness, the Council will support proposals which positively respond to and enhance heritage assets.
2. Where development has the potential to affect heritage asset(s) the Council require applicants to undertake an assessment that describes the significance of the asset(s) affected, including any contribution made by their setting. Appropriate desk-based assessment and, where necessary, field evaluation will also be required where development on a site which includes or has the potential to include heritage assets with archaeological interest. Applicants are required to detail how the proposal has been informed by assessments undertaken.
3. Development proposals should conserve and enhance heritage assets, including their setting, in a manner appropriate to their significance. Where development will lead to harm to or loss of significance of a designated or non-designated heritage asset the proposal will be considered in accordance with Policy SD8, other relevant Development Plan policies and prevailing national planning policy.
4. The loss of a heritage asset, in whole or part, will not be permitted unless the Council are satisfied that reasonable steps to ensure new development will proceed after loss has occurred.
6. The following are designated heritage assets:
  - c. Conservation Areas - Norton

#### **MATERIAL PLANNING CONSIDERATIONS**

13. The main planning considerations of this application is the principle of development, the impacts upon the character of the area, the impact upon amenity and implications for highway safety.

##### **Principle of Development**

14. The principle for the conversion of the building to apartments and the implementation of three dwellings has recently been established and this remains a material planning consideration. Notwithstanding the earlier permission, this application seeks to increase the number of residential units by one additional apartment unit. The site itself is located within the limits to development and is considered to be within a sustainable location and is therefore consistent with the requirements of the Local Plan.

##### **Character**

15. With regards to the main property, there would be a few alterations to the external roof of the main building, but these are not considered to significantly alter the character of the building. Such alterations include some additional roof lights as well as a dormer window on the eastern roof slope. Nevertheless, the building is sited away from the main highway (the shortest distance is about 23m to the adopted highway) and the wider area.
16. With respect to the proposed dwelling houses, the layout is not too dissimilar to the approved scheme but it is noted that the floor areas have increased which has created a more linear form of development. However, the design of this has been broken up and stepped down with a hipped roof style to create a more subservient design and to reduce the overall bulk along this boundary. This is considered to be acceptable within the overall context of the site and surrounding conservation area, which features varying house styles and sizes. In addition, it is considered that glimpsed views would be achieved from the main

street level. On balance, the proposal is therefore not considered to adversely harm the character of the conservation area.

17. The development is also not considered to result in overdevelopment given the recent permission and the size of the plot. However, it should be noted that a condition has not been attached to restrict the permitted development rights to extend or alter the dwellings (which could result in additional built form), because the article 4 direction for this conservation area would restrict such works.
18. The submitted materials of Sandtoft 20/20 roof tile and the pulford blend bricks are considered to be acceptable to the plot and surrounding area. A condition has been attached for the works to be carried out in accordance with these details.
19. With regards to the protected trees, the submitted information has been considered acceptable although full details of the proposed new and replacement planting will need to be submitted. In addition, further details of tree remediation are required as the exclusion zones on their own have not been considered sufficient. It is recommended that these be secured by condition.

## **Amenity**

### Future Occupiers

20. The general internal layout is considered to be acceptable with regards to the amenity standard of future residents. The additional dwellings are not considered to adversely impact upon amenity through being significantly overbearing or overshadowing which is owing to the positioning away from the main building.
21. The openings of the main building are the same as the original approval and those that are different at the top of this building are not considered to achieve views that would adversely impact upon privacy.

### Windsor House

22. While it is noted that the heights have increased, it is still considered that the set in from the boundary and from the main dwelling of Windsor House (at approximately 10m), would be sufficient to not create an adverse overbearing impact. The stepped and separated design is considered to help reduce the bulk of the building which is also considered to help lessen the overshadowing impact. Consideration is also had for their large garden area and that part of the development would be set against the front and side of this dwelling.
23. In addition, the ground floor side window within Windsor House, that faces the development, was noted as acting as a secondary window to that habitable room. Upon checking the history, it has been found that this secondary window at that time served a 'dayroom' under application reference 99/1674/P – for the erection of this dwelling. It is therefore not considered that the development would adversely impact upon the amenity of a main (external and internal) living area as to warrant a strong enough reason for refusal.
24. A distance of approximately 11m would exist between the side elevation of Windsor House and the proposed dwellings, These are considered to be in line with the adopted SPD1 guidance and will ensure acceptable levels of privacy are provided for. For the avoidance of doubt all ground floor windows will be screened by a 1.8m high boundary treatment which negates the need for these windows to be obscurely glazed. The proposed roof lights are also considered to be significantly above the floor level and only oblique views would be achieved so it is considered that these do not need to be obscurely glazed.

