

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

16 February 2022

**REPORT OF DIRECTOR OF FINANCE,
DEVELOPMENT AND BUSINESS SERVICES**

21/2110/FUL

Land Adjacent To Beck Close , Wynyard, TS22 5UP

Application for the erection of 1no dwelling house with detached double garage and associated works

Expiry Date 16 February 2022

SUMMARY

The application site relates to a development plot located at Beck Close, within Wynyard Village and seeks full planning permission for the erection of a two and a half storey dwelling.

The site benefits from an outline planning consent for the erection of one large dwelling at the site, although the current proposal would facilitate the sub-division of the original plot to provide a second dwelling and associated plot. A separate planning application is also currently under consideration for the other dwelling, which would be located to the north of this proposal (ref; 21/2051/REM).

A total of 10 letters of objection have been received. The objections principally relate to raising concern with respect to the sub-division on the plot, the impact on existing trees, the impact on character, amenity, highway safety, ecology and drainage related matters. The comments raised are addressed within the main body of the report.

The application site is a plot of land located within Wynyard Village which has the benefit of an outline planning consent and reserved matters consent for residential development. The proposed sub-division of the plot is comparative to the surrounding neighbouring development plots and the proposed dwelling at two and a half storeys (a room in the roof space) is also entirely in keeping with the scale of the neighbouring properties.

All technical details are considered to be satisfactory or can be controlled via planning conditions. It is therefore recommended that the application be approved subject to conditions.

RECOMMENDATION

That planning application 21/2110/FUL be approved subject to the following conditions and informative:

01 Commencement of Development

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 Received
C-2035-01 REV B	28 January 2022
P-00.01A	19 August 2021
P-10.01	19 August 2021
P-20.01A	19 August 2021
P-20.02	19 August 2021
P-30.01	19 August 2021
P-30.02A	19 August 2021
P-30.03	19 August 2021

Reason: To define the consent.

03 External Materials

Notwithstanding the submitted details in the application, above ground construction shall not commence until precise details of the materials to be used in the external walls and roofs of the hereby approved dwelling have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed materials

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

04 Tree Protection

Notwithstanding the proposed details in the submitted plans, no development shall commence until an updated Tree Protection Plan is submitted approved in writing by the Local Planning Authority. This must be in close accordance with:

1. BRITISH STANDARD 5837:2012 Trees in relation to design, demolition and construction – Recommendations
2. BRITISH STANDARD 3998:2010 Tree Work - Recommendations
3. NJUG Guidelines For The Planning, Installation And Maintenance Of Utility Apparatus In Proximity To Trees (Issue 2) – Operatives Handbook 19th November 2007

Any such scheme agreed in writing by the Local Planning Authority shall be implemented prior to any equipment, machinery or materials being brought to site for use in the development and be maintained until all the equipment, machinery or surplus materials connected with the development have been removed from the site.

Reason: To protect the all existing trees on and immediately adjacent to the site (within 10m) that the Local Planning Authority consider provide important amenity value in the locality.

05 Tree Planting Scheme

The tree planting scheme C-2035-01 REV B hereby approved shall be completed no later than the first planting season following practical completion of the hereby approved dwelling.

All tree planting shall be carried out in strict accordance with the approved specification and best practice. Prior to occupation of the dwelling, a landscaping maintenance schedule for a minimum of five years shall be submitted to and be approved in by the Local Planning Authority. All landscaping shall be maintained in accordance with those agreed details thereafter.

Any trees that are found to be dead, dying, severely damaged or diseased within five years of the completion of the building works OR five years of the carrying out of the landscaping scheme (whichever is later), shall be replaced in the next planting season by specimens of similar size and species in the first suitable planting season.

Reason: To ensure a high-quality planting scheme is provided which contributes positively to local character, visual amenity, and environmental quality and which enhances usability of open spaces within the development.

