

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

16 March 2022

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

21/2051/REM

Wynyard Village Extension, Phase F, Wynyard

Reserved matters application for the access, appearance, landscaping, layout and scale for the erection of 1no dwelling house, detached garage and annexe

Expiry Date

SUMMARY

Outline planning consent was granted on 30th January 2017 for the construction of up to 500 houses, Primary School (inc Sport Facilities and nursery, Retail Units (up to 500sqm), Doctors Surgery, Community Facilities, access and associated landscaping, footpaths and open space (all matters reserved).

This application is a reserved matters application for the access, appearance, landscaping, layout and scale for the erection of one dwelling and detached annex/ garage. Through the planning process additional information and revised plans have been received.

A total of 12 letters of objection have been received. The objections are principally raising concerns 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 proposal is considered to be in line with general planning policies as set out in the Development Plan, SPDs and the National Planning Policy Framework. No objections have been received from the technical consultees. It is therefore recommended for approval with conditions.

RECOMMENDATION

That planning application 21/2051/REM be approved subject to the following conditions and informatives below;

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

Plan Reference Number	Date Received
PL02C	17 February 2022
PL03A	17 February 2022
PL04A	25 February 2022
PL01	30 July 2021

Reason: To define the consent.

02 Reserved Matters

This approval relates solely to this application for the approval of Reserved Matters and does not in any way discharge condition numbers 9, 10, 11, 12, 15, 16, 18, 20, 23, 24, 26 contained in the Outline Planning Approval reference 13/0342/EIS which still require the submission of specific details and the written approval of the Local Planning Authority.

Reason: For the avoidance of doubt and to define the consent.

03 Landscaping Softworks

Prior to the above ground construction of the development hereby approved 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, numbers, densities, locations inter relationship of plants, stock size and type, grass, and planting methods for all planting outside of the boundary fence, and for tree planting within the private garden. All works shall be in accordance with the approved plans.

All existing or proposed utility services that may influence proposed tree planting shall be indicated on the planting plan. The scheme shall be completed in the first planting season following completion of the development, and to the satisfaction of the Local Planning Authority.

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 and in accordance with Local Plan Policies SD8 and ENV5 along with the NPPF

04 Arboricultural Impact Assessment

The development hereby approved shall be carried out in full accordance with the arboriculture information submitted in the Arboricultural Impact Assessment received by the Local Planning Authority on the 17 February 2022 and shall be adhered to in full. The development shall be subject to tree protection monitoring and site supervision undertaken by a suitably qualified tree specialist.

Reason: To safeguard and enhance the character and amenity of the site, and to avoid any irreversible damage to retained trees and in accordance with Local Plan Policies SD8 and ENV5 along with the NPPF

05 Obscure Glazing

Notwithstanding the submitted drawings, the first floor windows on the northern and southern elevations of the development hereby approved, shall be fitted with obscure glazing to at least obscuration factor 4 prior to the occupation and shall be maintained as such for the lifetime of the development.

Reason: In the interests of the amenity of the neighbouring properties.

06 Annex/Garage

The hereby approved garage/annexe/store shall be used as ancillary/incidental accommodation to the use of the main dwelling as denoted on plan ref PL01 as received by the Local Planning Authority on the 30 July 2021. This building shall form and shall remain as part of the curtilage of this main dwelling as a single planning unit and shall be used only by members of the family or persons associated with occupiers of this main dwelling.

Reason: To enable the local planning authority to retain control over the development in the interests of sustainable development and in accordance with Local Plan Policies SD8 and H4 along with the NPPF.

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.

Informative: British Standards

The following British Standards should be referred to:

- a. BS: 3882:2015 Specification for topsoil
- b. BS: 8545:2014 Trees: from nursery to independence in the landscape – Recommendations
- c. BS: 8601:2013 Specification for subsoil and requirements for use
- d. BS: 5837 (2012) Trees in relation to demolition, design and construction - Recommendations
- e. BS: 3998:2010 Tree work – Recommendations
- f. BS: 7370-4:1993 Grounds maintenance part 4. Recommendations for maintenance of soft landscape (other than amenity turf).
- g. BS: 3936-1:1992 Nursery Stock - Part 1: Specification for trees and shrubs
- h. BS: 4428:1989 Code of practice for general landscaping operations (excluding hard surfaces)
- i. BS: 4043:1989 Recommendations for Transplanting root-balled trees

Informative: Northern Gas

The developer is advised to contact Northern Gas Networks prior to any construction works as there may be apparatus in the vicinity of the development.