### Surrounding Residential Properties

25. The proposed works are not considered to result in a significant loss of privacy and amenity (including loss of daylight and appearing overbearing) for the residents of the neighbouring properties. This is taking into account separation distances, boundary treatments and the orientation to neighbouring properties.
26. The openings at the ground and first floor of the main building have remained unchanged since the original approval. With respect to the new velux windows on the elevations which previously had approved dormer windows, this is not considered to worsen any overlooking significantly beyond the approved situation. While it is noted that the eastern roof slope now has an additional dormer and roof lights, this is not considered to adversely impact upon privacy beyond the current views that can be achieved on this side elevation. In addition, the shortest distance to the nearest dwelling to the east, 1 Fieldfare Lane, from the roof light next to the dormer window, is approximately 44m. The development is therefore not considered to worsen the impact upon privacy.
27. A condition has also been attached to limit the hours of construction operation to help safeguard amenity, but no adverse comments were raised by the Environmental Health Unit in respect to an increase in noise pollution from the development itself.

### **Highway Safety**

28. The Highways, Transport and Design Manager has not objected to this application, commenting that the required incutillage car parking can be provided for the site. It is therefore not consult to result in on street car parking provision and thus, would not adversely impact upon highway and pedestrian safety.

### **Flood Related Matters**

29. The information supplied to the local lead flood authority has been deemed as acceptable, so providing the attached condition regarding this is adhered too, the development is not considered to result in adverse surface water flood risk.

### **Residual Matters**

#### Waste Management

30. Concerns have been raised about refuse collection and how waste will be stored. Two bin storage areas have been shown on the plans which is considered to be suitable and it will be up to the management of the building as to whether refuse vehicles enter the site to collect the bins but this is a matter that will be managed by the operators/management company and the refuse collector.

#### Renewables

31. Further details and calculations have been supplied to satisfy the original condition and this has been considered as suitable. Therefore, no further condition in this regard has been attached.

#### Tees Archaeology

32. Correspondence was had with Tees Archaeology in which it was agreed that the attached informative would be suitable given their comments on this scheme.

#### Right to Light

33. In regards to the concerns for right to light, this is not a material consideration and cannot be considered under this planning application because it is a matter for property law. However impacts through loss of daylight, being overbearing and/or overshadowing are material and have been assessed in full earlier in this report.

#### Views & Devaluation

34. In relation to those concerns about the impact upon views and property sale prices, these are not material planning considerations and have not been considered as part of the determination of the application.

Damage to Third Party fences/properties

35. Any damage that occurs to a third party fence is not a matter that can be controlled or enforced by the local planning authority. This would be a civil matter to resolve.

Lighting

36. A query was raised in regards to the lighting on the development but the attached condition is considered suitable to understand and control the location, type and extent of illumination.

**CONCLUSION**

37. For those reasons set out within this report it is considered that the proposed development is acceptable in all planning regards and therefore the application is recommended for approval subject to those conditions set out within this report.

**Director of Economic Growth and Development**  
**Contact Officer Christina Poles Telephone No 01642 526063**

**WARD AND WARD COUNCILLORS**

<b>Ward</b>	<b>Norton North</b>
<b>Ward Councillor</b>	<b>Councillor S I Nelson LLB(Hons) BA (Hons)</b>
<b>Ward Councillor</b>	<b>Councillor Lisa Evans</b>

**IMPLICATIONS**

**Financial Implications:**

There are no known financial implications

**Environmental Implications:**

There are no known environmental implications.

**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**

Local Plan – Publication 30 January 2019.

**Supplementary Planning Documents**

SPD3 – Parking Provision for Developments