06 Woodland Management Plan

Prior to occupation of the development hereby approved, a Woodland Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The management plan shall include existing and new areas of woodland planting on the site, and be in accordance with current best practice. The Plan shall include, long term design objectives, outline maintenance and management schedules, new/replacement planting, any special measures relating to the time of year such as protected species and their habitat, management of trees within close proximity of private properties. The Woodland management and maintenance details shall be detailed for the initial 5 year period from date of completion of the scheme, followed by a long-term management plan for a period of 20 years. The landscape management plan shall be carried out in strict accordance with the approved details thereafter.

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

07 Site Levels

Notwithstanding details shown on the plans hereby approved, prior to any works commencing on site a scheme detailing existing and proposed ground levels, including those in adjacent land, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these approved details.

Reason: To ensure an acceptable level of amenity to the occupiers of the surrounding residential dwellings.

08 Boundary treatments

Notwithstanding the submitted information, prior to the above ground construction full details of all boundary treatments shall be submitted to and agreed in writing by the Local Planning Authority. The approved boundary treatment shall be implemented in full prior to the occupation of the hereby approved dwelling and shall thereafter be maintained in accordance with the agreed details.

Reason: In the interests of the character of the area and to ensure an acceptable level of amenity to the occupiers of the surrounding properties.

09 Walkover Ecological Survey

A maximum of three months before development is commenced, a suitably qualified ecologist shall undertake a checking survey to ensure that no protected species or their habitat are present on site. The results of the survey shall be submitted to and be approved

in writing by the Local Planning Authority. Should any species be found, full details of any required mitigation measures shall be submitted to and be approved in writing by the Local Planning Authority. Any agreed mitigation measures shall be implemented wholly in accordance with the approved details prior to the commencement work on site.

Reason: To preserve, protect and enhances the biodiversity of the site in accordance with Local Plan Policy ENV5 and the NPPF.

10 Bird Breeding Season

No tree or shrub removals shall take place on the site, within the bird breeding season (1st March - 31st August, inclusive), unless a suitably qualified ecologist has confirmed there are no breeding birds within any such vegetation immediately prior to removal. Confirmation of any such removals and ecological assessments shall be submitted to the Local Planning Authority prior to removal or within 1 month following any such vegetation removals.

Reason: To preserve, protect and enhances the biodiversity of the site in accordance with Local Plan Policy ENV5 and the NPPF.

11 Surface Water Drainage

Development shall not commence until a detailed scheme for the disposal of foul and surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall take place in accordance with the approved details.

Reason: To prevent the increased risk of flooding from any sources in accordance with Local Plan Policy ENV5 and the NPPF.

12 Construction Hours

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 Open Access

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.

14 Restriction – Minimum height of roof lights

Notwithstanding the development hereby approved, the base height of all the associated roof light windows to be installed within the outward facing roof slopes (northern and southern slopes) shall be no lower than 2.0 metres above the finished first floor level when measured internally.

Reason: For the avoidance of doubt and in the interests of the privacy of the neighbouring occupiers.

15 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 any unknown contaminative features encountered during the development are investigated and remediated to an acceptable standard.

INFORMATIVE OF REASON FOR PLANNING APPROVAL

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 - Not in a Smoke Control Zone

Although the property is not within a smoke control area we would informally request that the occupant complies with the following information in order to minimise the likelihood of complaints regarding smoke emissions:

- Burn authorised fuels- a list of these can be found on the following link <http://smokecontrol.defra.gov.uk/fuels.php?country=e>
- Install a DEFRA approved appliance; a list of these can be found on the following link <http://smokecontrol.defra.gov.uk/appliances.php?country=e>
- The appliance is to be installed by an approved contractor and certificates of the work to be submitted to the Local Authority.

