

PLANNING COMMITTEE

Wednesday 26th November 2008

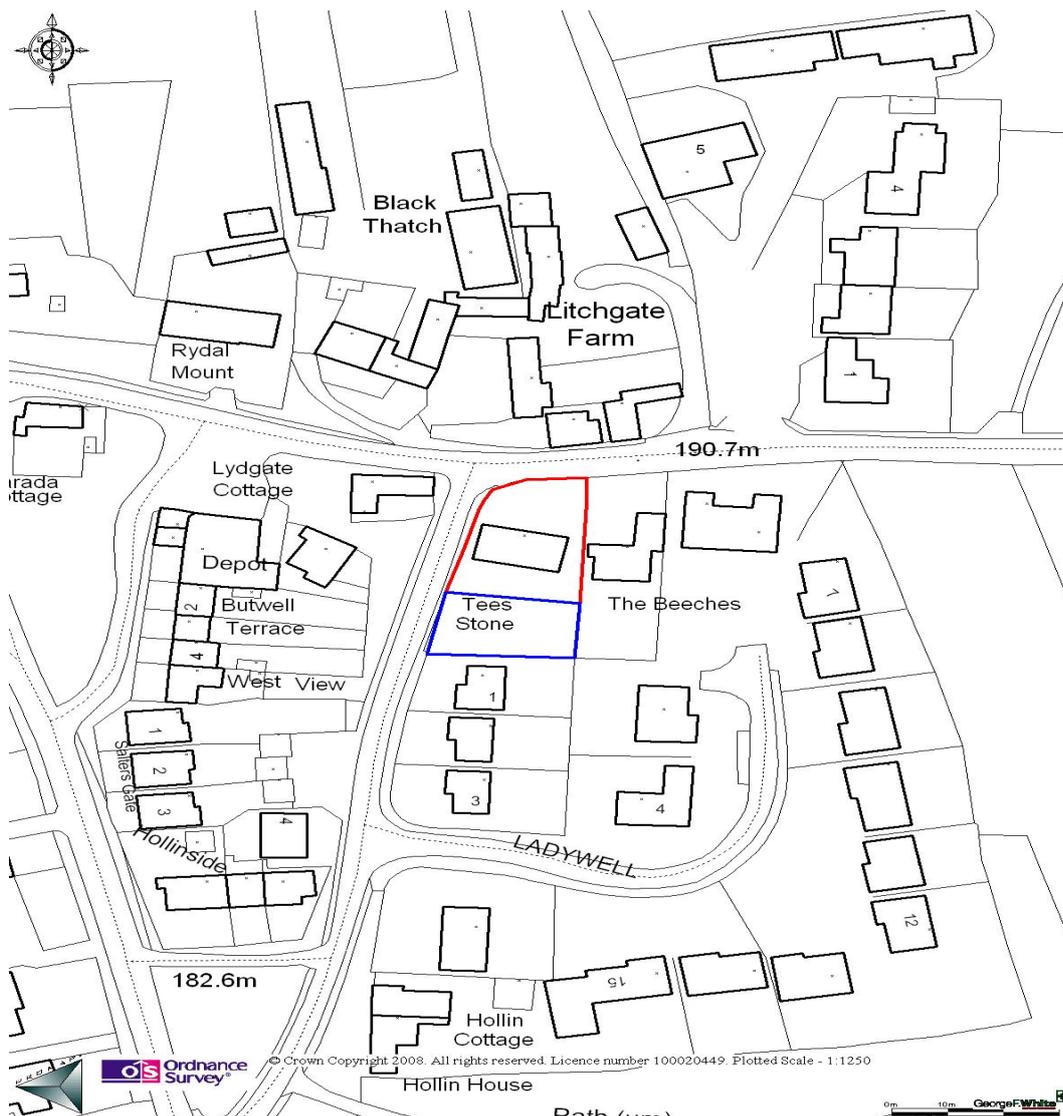
This application is reported to Members because of the level of local opposition and following Councillor G M Richardson's request because he was concerned about the visual impact and highways safety.