HEADS OF TERMS

There are no requirements to vary the S106 Agreement as a result of this Reserved Matters Application.

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 full planning application has been approved for a dwelling to the south of this application site (ref: 21/2110/FUL), which effectively sub-divides the site into two residential plots.

SITE AND SURROUNDINGS

6. The applications site relates to a self build plot which has the benefit of outline permission under application ref 13/0342/EIS within the Robertson Development in Wynyard. Located to the south is a separate residential plot, which was approved by Members at Februarys Planning Committee.
7. Between the application site and the properties located to the north and east is a woodland buffer, which is currently protected by a temporary Tree Preservation Order (TPO). The northern boundary to site is formed by TPO.

PROPOSAL

8. A Reserved Matters application for the access, appearance, landscaping, layout and scale for the erection of 1no dwelling house, detached garage and annexe off application 13/0342/EIS.
9. Revised plans were sought during the course of the planning process to relocate and consolidate the proposed annex and garage along with the marginal repositioning of the proposed dwelling to ensure compatibility with the protected trees along the northern boundary.
10. The proposed dwelling would be two storey five bedroom detached dwelling. The proposed garage/ annex would provide three garage spaces and a gym/ annex at the ground floor and a store room at first floor. The detached garage and dwelling are proposed to be rendered with grey roof tiles and black timber windows.

CONSULTATIONS

11. The following consultations responses have been received as set out below (in summary):-

Highways Transport & Design Manager – raises no objections to the proposals, but requests a number of conditions be applied.

Highways Comments

The submitted site layout drawing no. reference PL.02 - A shows incurtilage car parking and turning for the proposed 5 no bedroom detached dwelling, in accordance with SPD3: Parking Provision for Developments 2011. There are no highway objections.

Landscape & Visual Comments

There are no landscape and visual objections to the proposals. It is requested that a number of conditions be applied to any permission to secure compliance with the submitted tree protection plan, and details of soft landscaping as supplementary tree planting should be undertaken along the northern edge of the site. Planting in this location has already been detailed under a previous consent, however this is now located within the private garden of the dwelling which is the subject of this application. This planting is critical to re-establish a high quality buffer around the perimeter of the current proposal, and therefore must be undertaken as part of the current application. Additional tree and hedgerow planting is also indicated around the entrance to the dwelling and

therefore a condition should be applied to secure details of this planting, including the specification, size, height and spacings of plants etc. The specification of previously consented planting should also be provided as part of this discharge of condition.

Environmental Health Unit – no grounds for objection to the development and do not think that conditions need to be imposed from an Environmental Health perspective.

Northern Gas Networks – 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.

Parish Council – The Parish Council are aware that planning application 21/2051/REM has also been submitted for an additional annexe for this same site which previously had only been approved for only one dwelling. The new application for an addition dwelling now becomes three dwellings. Why an application for three dwellings was not submitted originally in whole appears only to confuse and misguide.

Our concerns and objections with regard to application 21/2051/REM, are outlined below. We ask that you take these into consideration which in summary relate to over development, not in line with the Stockton Local Plan housing numbers, overlooking nearby property, wildlife protection, landscaping and tree preservation, we are therefore objecting to both these applications on the same basis. We believe that these applications should be one application as they refer to one original plot of land.

There is considerable objection to this development by the householders in the immediate vicinity of this/these plot(s) and we would therefore ask that these applications be referred to the full Planning Committee with a recommendation for a site visit to be made by the committee to see and understand residents' concerns and also give the residents the opportunity to express their objections directly to the committee. We would request that a survey of shadow and overshadowing be made as at least one of the buildings is in very close proximity to neighbouring housing and gardens.

We also feel that the existing mature trees in this plot need to be preserved in order to sustain both privacy and wildlife. Wynyard has seen the decimation of a huge number of mature trees in order for the extensive development to take place. The removal of further trees would be detrimental to the area and to the residents also.