BACKGROUND

1. An outline planning consent for the construction of up to 500 houses, a Primary School (inc Sport Facilities) and nursery, Retail Units (up to 500 sqm), Doctors Surgery, Community Facilities, access and associated landscaping, footpaths and open space (all matters reserved) was approved subject to a section 106 agreement on 30th January 2017 (ref; 13/0342/EIS).
2. A Reserved Matters application (access, appearance, landscaping, layout and scale) for the erection of 279 dwelling houses, with associated infrastructure within phase F, Wynyard Woods was approved subject to conditions on 23rd August 2018 (ref; 17/2777/REM).
3. An application to vary the approved plans of planning approval for 17/2777/REM was sought and approved subject to conditions in June 2019 (ref; 19/0336/VARY).
4. Both planning approvals 17/2777/REM and 19/0336/VARY illustrated on the approved site plans an indicative large single dwelling to be located on the application site, which would form a future, separate Reserved Matters application.
5. A separate Reserved Matters planning application has been submitted for a dwelling to the north of this application site (ref: 21/2051/REM), which effectively sub-divides the site into two residential plots.

SITE AND SURROUNDINGS

6. The application site relates to a parcel of land located to the east of Beck Close in Wynyard. To the west is the site access and the properties of 1, 2 and 3 Beck Close, to the south are the properties of 28, 30 and 32 Blackwood and to the east are 14, 16, 18 and 20 Blackwood.

7. Between the application site and the properties located to the south and east is a woodland buffer, which is currently protected by an emergency Tree Preservation Order.
8. Located to the north is a separate plot, currently under consideration for a separate residential property.

PROPOSAL

9. The application seeks planning consent for the erection of a dwelling with detached double garage and associated works.
10. The proposed dwelling seeks consent for 6 bedrooms across three floors. The southern portion of the dwelling being two and a half storeys (with room in the roof space). The overall design is contemporary with the use of large elements of glazing and brickwork as the main material.

CONSULTATIONS

11. The following Consultations were notified and any comments received are set out below (in summary):-
12. **Highways Transport & Design Manager** – no objections to the proposals.

Highways Comments

In-curtilage car parking and turning for the proposed 6 no bedroom detached dwelling in provided in accordance with SPD3.

Landscape & Visual Comments – Wynyard is laid out as pockets of development with areas of woodland serving as buffers between the different development areas. The site falls within a Reserved Matters approval for a larger development (Ref: 17/2777/REM). Some tree removals are permitted in line with the 2017 consent.

The applicant proposes a single dwelling on the southern half of the development plot, with a second dwelling and garage subject to a separate application to the north. A number of tree removals are proposed by the applicant who has provided an arboricultural survey and impact assessment carried out by a qualified arborist.

Following review of the submitted arboricultural information, damage from Storm Arwen and removals permitted under the 2017 consent, it is considered that the value of the remaining trees along the southern boundary is low. Therefore, the removal of this buffer on the southern boundary has been agreed, alongside a replacement woodland planting scheme. The existing buffer to the eastern boundary will require some further controlled woodland management to remove fallen trees.

The replacement planting scheme (drawing C-2035-01 REV B) for the southern boundary includes for mature trees being underplanted by smaller woodland species which will develop into a dense buffer over time, once established this will be of higher quality, provide better screening between properties and a more diverse area of woodland.

The TPO placed on the site has not yet been confirmed, but be modified to cover the updated woodland scheme to ensure its retention in the long term. Conditions are recommended to cover the following aspects;

- Means of enclosure
- Tree protection
- Tree Planting

- Woodland management Plan

13. **Environmental Health Unit** –no objection in principle to the development, subject to the imposition of the following conditions:

- Position of flue no less than 1 metre above the eaves and 2 metres away from any openable window.
- Unexpected Land Contamination
- Construction/ Demolition Noise 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.
- Informative - Not in a Smoke Control Zone

14. **Northern Gas Networks** – No Objection, 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.

15. **Northumbrian Water Limited** – no comments received.

16. **Northern Powergrid** – no comments received.