Case Officer - Sharon Gray

HAMSTERLEY - 6/2008/0384/DM

Demolition of existing bungalow & erection of new dwelling & creation of new vehicular access to highway at Tees Stone, Hamsterley for Mr John Wallis (22 September 2008).

SITE PLAN



THE SITE:

The application site comprises of a bungalow known as 'Tees Stone' and its surrounding garden area. The site lies within the development limits for Hamsterley and within a predominantly residential area. The site is defined by a stone boundary wall that is breached for pedestrian access on the northern boundary and vehicular access on its western boundary.

Immediately to the north of the site is the highway (C31 road) with residential properties beyond. To the east and south of the site are detached, two storey dwellings. To the west of the site is another adopted highway with residential properties (a mix of single and two storey) beyond.

THE PROPOSAL:

This application seeks outline consent to demolish the existing bungalow and erect a replacement two storey dwelling. A new access is proposed to serve the replacement dwelling. The access is proposed to be created from the C31 road to the north of the site and will involve the removal of a portion of the stone boundary wall.

PLANNING HISTORY:

There is no relevant planning history for this site. It should be noted however that a related application (6/2008/0385) for the erection of a dwelling on land to the south of this site appears elsewhere on the agenda.

PLANNING POLICY:

GD1 General Development Criteria
H4 Small Scale Housing Development
H12 Design

REPRESENTATIONS:

Statutory and Internal Consultees:

Highway Authority: The proposed new access will be adjacent to an existing access to The Beeches. The C31 road is lightly trafficked and there have been no accidents within the vicinity of the site for at least the past ten years. No objections on highways grounds subject to the access being constructed in accordance with the relevant standards.

Hamsterley Parish Council: Object on the grounds that it is creating yet another access onto the main road through the village from the A68, very close to where the only serious vehicular accident took place over the last five years.

Environmental Health: No adverse comments to make.

Public Responses:

One letter of support has been received from the occupier of the adjacent property known as 'The Beeches'. The letter does however go on to add that a traffic safety survey should be carried out because of the increase in traffic in the locality. Furthermore requests for traffic calming are made.

Twenty nine letters of objection have been received. They are available to read in full on file and their content can be summarised as follows:

- (a) Dwellings are an inappropriate height for their immediate surroundings;
- (b) Overlooking to adjacent properties;
- (c) Loss of light to adjacent properties;
- (d) New access will increase hazard on already busy road;
- (e) Proposed two storey dwelling would restrict amenity of 'Plum Tree Cottage' situated to the north of the site;
- (f) Replacement dwelling should be dormer bungalow and not two storey;
- (g) Size of the proposed dwellings will be out of character with the site since there is a bungalow on site at present;
- (h) The size and height of the proposed dwellings will completely obliterate all natural light to bungalow and its garden known as '5 Ladywell';
- (i) Two storey properties on this site will totally overlook '5 Ladywell' and remove all privacy;
- (j) Perhaps the original bungalow renovated or a suitable replacement bungalow would be more in keeping with the village;
- (k) Three storey houses will be totally out of character;
- (l) Overshadowing to 'Lydgate Cottage' however there would be no objections from this occupier if a replacement bungalow were to be proposed;
- (m) To add another access to Saunders Avenue where it already narrows, on a slight bend and where the footpath narrows could only prove to be dangerous. Large volumes of traffic use the road to and from the A68, particularly those visiting Hamsterley Forest at weekend and during holidays;
- (n) Are there to be no gardens left in this country?;
- (o) The light, privacy and possibly property values of all the surrounding neighbours would be severely compromised;
- (p) Understand that the practice of building on gardens is becoming unacceptable to many planning authorities;
- (q) Residents of Hamsterley have no confidence in the planning process on the basis of the following developments: a very high property being allowed at 'The Garden House'; a large stark barn/stable at 'Green View Farm'; and, an overly large property at 'Green Acre';
- (r) The demolition of the existing bungalow will destroy an essentially sound traditionally built building altering this village for no other purpose than personal gain. There is no demonstrable need for more housing in this village judging by the number of houses which regularly appear for sale;