PUBLICITY

12. Publicity has been given to the planning application through neighbour notification letters and through display of site notice. A total of 12 letters of objections have been received. A summary of the comments received are identified below

1. Mr Dean Burdon 5 Beck Close Wynyard
2. Samantha Gravells And Jonathan Gonzalez 2 Beck Close Wynyard
3. Dan Kitchen 49 Black Wood Wynyard
4. Mr Lindsay Pattinson Showhome And Sales Office 1 Beck Close
5. Miss Samantha Gravells and Jonathan Gonzalez 2 Beck Close, Wynyard
6. Mrs V Holloway 28 Black Wood Wynyard
7. Mr Andrew Wales 12 Black Wood Wynyard,
8. Mr Wayne Hall 14 Black Wood Wynyard
9. Mr JG And Mrs D Middlemiss 30 Black Wood Wynyard
10. Andrew And Allison Nicholson 16 Black Wood Wynyard
11. Mr Russell Hayward 18 Black Wood Wynyard

12. Mr Lindsay And Mrs Margaret Pattinson 30 Sovereign Court Jesmond

Objection comments

- Concerns around the access to the property for the street while under development,
- Concerns over mess, soil, heavy vehicles moving in and out of the one access point
- Approach of the developer in subdividing the plot and incorporating an annex
- High density development
- Concern over loss of/ impact on the trees
- Risk of flooding from the proposed development,
- Boundary treatment not appropriate
- No reference to the construction method has been provided.
- Inconsistency in the end elevation (door/window or not) and impacts on privacy, light, and what appears to be a chimney close to the boundary with 1 Beck Close.
- Loss of light
- Loss of privacy
- Noise from gym/ annex/ associated coming and goings
- Proposed chimney
- Impact on ecology
- Principle of backland development
- Highway safety
- Effect on drainage
- Contrary to policy
- The plans of the actual building plot are incorrect, in 2019 the owners of 14 Black Wood along with the owners of 16 & 18 Black Wood purchased land to the rear of our properties making our gardens bigger

PLANNING POLICY

13. 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 Plans 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.
14. 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

15. 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.
16. 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.

Para 130. Planning policies and decisions should ensure that developments:

- (a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- (b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- (c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- (d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- (e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- (f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Para 131. Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible. Applicants and local planning authorities should work with highways officers and tree officers to ensure that the right trees are planted in the right places, and solutions are found that are compatible with highways standards and the needs of different users.

Para 135. Local planning authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).

Local Planning Policy

17. 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.

Meeting Housing Needs (H4) – Meeting Housing Needs

8. Extensions to dwellings to provide accommodation for dependent relatives will be supported where they are designed to be used as part of the main dwelling when no longer required for that purpose.

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

18. 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

19. 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 the wider residential development.
20. Although the previous consents have indicated that the site would provide a single, large residential dwelling, located within sizable grounds. It does not prevent the subdivision of an existing plot which equates to approximately 1.5 acres.
21. The proposed triple bay garage with first floor would be a standalone building and should the current application be approved/implemented and its use as a residential annexe cease in future, it could not be assimilated into the main dwelling. The proposal would therefore not be in accordance with the thrust of Policy H4 (8). Nevertheless, to enable the property to be used as an independent, separate dwelling planning permission would be required. It is unlikely that the proposal could meet the tests of privacy and amenity for such a development due to the tight relationship with the host premise and its amenity space.
22. For the reasons set out above the proposed annexe associated with the dwelling, subject to the recommended condition limiting the development as a single planning unit, is considered to be acceptable in principle.
23. The principle of the residential development are established, the main consideration is therefore whether the sub-division of the plot can satisfactorily accommodate an additional dwelling on the site, along with other material considerations are considered in detail below;

Impact on the Character of the Surrounding Area

24. 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.
25. The National Planning Policy Framework para 130 requires that developments should not only maintain a strong sense of place but should improve the quality of the area. Developments should also be visually attractive as a result of good architecture, layout and appropriate and effective landscaping. It is considered that the proposed variation would not dilute the merits of the previously approved development (para 135 NPPF).
26. As set out above, the original self build plot equated to approximately 1.5 acres, as a result of the subdivision of the plot this application site has been reduced to approximately 0.9 acres, with a total developable area of approximately 0.5 acres, taking into consideration the woodland buffers. The total floor area covered by development would equate to approximately 10% of the plot and approximately 18% of developable area. Such a percentage is not considered to result in over development of the site and is considered to respect the wider character of Wynyard.
27. The over scale, architectural style and materials are largely considered to reflect the existing built form of the area, in particular the Robertson development to the west, which introduced the principle of full render into Wynyard.
28. A number of the objectors have raised concern of the proposed development and the potential implications of the woodland planting. During the course of an application an Arboricultural Impact Assessment was received, along with revised plans which reflect the requirements of the

submitted report. Following consultation with the Councils Arboriculturist and Senior Urban Designer the Highways Transport and Design Manager has raised no objection to the proposed development subject to the imposition of the recommended conditions and informatives.