PUBLICITY

17. Publicity has been given to the planning application through neighbour notification letters and through display of site notice. A total of 10 letters of objections have been received. A summary of the comments received are identified below;

Objectors

1. Mrs Kit Lofthouse 3 Harestones Wynyard
2. Mr Dan Kitchen 49 Black Wood Wynyard
3. Mr Dean Burdon 5 Beck Close Wynyard
4. Mr Lindsay Pattinson Showhome And Sales Office 1 Beck Close
5. Samantha Gravells and Jonathan Gonzalez 2 Beck Close, Wynyard
6. Mrs V Holloway 28 Black Wood Wynyard
7. Mrs Joanne Hall 14 Black Wood Wynyard
8. Allison And Andrew Nicholson 16 Black Wood Wynyard
9. Mr Russell Hayward 18 Black Wood Wynyard
10. Mr JG & Mrs D Middlemiss 30 Black Wood Wynyard

Objection Comments

- The application site has been subdivided from one plot into two and should be considered alongside the separate planning application 21/2051/REM.
- Previous planning permissions obtained planning consent for a single dwelling on the parcel of land as part of a wider scheme.
- The proposed development would represent back land development and would not represent the low-density development of Wynyard
- Proposal would be overdevelopment of the site.
- The proposed dwelling is of an inappropriate scale and design when compared to the surrounding neighbouring properties.
- Allowing the development would set a precedent for similar occurrences of land sub-division within the area.
- The application lacks information and is incomplete.
- The proposed development would result in a loss of woodland and the existing landscaping that should be protected by Tree Preservation Order.

- Harmful to wildlife in the area
- Would remove natural drainage that would exacerbate existing flooding issues
- Loss of privacy for surrounding neighbouring properties.
- The proposal would lead to a loss of open space.
- Inappropriate boundary treatments proposed.
- The proposed development does not comply with current planning policy.
- The proposal would have an overbearing and loss of light impact on the neighbouring properties.
- The proposal would lead to an unacceptable outlook.
- The comings and goings of vehicles would led to noise and disturbance
- The large chimney proposed on the dwelling raises smoke related amenity concerns.
- Increased traffic problems within the area.
- The site would not have adequate access to fire hydrants.
- Concerns are raised that refuse vehicles could not serve the site.
- Matters have been raised in respect to the method of construction and land stability concerns.
- The proposed development would breach Human Rights
- The accuracy of the submitted plans has been questioned, as the neighbouring residents have purchased land adjoining the application site.

PLANNING POLICY

18. 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.
19. 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

20. 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.
21. 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

22. 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.

Strategic Development Strategy Policy 5 (SD5) - Natural, Built and Historic Environment

To ensure the conservation and enhancement of the environment alongside meeting the challenge of climate change the Council will:

1. Conserve and enhance the natural, built and historic environment through a variety of methods including:

a) Ensuring that development proposals adhere to the sustainable design principles identified within Policy SD8.

d) Enhancing woodlands and supporting the increase of tree cover where appropriate.

j) Ensuring development proposals are responsive to the landscape, mitigating their visual impact where necessary. Developments will not be permitted where they would lead to unacceptable impacts on the character and distinctiveness of the Borough's landscape unless the benefits of the development clearly outweigh any harm. Wherever possible, developments should include measures to enhance, restore and create special features of the landscape.

l) Preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of ground, air, water, light or noise pollution or land instability. Wherever possible proposals should seek to improve ground, air and water quality.

m) Encouraging the reduction, reuse and recycling of waste, and the use of locally sourced materials.

2. Meet the challenge of climate change, flooding and coastal change through a variety of methods including:

- a. Directing development in accordance with Policies SD3 and SD4.
- d. Directing new development towards areas of low flood risk (Flood Zone 1), ensuring flood risk is not increased elsewhere, and working with developers and partners to reduce flood risk.
- e. Ensuring development takes into account the risks and opportunities associated with future changes to the climate and are adaptable to changing social, technological and economic conditions such as incorporating suitable and effective climate change adaptation principles.
- f. Ensuring development minimises the effects of climate change and encourage new development to meet the highest feasible environmental standards.

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

Natural, Built and Historic Environment Policy 4 (ENV4) - Reducing and Mitigating Flood Risk

1. All new development will be directed towards areas of the lowest flood risk to minimise the risk of flooding from all sources, and will mitigate any such risk through design and implementing sustainable drainage (SuDS) principles.
5. Surface water run-off should be managed at source wherever possible and disposed of in the following hierarchy of preference sequence:
 - a. To an infiltration or soak away system; then,
 - b. To a watercourse open or closed; then,
 - c. To a sewer.
6. Disposal to combined sewers should be the last resort once all other methods have been explored.