- (s) If a suitable property replaces the old then an additional property in the garden would degrade all the benefits of the replacement building. It would leave the old plot with very little garden and would be visually inappropriate, not only to the existing property but to the surrounding properties;
- (t) Potential overloading of sewer services;
- (u) The new properties may be vacant for some time given the existing market conditions;
- (v) Two bungalows rather than two houses would be more appropriate;
- (w) The main road into and out of the village from the A68 is used by a wide range of agricultural contractors vehicles supplemented particularly at the weekend by visitors to the forest, many of whom are not familiar with the local layout. With narrow pavements, a blind T-junction where the main road is joined by the road up from Ladywell followed by another one to the west within a few yards, and crossing movements by people accessing countryside rights of way, the existing situation requires users to take extreme care. An additional direct access onto the main road would be unsafe;
- (x) The change in levels and the close proximity to the immediate adjacent residential properties in Ladywell make it inevitable that the proposed development would cause significant harm to the privacy and residential amenity of the occupants of nearby properties. It is noted that the design and access statement and accompanying plans submitted with the application do not form part of the proposal which the Council is being asked to approve. But in any case the applicant has not demonstrated that unacceptable harm would not occur. Indeed it does not seem that the point could ever be demonstrated in an outline application as the circumstances are such as to require detailed consideration and assessment;
- (y) Proposed dwellings will overshadow 1 and 5 Ladywell completely;
- (z) Proposed dwellings will greatly reduce the privacy to 4 Ladywell.

PLANNING CONSIDERATIONS:

The main issues for consideration are: principle of replacement dwelling; visual impact; residential amenity; and access and highways safety.

Principle of replacement dwelling

Policy H4 of the Teesdale District Local Plan states that small scale housing development will be permitted on sites of less than 0.4 hectares, comprising of previously developed land within the development limits of specified settlements. Hamsterley is one such settlement specified as suitable for this type of development.

This application seeks outline consent for the erection of a two storey dwelling on the site of an existing bungalow. Given that this is a brown field site within the development limits of Hamsterley it is considered to accord with policy H4 of the Teesdale District Local Plan.

Visual impact

Policy GD1 of the Teesdale District Local Plan seeks to ensure that new development is appropriate to its setting and reflects the character and appearance of the surrounding area. Policy H12 of the Local Plan encourages high standards of design in new housing.

As mentioned previously this application seeks outline consent only. The details of the design have not been submitted though an indicative block plan accompanies the application. Clearly the merits of design would be considered during the course of a reserved matters application should Members resolve to grant outline consent. Nonetheless the principle of replacing an existing bungalow with a two storey dwelling can be considered.

There is little doubt that a two storey property in this location will be more prominent than the existing bungalow. There are several reasons for this. Clearly, the increase in height will significantly increase its prominence in the street scene. In addition to this, the orientation of the replacement dwelling will be reversed and the front elevation will be the northern elevation. The creation of an access to this boundary will also 'open up' the views through the stone wall towards any replacement dwelling on this site. It is inevitable that the prominence of a two storey dwelling on this site will be significantly greater than the existing single storey dwelling. Increasing the prominence of a building however should not be considered negative, providing that any new development enhances the character of the street scene and the surrounding area.

Since this application has been submitted in outline comments can only be made in respect of the indicative block plan. The block plan shows the principal elevation of the replacement dwelling as the northern elevation. This seems a most logical proposal since the existing bungalow faces south and is in fact at odds with the dwellings in the vicinity of the site that all have a roadside frontage. In reversing the orientation of the replacement dwelling it will ensure that the elevation with the most detail is that which is most prominent in the street scene. A mix of two storey and single storey properties exist in the vicinity of the site, but arguably the two storey properties characterise this part of this rural settlement. Since the application site abuts two other two storey properties then the replacement of a bungalow with a two storey property will in fact reflect the character and appearance of the surrounding dwellings.