Impact on the Amenity of the Surrounding Neighbouring Properties

29. Planning Policy SD8 and NPPF Paragraph 130 seek to provide sufficient levels of privacy and amenity for all existing and future occupants of land and buildings.
30. 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.
31. The proposed two storey dwelling, notwithstanding the woodland buffer would have a separation of approximately 52.5m to those properties to the east, off Black Wood. Such a physical separation along with the scale and siting of the proposed dwelling would ensure that the amenity of the respective occupiers would be safeguarded with regards to privacy, light and not resulting in an overbearing presence.
32. To the south is the recently approved detached dwelling, given the orientation, scale and design of the respective dwellings it is considered that they would not result in an adverse impact on the amenity of the respective occupiers. Notwithstanding this, in the interest of safeguarding the future occupier's amenity the first floor side elevation window, to serve an en suite, (southern elevation) shall be obscurely glazed.
33. To the west of the site is 1 Beck Close which is set at an oblique angle and separation of approx. 38.5m front to rear and approximately 20m from the side elevation of the proposed garage/annex to the rear elevation. Taking into consideration the orientation, separation distance and eaves/ridge height of approximately 3.15m and 6.5m respectively, it is not considered that the proposed detached garage/annex would result in a significant loss of light or appear overbearing to such a degree that it would warrant refusal of the application. It is noted that there is concern that the noise generated from the proposed gym/annex would give rise to issues of noise and disturbance. It is not unusual arrangements for personal use home gyms to be located within residential garages/outbuildings. As set out above there is a condition proposed securing the garage/annex to be retained for personal use in association with the host dwelling. Subject to the recommended condition it is not considered that such a relationship would result in an adverse impact. Environmental Health have not raised any objection.
34. With regards to the position of the flue on the western elevation of the proposed garage, although no comments have been received from Environmental Health in relation to the Flue an informative has been recommended.
35. To the north beyond the existing TPO buffer there is an area of open space within Hartlepool's boundary. To safeguard the future occupier's amenity a condition has been recommended requiring the first floor window to be obscurely glazed.
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. The principle of a dwelling with associated access was approved under the previous outline and reserved matters. It is not therefore considered that the activity associated with the proposed dwelling and any harmful impacts to justify a refusal could be sustained.
37. For the reasons set out above, subject to the recommended conditions, the proposed development due to its scale and siting would not be considered detrimental to the adjacent properties in terms of overbearing, loss of light or privacy. On balance, it is considered that the

development will offer an appropriate degree of amenity for the occupiers of the development and the adjacent residential dwellings.

Highway Safety

38. The proposed development would provide a triple garage and parking at the front of the dwelling in accordance with SPD3: Parking Provision for Developments 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. As this application is a Reserved Matters application all the relevant ecological conditions imposed on application ref 13/0342/EIS are still applicable. No further controls are considered necessary.
41. With respect to any trees removed from the northern and southern boundaries of the site, replacement trees would be re-provided, which would re-provide habitat in this area. 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.

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. Following confirmation of the error on the floor plan of the detached garage the plans have been revised accordingly.

47. 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

48. The application site benefits from outline permission for a dwellinghouse. As set out above the subdivision of the plot is considered to be acceptable and as has been demonstrated would result in a comparable form of development which is reflective of the character of the wider area.

49. Subject to the recommended conditions it is considered that the proposed development would

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WARD AND WARD COUNCILLORS

Ward Northern Parishes
Ward Councillor Councillor John Gardner

IMPLICATIONS

Financial Implications:

N/A

Environmental Implications:

N/A

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

Adopted Local Plan (2019)
Supplementary Planning Documents
SPD1 – Sustainable Design Guide
SPD3 – Parking Provision for Developments
SPD6 – Planning Obligations