Natural, Built and Historic Environment Policy 5 (ENV5) - Preserve, Protect and Enhance Ecological Networks, Biodiversity and Geodiversity

1. The Council will protect and enhance the biodiversity and geological resources within the Borough. Development proposals will be supported where they enhance nature conservation and management, preserve the character of the natural environment and

maximise opportunities for biodiversity and geological conservation particularly in or adjacent to Biodiversity Opportunity Areas in the River Tees Corridor, Teesmouth and

7. Existing trees, woodlands and hedgerows which are important to the character and appearance of the local area or are of nature conservation value will be protected wherever possible. Where loss is unavoidable, replacement of appropriate scale and species will be sought on site, where practicable.

Policy H3 - Wynyard Sustainable Settlement

5. Provide a range of homes in accordance with Policy H4, with the exception of:
- a. Wynyard Village (Policy H1.2.W1) which will provide an executive housing offer, with off_site affordable housing.
10. Recognise and respect the unique character of Wynyard Village which is defined by its layout, leisure offer and low density executive housing.

Housing Policy 4 (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.
10. To widen the overall housing offer, the Council will support the delivery of custom and self-build housing. The Council will:
- a. Regularly monitor the demand for custom and self-build housing and assist in facilitating the delivery of land/sites, where appropriate.
- b. Encourage applicants to consider incorporating plots for custom and self-build housing within larger housing developments.

Transport and Infrastructure Policy 3 (TI3) - Communications Infrastructure

1. The Council supports the expansion of communications networks, including telecommunications and high speed broadband; especially where this addresses gaps in coverage.
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.

Supplementary Planning Document 1: Sustainable Design Guide

4.8 Privacy and Amenity

4.8.1 Providing a balance between the natural surveillance of public areas and excessive overlooking of private areas can be difficult to achieve but is important. Private garden areas should not be subject to an inordinate level of overlooking from public spaces or neighbouring properties.

4.8.2 The Council will normally expect a minimum of 21 metres separation to be provided between the main habitable room windows on facing residential properties. Where main habitable room windows will face windows of secondary rooms, such as bathrooms and hallways, or a blank gable, there should normally be a gap of at least 11 metres between the two properties. However, it is advisable to seek pre application advice, should a development involve this relationship, as the required separation distance will depend upon individual circumstances and may need to be increased.

4.8.3 A significant variation in ground levels between properties or differences in the number of stories between dwellings may require an increase in the separation distance, in order to prevent an unacceptable overbearing impact. Where a building is above two stories in height, an additional 4m distance should be provided for each 15 SPD 1: Sustainable Design Guide additional storey. Where there are differences in ground levels the separation distance should be increased by 2m for every 1m rise.

MATERIAL PLANNING CONSIDERATIONS

23. The main planning considerations of this application are the principle of development, the impacts on the character of the surrounding area, the impact on the amenity of the surrounding residential occupiers, highway safety related matters, ecology and flood risk.

Principle of Development

24. The application site is a plot of land located within Wynyard Village which has the benefit of an outline planning consent and reserved matters consent for residential development.
25. Although the previous consents have indicated that the site would provide a single, large residential dwelling, located within sizable grounds. It does not affect the principle for residential development.
26. Whilst comments relating to the sub-division of the plot and back land development are noted, the main considerations of the application therefore relate to where the site can satisfactorily accommodate an additional dwelling on the site, such matters are considered in detail below;