On the basis of the information that has been submitted with this outline application it appears that it is possible for a replacement dwelling to reflect the scale, form and proportions of those in the vicinity of the site and therefore there is potential for it to enhance the character of the street scene in accordance with policies GD1 and H12 of the Teesdale District Local Plan.

Residential amenity

Policy GD1 of the Teesdale District Local Plan seeks to ensure that new development is not harmful to the amenities of the occupiers of surrounding residential properties.

This application involves the replacement of the existing bungalow with one, two storey dwelling on a similar, but not identical, footprint. The indicative layout plan has been submitted that shows the footprint of the replacement dwelling to be smaller than the bungalow that exists on the site.

Many of the letters of objection include concerns about the harm to the amenities of the surrounding residential properties by way of overlooking and loss of light. It should be noted however that the occupier of the closest residential property ('The Beeches') does not object on this basis. This property will not be significantly harmed by increased overlooking or loss of light as the 'The Beeches' and the proposed dwelling would sit gable to gable.

The property to the north of the site is some 27 metres from the proposed dwelling and currently faces 'The Beeches' another two storey dwelling. The distance that exists between this dwelling and the proposed dwelling and the fact that there is an existing two storey property that overlooks it will ensure that their existing levels of privacy will not be significantly harmed.

The closest property in Ladywell is some 33 metres from the rear elevation of the proposed dwelling. Despite the properties in Ladywell being at a substantially lower level than the application site and all but three being bungalows, a distance of over 30 metres will ensure that their privacy is not adversely affected and that there will be no significant loss of light.

Two of the closest dwellings that lie to the west of the application site are single storey. Nonetheless it is considered that their privacy will be protected as the proposed dwelling will not directly face either of these dwellings. There should not be any significant loss of light to these properties given that the replacement dwelling will lie to their east.

This application has been submitted in outline so no further detailed comments can be made about the relationship of the replacement dwelling with those existing properties that surround the site. The above comments are made on the basis of the indicative block plan that has been submitted. On this basis it is clear that there is potential for a two storey property to be accommodated on this site without harm to the amenities of the occupiers of surrounding residential properties. The proposal is therefore considered to accord with policy GD1 of the Teesdale District Local Plan.

Access and highways safety

Policy GD1 of the Teesdale District Local Plan seeks to ensure that all new developments are served by adequate and safe accesses.

The proposed replacement dwelling is shown on the plans to be accessed via a newly created access onto the 'C' road which bounds the site to the north. The access will incorporate a parking and turning area and the indicative footprint of the replacement dwellings shows an attached garage.

The highway authority has been consulted on this proposal and has raised no objections. Their comments are set out above. Despite the level of concern from residents of Hamsterley the highway authority consider the road to be "lightly trafficked" and confirm that there have been no accidents within the vicinity of the site for at least the past ten years.

It has been noted that the creation of a new access in this location is one of the paramount concerns of those residents who has commented on this application. However, on the basis of the advice received from the highway authority the proposed access arrangements are considered to be acceptable and therefore accord with the objectives of policy GD1 of the Teesdale District Local Plan.

PLAN Nos AND DATE RECEIVED:

Site plan – Received 22 September 2008

Drawing number 08057-2A – Received 27 October 2008

RECOMMENDED: That outline planning consent be approved subject to conditions.

1. Application for approval of reserved matters shall be made to the Local Planning Authority before the expiration of three years beginning with the date of this permission and the development must be begun not later than the expiration of two years from the final approval of the reserved matters, or in the case of approval on different dates, the date of approval of the last of the reserved matters to be approved.

Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. Approval of the details of appearance, landscaping and scale (hereinafter called 'the reserved matters') shall be obtained in writing from the Local Planning Authority before any development is commenced.

To ensure that a satisfactory form of development is achieved.