Impact on the Character of the Surrounding Area

27. The adopted Local Plan encourages high standards of design with Local Planning Policy SD8 setting out that new developments should be appropriate to the context of the surrounding area and be of an appropriate style, proportion and materials to the main building.
28. Although comments relating to character are noted, Wynyard village does not have a distinctive architectural style to the housing estate and is instead characterised by a variety of large executive style properties set within sizable grounds. Notwithstanding the additional plot being created, the proposed sub-division is comparative in its size to the surrounding neighbouring development plots and the proposed dwelling at two and a half storeys (a room in the roof space) is also entirely in keeping with the scale of the neighbouring properties. Consequently, it is not considered that the proposal would appear out of character with the area or represent an over development of the site.
29. The proposed design would utilise a combination of brickwork and glazing to provide a contemporary gabled appearance. Whilst the proposed dwelling would not replicate some of the designs within Beck Close, it is considered not to be dissimilar from the style of properties nearby located on Coppice Lane, just off Beck Close. In addition, the proposed is situated behind dwellings of the main estate and is considered not to read unduly prominent within the street scene.
30. A woodland buffer surrounds the perimeter to the south and east of the application site. Neighbouring residents have raised concerns that the proposed dwelling would result in the loss of the woodland buffer. However, the existing trees along the southern boundary are considered to be of a low-quality plantation species and have in part been given consent to be removed as part of the previous planning approval at the site. Both the Council's Landscape officer and The Council's Tree & Woodland officer have visited the site and consider the replacement scheme would provide a greater mix of woodland species that would provide a denser buffer over time which is an acceptable solution.
31. For clarity, the woodland buffer located along the eastern boundary would be retained and the current temporary TPO would be modified to include the new tree planting. Conditions are recommended in respect to the timescale for implementing the replacement planting scheme, the requirement for an updated tree protection scheme and a woodland management scheme.

Impact on the Amenity of the Surrounding Neighbouring Properties

32. Planning Policies SD8 seeks to provide sufficient levels of privacy and amenity for all existing and future occupants of land and buildings.
33. The Council's Sustainable Design SPD provides guidance on appropriate separation distances between residential properties with a minimum of 21 metres separation distance between the main habitable room windows and a separation distance of 11 metres where main habitable room windows will face windows of secondary rooms or blank elevations. The guidance also states that where a building is above two stories in height, an additional 4m distance should be provided for each additional storey.
34. The proposed dwelling would at its maximum be a two and a half storey (room in the roof space) building. To the front (west) would be the site access and the rear aspects of the properties of No.'s 1, 2 and 3 Beck Close which at nearest would be approximately 38 metres from the proposal to these properties. At the rear (east) are No's 14, 16, 18 and 20 Blackwood, where there would be rear to rear separation distances of approximately 50 metres between the residential properties with a woodland buffer separation between. To the south, are the rear aspects of No.'s 28, 30 and 32 Blackwood which would face onto the side elevation of the application property at approximately 24 metres with a woodland buffer established between. To the north should the current proposals at that site obtain planning consent, the proposed dwelling would have a side-to-side relationship with an approximate 6 metre separation distance, with no habitable rooms facing onto the proposed dwelling.
35. In view of the above and associated relationship between properties, it is considered that despite the neighbours residents' concerns, the proposed development would not result in any significant loss of privacy and amenity for the surrounding neighbouring properties in planning terms and is acceptable in this regard. A condition is however, recommended in respect to the roof lights proposed within the outward facing roof slopes in order to manage any privacy related concerns.
36. Comments received in respect to comings and goings from vehicles parked in proximity to the neighbouring garden and property are noted, although such occurrences are expected within a residential setting, and it is not considered that any harmful impacts to justify a refusal could be sustained.
37. The Environmental Health Unit have been consulted and considered the implications of smoke from any chimney and there are no objections raised in this respect. An informative is nevertheless recommended to draw the applicant's attention to the relevant information.

Highway Safety Related Matters

38. The proposed development would provide a double garage and parking at the front of the dwelling in accordance with the Councils guidance and the Highways Transport & Design Manager raises no objections in terms of highway safety.

Ecological Considerations

39. Comments received have suggested that the proposed development would result in a loss of habitat and cause harm to the ecology within the area. As part of the outline planning application a Phase I Habitat Survey was provided which confirmed that the site comprised predominately arable land and plantation woodland. The mixed plantation woodland was considered to offer suitable habitat to support a range of fauna. Although the presence of protected species was found outside of the wider outline site, it was identified as a low value habitat being semi-mature. Indeed, none of the areas identified for development were found to be of a high ecological value or interest. As part of the outline approval a one-off

commuted sum payment for off-site biodiversity offsetting measures, to deliver new and enhanced habitats within the Borough was secured.

40. Nevertheless, this application site is considered to still remain of low ecological value, although for completeness it is considered that conditions be added for checking surveys prior to commencement of development and for a condition for no tree removals to take place within the bird breeding season (1st March - 31st August, inclusive), unless a suitably qualified ecologist has confirmed there are no breeding birds immediately prior to removal.
41. With respect to any trees removed from the southern boundary of the site, replacement trees would be re-provided in this location, which would re-provide habitat in this area, whilst existing trees would be retained along the eastern boundary of the site. Subject to the recommended conditions, the proposed development is considered to have necessary to ecology and no issues are raised.

Drainage Related Matters

42. Residents have raised concerns with respect to existing drainage issues within the wider area and have also suggested that the removal of trees on site would remove a natural drainage solution.
43. As part of the building regulations process suitable foul and surface water drainage will need to be provided. Nonetheless, as detailed earlier within the report, replacement tree planting and a woodland management plan are to be provided which should limit any associated impacts.

Residual Matters

44. Concerns have been raised in respect to the method of construction of the proposed dwelling, again this is a matter for building regulations. However, should a driven pile foundation technique be used, any resultant damage would be a civil issue and fall outside of the planning system.
45. Matters raised in respect to distance for refuse collection and access to water in the event of a fire are also matters to be dealt with through Building Regulations legislation, although such matters are considered not to raise any fundamental issues and are not reasons to warrant the refusal of the planning application.
46. Residents have questioned the level of information and accuracy of the submitted information/plans, given that neighbouring land has been purchased. It is considered sufficient information has been provided and that this is consistent with national guidance. Whilst implications for neighbouring land are noted, the applicant has confirmed that the red line boundary of the application site is accurate with respect to the determination of the planning application.
47. Comments in relation to the Human Rights Act are noted. However, the determination of the planning application has taken into account matters related to the Human Rights Act into account with matters relating to property and privacy having being outlined in the report above.
48. Comments received have suggested that the proposed plot sub-division and development of the site would set a precedent for similar proposals to come forward. Whilst the comments are noted, it is considered that the application presents a set of site-specific circumstances. Each application thereafter would be assessed on its own merits.

49. A comment has suggested that the proposal would result in a loss of open space. The application site is an approved development plot and is not allocated as open space and is already an approved plot for the development of a single dwelling.
50. A comment received has questioned why the adjacent planning applications have been allocated to different planning officers. Such decisions are based on levels of workloads and officers are aware of relative planning submissions when considering their recommendation and liaise with one another to ensure that robust and consistent decision making is undertaken.

CONCLUSION

51. The application site is a plot of land located within Wynyard Village which has the benefit of an outline planning consent and reserved matters consent for residential development. The proposed sub-division of the plot is comparative to the surrounding neighbouring development plots and the proposed dwelling at two and a half storeys (a room in the roof space) is also entirely in keeping with the scale of the neighbouring properties.
52. All technical details with regards to landscaping, residential amenity, parking and access and ecology are considered to be satisfactory or can be controlled via planning conditions. It is therefore recommended that the application be approved subject to conditions as set out within the report.

Director of Finance, Development and Business Services
Contact Officer Kieran Campbell Telephone No 01642 528551

WARD AND WARD COUNCILLORS

Ward Northern Parishes
Ward Councillor Councillor John Gardner

Financial Implications: N/A

Environmental Implications: The proposal relates to the creation of a residential dwelling and its visual impacts, along with matters relating to ecology and associated noise are considered and addressed within the report. All associated impacts are considered limited.

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 2019.

Planning Applications: 13/0342/EIS; 17/2777/REM; 19/0336/VARY; and, 21/2051/REM